

PROCEEDINGS
of the
Orleans County Legislature
2015



PROCEEDINGS
of the
LEGISLATURE
of
ORLEANS COUNTY

2015

Donald J. Allport
E. John DeFilipps
David B. Callard
William H. Eick
Lynne M. Johnson
Fred Miller
Kenneth DeRoller

Member at Large
Member at Large
Member at Large
District No. 1
District No. 2
District No. 3
District No. 4

David B. Callard
Lynne M. Johnson
Charles H. Nesbitt, Jr.
Nadine P. Hanlon
Lisa Stenshorn

Chairman
Vice-Chairman
Chief Administrative Officer
Clerk of Legislature
Deputy Clerk of the Legislature

By Order
of the
Legislature

COUNTY OF ORLEANS)

ss:

STATE OF NEW YORK)

I hereby certify that the following Proceedings of the Legislature of Orleans County by the authority of said Legislature are a true statement of the record of such proceedings as filed in this office.

Nadine P. Hanlon
Clerk of the Legislature



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2014-2015 Orleans County Legislature

FRONT ROW: Lynne M. Johnson, District 2; David B. Callard, Chairman, At Large - West; Nadine P. Hanlon, Clerk of the Legislature
BACK ROW: Charles H. Nesbitt, Jr., Chief Administrative Officer; Fred Miller, District 3; Donald J. Allport, At Large - Central; William H. Eick, District 1; E. John DeFilippis, At Large – East; Kenneth DeRoller, District 4; David C. Schubel, County Attorney

County Officials of Orleans County for 2015

Aging, Office for the, Director	Melissa Blanar
Assistant Director	Susan Miller
Budget Officer	Charles H. Nesbitt Jr.
Deputy Budget Officer	Susan M. Heard
Chief Administrative Officer	Charles H. Nesbitt, Jr.
Clerk of the Legislature	Nadine P. Hanlon
Deputy Clerk of the Legislature	Onnalee C. O'Connor/Lisa Stenshorn
Computer Services, Director	Edwin L. Moss
Coroner, Chief	Scott M. Schmidt, CFSP
Coroners	Joseph T. Fuller/Rocky Sidari
	Charles Smith, RN
County Attorney	David C. Schubel
Assistant County Attorney	John C. Gavenda
	James D. Bell

County Clerk	Karen Lake-Maynard
Deputy County Clerk	Diane L. Shampine
Deputy County Clerk – DMV	Susan K. Rustay
Development, Industrial/Economic	James Whipple
District Attorney	Joseph V. Cardone
1 st Assistant District Attorney	Susan Silleman
2 nd Assistant District Attorney	Katherine Kersch-Bogan
3 rd Assistant District Attorney	John Sansone
Election Commissioners	Dennis J. Piedimonte (R)
	Janice Grabowski (D)
Deputy Commissioners	Clara Martin (R)
	Eileen Aina (D)
Emergency Management, Director	H. Dale Banker
Health, Director	Paul A. Pettit
Highway Superintendent	Gerald R. Gray
Deputy Highway Superintendent	Michael Cliff
Buildings and Grounds Assist. Super.	James J. Noreck
Historian	Matthew Ballard
Housing Assistance, Director	Sheila M. Allport
Job Development, Director	Kelly Kiebala
Mental Health Services, Director	Mark O'Brien
Personnel and Self Insurance, Director	John C. Welch, Jr.
Planning and Development, Director	James Bensley
Probation, Director	Luci Taylor-Welch
Public Defender	Sanford A. Church
1 st Assistant Public Defender	Patricia Pope
2 nd Assistant Public Defender	Dominic Saraceno
3 rd Assistant Public Defender	Nathan D. Pace
Real Property Tax, Director	Dawn M. Allen
Records Management Officer	Charles H. Nesbitt, Jr.
Sheriff	Scott D. Hess
Undersheriff	Steven D. Smith
Chief Deputy	Thomas L. Drennan
Jail Superintendent	Scott Wilson
Social Services, Commissioner	Thomas Kuryla
Tourism, Director	Lynne Menz
Treasurer	Susan M. Heard
Deputy Treasurer	Roxie J. Basinait
Veterans, Director	Paul F. Fulcomer
Weights and Measures, Director	Craig D. Lape
Youth Bureau, Director	Jocelyn Sikorski

LEGISLATIVE STANDING COMMITTEES-2015

LEGISLATIVE

Callard, Johnson

Chief Administrative Officer
Clerk of Legislature
County Attorney
Historian
Emergency Management
Employee Assistance Program
Fire Advisory Board
Off Track Betting
Safety Committee

PUBLIC SAFETY

DeRoller, Johnson, Callard

District Attorney
Probation
Public Defender
Sheriff
Courts
Emergency Medical Services
Stop DWI

HEALTH

Allport, DeFilipps, Callard

Mental Health
Nursing Home
Public Health
ARC

ELECTIONS

DeFilipps, Miller, Callard

Board of Elections

EDA

DeFilipps, Callard

LDC

Eick, Allport, Callard

ADMINISTRATION & FINANCE

Johnson, DeRoller, Callard

Budget Officer
Computer Services
County Clerk
Personnel & Self-Insurance
Records Management
Real Property Tax Services
Treasurer
Education (Community Colleges,
Medical Scholarship, Libraries)

HOME & COMMUNITY SERVICES

DeFilipps, Allport, Callard

Planning & Development
Soil and Water Conservation
Solid Waste
Tourism
Cooperative Extension
Gen/F. Lakes Regional Planning Council
Go Art!
Orleans Sportsman Federation
Parks

ECONOMIC ASSISTANCE

& OPPORTUNITY

Miller, Eick, Callard

Housing - Section 8
Job Development Agency
Office for the Aging
Social Services
Veterans Service Agency
Youth Board

HIGHWAY

Eick, Miller, Callard

Buildings & Grounds
Highway
Weights & Measures
Genesee Transportation Council
RGRTA - Rochester Genesee Regional
Transportation Authority

LEGISLATURE MEETING

January 14, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation led by Paul Fulcomer, Orleans County Director of Veterans Affairs, the Clerk called the roll. All Legislators were present, with the exception of Legislator Johnson.

The Clerk had no communications to present and the Treasurer did not have a report to review.

Chairman Callard read a proclamation in celebration of the 90th anniversary of the New York State Association of Counties.

As Vice President of the Employee Assistance Program, Nola Goodrich-Kresse presented the awarding of the Employee of the Year. The EAP Committee is tasked to recognize Employees of the Month. This is very important and a very special occasion when fellow county employees are recognized for not only their service to the citizens of the county but to recognize those individuals who go above and beyond their duty. The EAP Committee receives nominations from fellow employees and department directors and then the nominations are reviewed and discussed by the committee and a selection is made.

The employees of the months for the past year were: Wayne Krull (Highway), October 2013; William Culverwell, (Buildings & Grounds), January 2014; Dione Harrington, (Social Services) February 2014; Karen Wygal, (Nursing Home) March 2014; James Halstead (Sheriff's Department), May 2014; Tammy Vanwycke (Nursing Home), June 2014; Onnalee O'Connor, (Clerk of the Legislature), July 2014; C.J. Laubacher, (Sheriff's Department), August 2014;

From this pool of candidates, a separate committee reviewed the candidates' recommendation from the employee's department director. The committee looked for additional service that an employee has performed since the individual was recognized as an Employee of the Month. Then the Employee of the Year is selected.

Since the nomination, this employee has continued to earn the respect of legal and human services professionals with whom she collaborates. She is responsible for the supervision of the Child Protective, Adult Protective, Day Care and Domestic Violence services units. Her staff is responsible

for investigating an average of 50 child abuse/neglect reports each month, providing day care services for over 100 children, investigating all reports of adult abuse/neglect and providing a multitude of non-residential domestic violence services. Under her direction, our district consistently ranks in the top 10 on the performance measures mandated by the state for child protection investigations. She is diligent in ensuring the safety of children and families while protecting the interests of our agency. She has 24 years of service at the Department of Social Services.

The 2014 Employee of the Year is Dione Harrington. Mrs. Harrington was applauded for her honor and was presented a plaque.

Chairman Callard called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired of Resolution No. 4-115 in that there will be no second meetings. Chairman Callard stated that the first meeting of the month will be eliminated and they will meet on the fourth Wednesday of the month.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Miller. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 1-115

AUTHORIZING PAYMENT OF CLAIMS AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund have been audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims:

Fund/Department	Check Number (s):	Amount:
General	10820-10969	\$347,714.51
Highway	488-491; 1091-1102	\$44,198.07

Nursing Home	27615-27642	\$74,315.94
Job Development	1673-1677	\$406.18
Self Insurance	1076-1077; 54717-54718; 54720	\$26,309.82

Moved, Eick; second, Miller
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 2-115

AUTHORIZING COUNTY TREASURER TO MAKE YEAR END
ADJUSTMENTS FOR YEAR ENDING DECEMBER 31, 2014

WHEREAS, the independent auditors have recommended that the County Treasurer request a “blanket resolution” to allow for any budget adjustments that may be required at year end; be it

RESOLVED, that this Legislature authorizes the Treasurer to make the necessary budget adjustment and inter-fund transfers, and furnish copy of said adjustment to the Clerk of the Legislature when completed.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 3-115

APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC
EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER
LAKES REGIONAL PLANNING COUNCIL

WHEREAS, the County of Orleans has appropriated the sum of \$6,647 as its share of the year 2015 operating funds of the Genesee Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

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WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore be it

RESOLVED, that the Orleans County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Moved; DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator Eick moved to set the Legislature meeting schedule for 2015; second by Legislator Miller. Legislator DeRoller stated that based on the Efficiency Plan that was presented by the Clerk of the Legislature, he supports this resolution with those challenges ahead of us to continue to drive efficiency to the overall organization. The following resolution was adopted:

RESOLUTION NO. 4-115

SETTING LEGISLATURE MEETING SCHEDULE FOR 2015

RESOLVED, that the regular meetings of the Orleans County Legislature will be held on the fourth Wednesday of the months of January through October at 4:30 PM at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that the the regular meetings of the Orleans County Legislature will be held on the third Wednesday of the months of November and December at 4:30 PM at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that should additional meetings warrant scheduling, special meetings will be called with proper notice as described by Open Meetings Law Article 7, Section 104; and be it

FURTHER RESOLVED, that Legislative workshops will be scheduled one hour prior to the scheduled conference session unless otherwise posted.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 5-115

AMENDING AGREEMENT BETWEEN THE MENTAL HEALTH
DEPARTMENT AND BRX ENTERPRISE PAINT AND WALLPAPER
SERVICE

WHEREAS, Resolution No. 385-1114 approved an agreement with BRX Enterprise Paint and Wallpaper Service for the painting of the interior of the Mental Health building at a cost not to exceed \$6,524 with all materials and labor included which will be paid from Federal Salary Sharing Money; and

WHEREAS, additional materials and labor are needed to complete the painting of two conference rooms and the repair and painting of certain office door frames; and be it

FURTHER RESOLVED, that the cost of \$2,480 be added to this agreement, resulting in a total cost not to exceed \$9,004 which will be paid from Federal Salary Sharing Money.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 6-115

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH
DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2015 calendar year:

Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, NY 11021 providing renewal for the software maintenance and support contract for the AccuMed Software program, which is computer

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software utilized by the Department of Mental Health for electronic client billing and scheduling at a cost of \$8,820.90. County cost is \$617.50.

Community Action of Orleans and Genesee, 411 E State St., Albion, NY 14411 providing summertime services for youths referred or approved by the Department of Mental Health at a cost of \$5,000. County cost is 0.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator Allport moved to approve a change of position title classification in the Mental Health Department; second by Legislator DeFilipps. CAO Nesbitt noted that the County has discussed this issue with the CSEA and they have come to an agreement. The following resolution was adopted:

RESOLUTION NO. 7-115

AUTHORIZING CHANGE OF POSITION TITLE CLASSIFICATION (ASSISTANT CLINIC COORDINATOR) FROM CSEA TO THE MANAGEMENT COMPENSATION PLAN

WHEREAS, SPOA (Single Point of Access) is required by New York State Law as the entry point for applicable Mental Health-related services; and

WHEREAS, State and Federal government regulations require that the SPOA Coordinator does not oversee either Care Coordination or Medicaid waiver services; and

WHEREAS, the Orleans County SPOA Coordinator presently oversees and performs Care Coordination services; and

WHEREAS, in order to meet requirements of SPOA and conflict-free care coordination; be it

RESOLVED, that this Legislature creates a full time Assistant Clinic Coordinator position at Grade 6 in the Management Compensation Plan; and be it

FURTHER RESOLVED, that the duties of the SPOA Coordinator be transferred to the Assistant Clinic Coordinator who will be divested of

caseload and the position shall henceforth be supervisory and administrative in nature; and be it

FURTHER RESOLVED, that that this Legislature does hereby fill the vacant full time Assistant Clinic Coordinator position at Grade 6, Step 7 of the Management Compensation Plan effective January 15, 2015.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 8-115

AUTHORIZING ABOLISHING, CREATING, AND FILLING POSITIONS IN THE MENTAL HEALTH DEPARTMENT AND AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET

WHEREAS, the Assistant Clinic Coordinator position must now be divested of a direct case load in the clinic; and

WHEREAS, there is increased demand for services in the department, including the establishment of satellite mental health services in the county; and

WHEREAS, a part time Clinic Therapist has recently resigned; and

WHEREAS, there is a resultant need for two full time Clinic Therapist positions to fulfill the demands as described above; now, therefore be it

RESOLVED, that this Legislature authorizes the abolishment of a part time Clinic Therapist position (4310.47) effective January 26, 2015; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the creation of two (2) full time Clinic Therapist positions at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these two (2) newly created Clinic Therapist positions effective January 26, 2015; and be it

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FURTHER RESOLVED, that the Treasurer is authorized to set up new money in the Mental Health Budget due to increase of revenue and appropriations due to position requirement changes with SPOA as follows:

Revenue

A1620	Mental Health Fees	\$61,265
A4490	Mental Health – Federal	\$8,551

Appropriations

A4310.100	Personal Services	\$41,649
A4310.810	Retirement	\$7,705
A4310.820	Medicare	\$604
A4310.830	Social Security	\$2,582
A4310.840	Workers Compensation	\$810
A4310.850	Unemployment	\$160
A4310.860	Health Insurance	\$16,116
A4310.880	Disability	\$190

and be it

FURTHER RESOLVED, that the Treasurer is authorized to set up new money in the Mental Health Budget increase of revenue and appropriations due to abolishment of a part-time Therapist and creation of a full-time Therapist as follows:

Revenue

A1620	Mental Health Fees	\$15,226
A4490	Mental Health – Federal	\$11,449

Appropriations

A4310.100	Personal Services	\$5,890
A4310.810	Retirement	\$1,090
A4310.820	Medicare	\$86
A4310.830	Social Security	\$365
A4310.840	Workers Compensation	\$405
A4310.850	Unemployment	\$80
A4310.860	Health Insurance	\$18,477
A4310.880	Disability	\$125
A4310.411	Office Supplies	\$157

Moved, Allport; second, DeFilippis.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 9-115

APPROVING AGREEMENT WITH MERCY FLIGHT

RESOLVED, that this Legislature approves an agreement with Mercy Flight, Inc. for the provision of necessary air medical transfers; Orleans County to pay \$5,000 for the 2015 calendar year; no increase from 2014.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 10-115

APPROVING AGREEMENT WITH SOIL AND WATER
CONSERVATION DISTRICT

RESOLVED, that this Legislature authorizes the renewal agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, NY, for the provision of services by “Soil and Water” for the calendar year 2015, at a cost of \$ 75,000 to be paid in quarterly payments of \$18,750.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 11-115

GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND
WATER SYSTEMS

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina, and Lyndonville located outside of their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant, or reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2015 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 12-115

**AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY
TAX REFUNDS**

WHEREAS, the New York State Real Property Tax Law, Section 556, provides an administrative correction of error process to assist the property owner in obtaining real property tax refunds caused by certain clerical errors, unlawful entries and errors in essential fact; and

WHEREAS, Real Property Tax Law, Section 554 provides that the tax levying body may delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law, Section 556; and

WHEREAS, the Administration and Finance Committee does recommend that the Treasurer be delegated to perform said duties; now, therefore be it

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a refund and said refund is two-thousand five hundred dollars or less; and be it

FURTHER RESOLVED, that on the fifteenth day of each month, the Orleans County Treasurer shall submit a report to the Orleans County Legislature of the refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund and when no refunds are given no report will be issued.

Moved, DeRoller; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 13-115

**APPROVING APPOINTMENTS TO INTERCOUNTY ASSOCIATION
OF WESTERN NEW YORK**

RESOLVED, that this Legislature appoints the following delegates and alternates to the InterCounty Association of Western New York to represent Orleans County:

<u>Name</u>	<u>Representation</u>
David B. Callard	Delegate
E. John DeFilipps	Delegate
Kenneth DeRoller	Delegate
William Eick	Alternate
Charles H. Nesbitt, Jr	Alternate
Nadine P. Hanlon	Alternate

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

The Clerk of the Legislature noted that all of the Legislators are invited to attend these meetings.

RESOLUTION NO. 14-115

APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR THE AGING DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby authorize the following renewal agreements for the Office for the Aging Department:

Orleans Community Health, Long Term Home Health Care Division, 200 Ohio Street, Medina, NY 14103 -OFA subcontractor to provide Meals on Wheels from January 1, 2015 to December 31, 2015 to home care clients with Orleans Community Health Care System reimbursing Orleans County Office for the Aging \$7.00 per hot meal and \$9.75 for clients receiving hot and cold meals. Revenue source, County cost is \$0.

Orleans Community Health, Long Term Home Health Care Division, 200 Ohio Street, Medina, NY 14103 for Office for Aging to provide Lifeline (Personal Emergency Response System) to Home Care patients at a cost of \$30 monthly and one time installation cost of \$50 from January 1, 2015 to December 31, 2017. Revenue source, County cost is \$0.

Ellen Foster, RD of 33 Willmont Street, Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2015 to December 31, 2015 at a cost not to exceed \$13,439. County cost \$597.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 15-115

APPROVING RE-APPOINTMENT TO THE ORLEANS COUNTY
BOARD OF HEALTH

RESOLVED, that this Legislature authorizes the re-appointment of Paul Grout to the Orleans County Board of Health for a six year term effective January 1, 2015 through December 31, 2020.

Moved; Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 16-115

APPROVING APPOINTMENTS TO THE COUNTY PLANNING
BOARD

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

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>Expiration Date</u>
Terrance Brown 1544 East Kent Road Kent, New York 14477	Town of Carlton	12-31-17
Kevin Johnson 4554 South Holley Road Holley, New York 14470	Town of Clarendon	12-31-17
Russell Bosch 4690 Bennetts Corners Road Holley, New York 14470	Town of Clarendon (Alternate)	12-31-17
Kirk Myhill 10835 West Shelby Road Medina, New York 14103	Town of Shelby	12-31-17

Gary Watts 11577 Harrison Road Medina, New York 14103	Town of Shelby (Alternate)	12-31-17
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Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 17-115

**APPROVING RE-APPOINTMENT TO THE ORLEANS COUNTY
BOARD OF ETHICS**

WHEREAS, this Legislature adopted Resolution No. 171-408 enacting Local Law 3 of 2008, Providing for a County Board of Ethics consisting of five members with staggered terms; and

RESOLVED, that this Legislature re-appoints the following member to the County Board of Ethics with the following term expiration:

Name:	Address:	Term expires:
Karen Bradshaw	c/o Orleans County DSS 14016 Route 31 W, Albion NY	12/31/2017

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 18-115

**AUTHORIZING THE FILLING OF A VACANT ELECTED ORLEANS
COUNTY CORONER POSITION**

WHEREAS, Orleans County Coroner Joseph Fuller resigned as a result of being elected Town of Albion Judge, now be it

RESOLVED, that this Legislature does hereby appoint Rocco L. Sidari to fill the vacant elected Orleans County Coroner position (1185.01) effective through December 31, 2015.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 19-115

**APPROVING RE-APPOINTMENTS TO THE FISH AND WILDLIFE
MANAGEMENT BOARD**

RESOLVED, that this Legislature re-appointments the following Orleans County residents to the Fish and Wildlife Management Act Board, with their terms ending December 31, 2016:

Scott Hazel	Landowner Representative
Harold Hazel	Alternate Landowner Representative

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 20-115

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

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

G4S Secure Solutions f/k/a The Wackenhut Corporation, Williamsville, NY for the provision of armed security services for the County Office Building; to be effective January 1, 2015 through December 31, 2015 at a cost of \$26.48 per hour. County cost is \$9.26 per hour.

Orleans County Buildings and Grounds, A Division of the Highway Department, Albion, NY for the provision of Messenger and Custodial Services; to be effective January 1, 2015 through December 31, 2015 at a cost of \$53,072. County cost is \$18,575.

Orleans County Attorney, Medina, NY for the provision of 2 part-time attorneys assigned to Social Services; to be effective January 1, 2015 through December 31, 2015 at a cost of \$142,032. County cost is \$49,711.

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance, and consultation services; to be effective January 1, 2015 through December 31, 2015. County cost \$28,207.

Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2015 through December 31, 2015 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Kendall Central School, Kendall, NY for the provision of preventive services to children and families through the assignment of one(1) Social Services Caseworker to the School District; to be effective August 30, 2014 through August 29, 2015. Said services are to be funded 50% Federal, 31% State, and 19% School.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 21-115

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY
PROBATION DEPARTMENT AND EDNA CALIX**

RESOLVED, that this Legislature approves an agreement between the Probation Department and Edna Calix, 11665 Portage Rd, Medina, NY for interpreting services for offenders who are ordered under the investigation or supervision of the Orleans County Probation Department at a rate of \$40 per hour effective January 1, 2015 through December 31, 2018.

Moved, DeRoller; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 22-115

**AUTHORIZING CREATING AND FILLING POSITION IN THE
BUILDINGS AND GROUNDS DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the creation of a full-time Custodian position in the Buildings and Grounds Department at Grade 6 the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position effective January 15, 2015; and be it

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FURTHER RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Buildings and Grounds budget for this new position as follows:

<u>From</u>		
A1990.435	Contingency	\$32,000
<u>To:</u>		
A1620.100	Personal Services	\$29,120
A1620.810	Retirement	5,300
A1620.820	Medicare	422
A1620.830	Social Security	1,806
A1620.840	Workers Compensation	719
A1620.850	Unemployment	190
A1620.880	Disability	160

and be it

FURTHER RESOLVED, that the remaining \$5,717 for the above personnel costs will be covered by Account No. A4010.419 Public Health – Maintenance in Lieu of Rent (\$4,546.70) and Account A1450.419 Elections – Maintenance in Lieu of Rent (\$1,170.30).

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator DeFilipps moved to appoint James Bensley as the interim Director of Planning and Development; second by Legislator Allport. Jim Bensley was asked to stand so he could be recognized. The following resolution was adopted:

RESOLUTION NO. 23-115

AUTHORIZING THE APPOINTMENT OF AN INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT

WHEREAS, there is a vacant Director of Planning and Development effective December 12, 2014 due to a retirement; now be it

RESOLVED, that this Legislature is authorized to appoint James Bensley as the Interim Director of Planning and Development at Grade 10 Step 3 of the Management Compensation Plan effective January 15, 2015.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Jim Bensley was applauded for being appointed the interim Director. Jim thanked everyone and stated that he appreciates the current working relationship he has with most of this Board. He has been under Wayne Hale's department leadership for the last thirty one years and it has been a great experience as Wayne was a great mentor. He hopes to carry all of this forward. He said it is a real privilege to be in his field and to have the ability to work in his own community all this time is wonderful. He looks forward to what this new adventure will bring him. He said he knew the job starts tomorrow for him but with the looks of his in basket, it might have already started. Chairman Callard stated that he will do well in his position and he was congratulated again by the Board.

The following add on resolution was presented:

RESOLUTION NO. 24-115

AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature, as the result of a resignation, does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0104) at the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective February 2, 2015.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Chairman Callard stated that there was no old business. Chairman Callard also opened the floor for any further discussions, which there was none.

Legislator DeRoller moved to adjourn; second by Legislator Allport.. Meeting adjourned at 4:55 p.m.

LEGISLATURE MEETING

January 28, 2015

Vice Chairwoman Johnson called the meeting to order at 4:39 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present, with the exception of Legislator Allport and Chairman Callard.

The Clerk presented the following communications: The ARC of Orleans County will be holding a Chicken & Biscuit Dinner on February 5th from 4:30 p.m. – 7:00 p.m. at 16 East Academy Street (south side) in Albion. Take outs are available or eat in. Cost is \$9.00 per person. The 80th person through the door will win a free dinner!! Proceeds will benefit Meals on Wheels of Orleans County.

Orleans County Legislator Ken DeRoller and Niagara County Legislator David Godfrey, both representing NORA, presented a certificate of appreciation to Dr. Clark Godshall, Superintendent and Chief Executive Officer of the Orleans/Niagara BOCES. Dr. Godshall was recognized as the 2014 New York State School Superintendent of the Year. As the District School Superintendent since 2000, Dr. Godshall has overseen the enrollment of over 38,000 students. The Orleans Niagara BOCES has consistently been ranked one of the top BOCES of the area. Legislator Godfrey also sends congratulations from Niagara County Legislature Chairman William “Coach” Ross. Legislator Godfrey explained that in 1948 BOCES started in Orleans County. He thanked them for all of that fine education they have delivered and for offering their fine facilities to our students. Dr. Godshall opened an invitation to come visit the BOCES center to everyone. He said that they have 100% placement in some of their programs. They are the second largest Career Technical BOCES out of the 37 in New York State. Dr. Godshall also reported that about 15 years ago, with him being a nationally recognized expert on Shared Services, in Niagara County they did a Saturday retreat on Shared Services. He said perhaps it is time that a joint effort together in terms of a Shared Services Summit be organized by NORA. He shared ideas such as shared billing services, transportation, grant writer, centralized purchasing, to name a few which are areas NORA should also look at.

Legislators DeRoller and Godfrey also recognized Rebecca Albright, Past President of the Orleans Niagara Board of Cooperative Educational Services. She was recognized as being the 2014 Western New York Educational Service Council Award Winner as the Orleans/Niagara

BOCES Board President. Niagara Orleans Regional Alliance commended them for exceeding all expectations and for all of their positive impacts to our community. They both were applauded for their efforts.

Legislator Godfrey reported that Dr. Godshall is helping with their Broadband initiative and appreciates his efforts in this project.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through year end of 2014. Treasurer Heard reported that she made it through. She paid the retirement bill, that is why it looks as low as it does. She also reported that sales tax came in well at the end of January of 2015.

Vice Chairwoman Johnson called for open discussion as it related to the resolutions. With there being no comments, the following resolutions were presented for adoption:

RESOLUTION NO. 25-115

AUTHORIZING PAYMENT OF CLAIMS AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund have been audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims:

Fund/Department	Check Number (s):	Amount:
General	10981-11172	\$567,818.12
Highway	492-499; 1103-1122	\$161,843.87
Nursing Home	27643-27680	\$254,555.72
Job Development	1680-1690	\$11,652.35
Self Insurance	1078-1079	\$11.67

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 26-115

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND NEW YORK STATE UNIFIED COURT SYSTEM**

RESOLVED, that this Legislature approves a five-year agreement between the Sheriff's Office and the New York State Unified Court System to reimburse the county for security personnel in the courthouse effective April 1, 2014 through March 31, 2019, Contract no. C200493; and be it

FURTHER RESOLVED, that this Legislature approves the initial contract in the amount of \$323,000, effective April 1, 2014 through March 31, 2015 subject to the review of the County Attorney and Chief Administrative Officer. County cost \$0.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 27-115

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves the following renewal agreements for the Mental Health Department for the 2015 calendar year:

Susan Tillman, 14369 Ridge Rd, Ste 2, Albion, NY 14411 providing assessment and treatment services to Orleans County Jail inmates at a cost of \$10,599. County cost is \$742.

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 E Main St, Batavia, NY 14020 providing chemical dependency services for inmates at the Orleans County Jail at a cost of \$6,000. County cost is \$6,000.

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 E Main St, Batavia, NY 14020 providing substance abuse/dependency and prevention services, as well as gambling treatment services and translational services at a cost of \$331,327. County cost is \$35,167.

Moved, DeFilipps; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 28-115

AUTHORIZING FILLING VACANCY IN THE OFFICE FOR THE AGING

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part time Keyboard Specialist positions (6772.26) in the Office for the Aging at Grade 7 of the CSEA Salary Schedule effective January 29, 2015.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 29-115

APPROVING ANIMAL CONTROL SERVICES AGREEMENTS WITH THE TOWNS IN ORLEANS COUNTY

RESOLVED, that this Legislature approves renewal agreements with the Towns of Albion, Barre, Carlton, Clarendon, Gaines, Kendall, Murray, Ridgeway, Shelby, and Yates to assist in the provision of Animal Control Services and to maintain a shelter for seized animals effective January 1, 2015 through December 31, 2015; and be it

FURTHER RESOLVED, that the Towns shall pay the County the sum of money set forth in the contract in two (2) equal payments, with the first payment being due on or before July 1, 2015 and the second payment being due on or before December 21, 2015.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 30-115

APPROVING AGREEMENT WITH ORLEANS COUNTY DISTRICT ATTORNEY'S OFFICE AND THE U.S. DEPARTMENT OF JUSTICE

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement between the District Attorney's Office and the U.S. Department of Justice effective January 1, 2015 through December 31, 2015 allowing receipt of seized funds on Federal forfeitures; and be it

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FURTHER RESOLVED, that this Legislative body hereby authorizes the Chairman of the Legislature to execute this agreement as approved by the Orleans County Attorney.

Moved, DeRoller; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 31-115

APPROVING RE-APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

RESOLVED, that this Legislature authorizes the following re-appointments to the Employee Assistance Program Committee for the following term:

Nadine Hanlon	Clerk of the Legislature – Management	1/1/15-12/31/16
Nola Goodrich-Kresse	Public Health – GCASA Liaison	1/1/15-12/31/16
Nicole Spohr	Sheriff’s Office – OCSEA Rep.	1/1/15-12/31/16

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 32-115

APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL COOPERATIVE EXTENSION

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$225,000 for the calendar year 2015, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$56,250.

Moved, DeFilipps; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 33-115

APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY SHERIFF/JAIL AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Orleans County Sheriff's Department/Jail and the following agencies:

Health Direct/Kinney Drugs, Inc., 29 E Main St, Gouverneur, NY 13642, a renewal agreement for pharmacy services to the county jail effective January 1, 2105 through December 31, 2017.

Stericycle, 4010 Commercial Ave, Northbrook, IL 60062, a renewal agreement for disposal of hazardous medical waste at a cost of \$104 per month for Jail and \$104 per month for Orleans County Public Health, effective February 1, 2015 through January 31, 2016;

CorVel Corporation, 251 Salina Meadows Pkwy, Ste 150, N. Syracuse, NY 13212, a new agreement for Managed Care Services which reviews Jail medical bills and re-negotiates to ensure proper rates and medical codes are applied at a charge of 25% of the total savings, effective February 1, 2015 through January 31, 2016.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 34-115

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND NEW YORK STATE TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature approves the 2015 STOP-DWI PLAN with the New York State Department of Motor Vehicles-Governor Traffic Safety Committee, at a cost of \$78,653, effective January 1, 2015 through December 31, 2015. County Cost \$0.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 35-115

AUTHORIZING A PURCHASE FROM HEALTH DEPARTMENT BUDGET FOR RABIES VACCINE

WHEREAS, the Orleans County Health Department is required to purchase Human Rabies Vaccine for post exposure treatment to the residents of Orleans County; therefore be it

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RESOLVED, that this Legislature allows the Health Department to make purchases of human rabies vaccine, when needed, up to the amount of \$77,300.00 from budget account line 4010.409 as approved in the 2015 Orleans County Budget.

Moved, DeFilippis; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 36-115

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE NEW VEHICLES

WHEREAS, the 2015 approved Capital Plan included the purchase of two (2) new pickup trucks for the Orleans County Highway Department; now be it

RESOLVED, that this Legislature authorizes the Highway Department to purchase (2) two new 2015 Chevrolet Silverado's at a County Cost not to exceed \$59,548 from Joe Basil Chevrolet, Inc., 5111 Transit Rd, Depew, NY 14043; to be paid from account DM5130.270, Municipal Contract #7974 Onondaga County.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 37-115

AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services has two vacant positions as a result of internal job promotions within the department; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Caseworker Assistant position (6010.0241) in the Department of Social Services at Grade 10 of the CSEA Salary Schedule, effective January 29, 2015; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Legal Assistant position

(6010.2012) in the Department of Social Services at Grade 14 of the CSEA Salary Schedule, effective January 29, 2015.

Moved, Miller; second, Eick,
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 38-115

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

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

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

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

Moved Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 39-115

APPROVING AGREEMENT BETWEEN HIGHWAY/BUILDINGS & GROUNDS AND OTIS ELEVATOR COMPANY

WHEREAS, Resolution No. 352-1111 approved an agreement with Otis Elevator Company and Highway/Buildings and Grounds through December 31, 2015 for maintenance and inspection of elevators in the County Jail, County Office Building, Mental Health Building, County Clerk's Building, and the County Courthouse; now be it

RESOLVED, that this Legislature approves a price adjustment, an annual increase of \$265.32 effective January 1, 2015 through December

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31, 2015, as a result of an increase in Elevator Examiners cost and material index; a total annual amount of \$9,127.56 per year (monthly payment of \$760.63).

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 40-115

APPROVING AGREEMENT BETWEEN THE DEPARTMENT OF
SOCIAL SERVICES AND ALBION CENTRAL SCHOOL

RESOLVED, that this Legislature does hereby approve a renewal agreement between the Orleans County Department of Social Services and Albion Central School, Albion, NY for the provision of preventive services to children and families through the assignment of two (2) Social Services Caseworker to the School District; to be effective August 30, 2014 through August 29, 2015. Said services are to be funded 50% Federal, 31% State, and 19% School.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 41-115

APPROVING AGREEMENT BETWEEN THE HEALTH
DEPARTMENT AND DAVID SCHUBEL, ORLEANS COUNTY
ATTORNEY

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Health Department and David C. Schubel, Orleans County Attorney, 113 W Center St; Medina, NY 14103 to provide Attorney services to the Orleans County Health Department. Contract period January 1, 2015 through December 31, 2015. Contract amount not to exceed \$15,500. Reimbursement from various NYS contract grants and State Aid. County cost \$0.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 42-115

RESOLUTION REVISING RESOLUTION NO. 226-614 REGARDING
THE SALE OF PROPERTY IN THE VILLAGE OF MEDINA

RESOLVED, that this Legislature approves an Addendum to Real Estate Purchase Agreement with Kenneth Daluisio which was approved by Resolution No. 226-614. The purchase price of \$14,000 shall remain the same. Additionally, purchaser shall pay the 2015 County/Town tax bills including any relieved Village and School taxes, penalties and interest.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

Legislator Miller moved to abolish, create, and fill positions in Job Development and to appoint the new Employment and Training Director; second by Legislator Eick. Legislator DeRoller introduced Kelly Kiebala and welcomed her to Orleans County. The following resolution was adopted:

RESOLUTION NO. 43-115

AUTHORIZING ABOLISHING, CREATING, AND FILLING
POSITIONS IN JOB DEVELOPMENT AND APPOINTING
EMPLOYMENT AND TRAINING DIRECTOR III

RESOLVED, that this Legislature abolishes the part-time Employment and Training Director III position (6010.01) in the Job Development Agency effective March 2, 2015; and be it

FURTHER RESOLVED, that this Legislature creates a full-time Employment and Training Director III position in the Job Development Agency effective March 2, 2015; and be it

FURTHER RESOLVED, that this Legislature appoints Kelly Kiebala to fill this newly created full-time Employment and Training Director III position at Grade 8, Step 5 of the Management Compensation Plan effective March 2, 2015; and be it

FURTHER RESOLVED, that this Legislature abolishes a full-time Employment and Training Coordinator position (6210.08) in the Job Development Agency; and be it

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FURTHER RESOLVED, that this Legislature creates a part-time Assistant Employment and Training Director III position in the Job Development Agency at Grade 5 Step 9 of the Management Compensation Plan, with an hourly salary set at \$27.41; and be it

FURTHER RESOLVED, that this Legislature appoints Carol Miller to fill this newly created part-time Assistant Employment and Training Director III position in the Job Development Agency effective March 2, 2015.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 44-115

AUTHORIZING SALARY GRADE ADJUSTMENT FOR THE DIRECTOR OF OFFICE FOR THE AGING

RESOLVED, that this Legislature does hereby authorize that the Director of Office for the Aging salary grade adjustment be at Grade 8, Step 4 in the Management Compensation Plan effective February 1, 2015.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 45-115

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND JAY SUPNICK, Ph.D

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and Jay Supnick, Ph.D of Law Enforcement Psychological Associates, 448 White Spruce Blvd, Rochester, NY 14623 for pre-employment psychological screenings and fitness for duty psychological evaluations for the Orleans County Sheriff's Office at rates set forth in the fee schedule effective through December 31, 2015; and be it

FURTHER RESOLVED, that the fee schedule attached to this agreement shall be reviewed annually by the Orleans County Sheriff shall take appropriate action by amending this agreement should rates increase during the duration of this contract.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

RESOLUTION NO. 46-115

**AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 February 11, 2015:

Fund/Department	Check Number (s):	Amount:
General	11183-11365	\$351,128.52
Highway	500-504	\$55,480.23
Nursing Home	27682-27692	\$44,406.56
Job Development	1693-1699	\$948.91
Self Insurance	54817-54819	\$4,391.75

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 February 25, 2015:

Fund/Department	Check Number (s):	Amount:
General	11384-11517	\$393,685.56
Highway	505-507; 1172-1180	\$11,343.59
Nursing Home	27695-27698	\$43,737.75
Job Development	1703-1714	\$11,994.39
Self Insurance	1080, 54886	\$18,959.68

Moved, Eick; second, Miller,
Adopted. 5 ayes; 0 nays; 2 absent, Allport and Callard.

Vice Chairwoman opened the floor for comments. Edward R. “Ted” Scharping, Albion, addressed the board concerning an ad in the Lake Country Pennysaver for the sale of county owned property, formerly known as the Apollo Restaurant. He stated that it was his understanding that offers maybe presented this evening concerning this property to the Board. Vice Chairwoman Johnson advised him that there was no resolution on this evening’s agenda to address this so there will be no movement on this. Mr. Scharping wanted to go on record that there is at least two buyers. It is his understanding, through the County’s real estate agent who has the exclusive right to sell agency, that there are two responsible buyers for this property. He wanted the Board to know that there may be others and there may be different ways in seeking the highest and best price for this property. Vice Chairwoman thanked him for coming and stated that is comments were so noted.

Legislator Eick moved to enter into executive session at 5:03 p.m. per Open Meetings Law §105 (h) to discuss the sale of real property owned by Orleans County, second by Legislator DeRoller. Motion Carried. David Snell (Snell Realty) and Susan Heard were invited into the executive session.

Vice Chairwoman Johnson announced that there will be no further business after we reconvene from executive session.

Legislator DeRoller moved to exit out of executive session and reconvene the regular meeting at 5:27 p.m.; second by Legislator Miller. Motion Carried.

Legislator DeFilipps moved to recess this meeting; second by Legislator Eick. Meeting recessed at 5:28 p.m. A date and time will be determined to reconvene and our newspapers will be notified as soon as that is set.

LEGISLATURE MEETING
February 4, 2015
Recessed Meeting of January 28, 2015

Chairman Callard reconvened the meeting at 4:03 p.m. The Clerk called the roll. All Legislators were present, with the exception of Legislator Allport.

Upon the opening of the recessed meeting, Ted Scharping, Albion, handed the Clerk of the Legislature a document which was not examined by the Clerk but was handed to the Chairman of the Legislature who further handed it to the Chief Administrative Officer and County Attorney. Upon its examination, it appeared to be a purchase offer for property located at 13939 State Route 31 West and 13927 State Route 31 West, in the Town of Albion.

Legislator Eick moved to enter into executive session at 4:04 p.m. per Open Meetings Law §105 (h) to discuss the sale of real property owned by Orleans County, second by Legislator DeFilipps. Motion Carried. Susan Heard was invited into the executive session.

Chairman Callard asked everyone to leave the Chambers until the executive session has been complete, they will reconvene the meeting.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 4:32 p.m.; second by Legislator Eick. Motion Carried.

Legislator Eick moved to add two resolutions to the agenda; second by Legislator Miller. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 47-215

APPROVING PURCHASE AND SALE CONTRACT FOR THE SALE OF 13939 STATE ROUTE 31 WEST AND 13927 STATE ROUTE 31 WEST (TAX MAP NOS. 72.-2-6 AND 72.-2-7)

WHEREAS, the two commercial parcels referred to as 13939 State Route 31 West (tax map no. 72.-2-6) and 13927 State Route 31 West (tax map no. 72.-2-7), Town of Albion, were subject to an In Rem Tax Foreclosure Proceeding pursuant to Article 11 of the Real Property Tax

Law, and pursuant to the In Rem Proceeding title was vested in the County of Orleans by a Treasurer's Tax Deed recorded in Liber 846 of Records, at page 69, and

WHEREAS, the County of Orleans is authorized to sell commercial property acquired by means of In Rem Foreclosure via private treaty, and

WHEREAS, the County of Orleans has received a Purchase and Sale Contract for the aforementioned properties which the County is desirous of approving, now, therefore, be it

RESOLVED, this Legislature hereby approves a Real Estate Purchase and Sale Contract submitted by Richard and Dawn Stacey having a sale price of \$125,000 subject to and in accordance with the terms and conditions set forth in the Contract and as approved by the Attorney Approval letter of Orleans County Attorney David C. Schubel, dated January 30, 2015, and be it further

RESOLVED, that the Orleans County Treasurer and Chief Tax Enforcement Officer is authorized to execute a deed and other documents in order to convey all of the County's right, title and interest in and to said parcels.

Moved, Johnson; second, DeRoller

Roll Call: 6 ayes: Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 1 absent, Allport.

Adopted.

Ted Scharping, Albion, interjected by asking what the resolution was. Chairman Callard restated that the resolution was to approve the purchase and sale contract for the sale of 13939 State Route 31 West and 13927 State Route 31 West. Mr. Scharping stated that it was his understanding that the Board had two purchase offers. Chairman Callard advised Mr. Scharping that he was out of order because they were in the process of the presentation of resolutions. The following resolution was presented for adoption:

RESOLUTION NO. 48-215

APPROVING EXTENSION OF GRANT AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NYS OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Resolution No. 224-612, and 307-814 were approved by the Orleans County Legislature, to provide funding to enhance cooperation and coordination between Federal, State, and local law enforcement in a joint mission to secure our borders and enforce counter-terrorism efforts; and

RESOLVED, that this Legislature approves an Appendix X extending Operation Stonegarden Grant Agreement FY2011 (SG11-1006-D02) through August 31, 2015 with the NYS Office of Homeland Security and Emergency Services with no change in the contract amount; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to sign an Appendix X for the FY2011 Operation Stonegarden Grant Agreements.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

Legislator Eick moved to enter into executive session at 4:36 p.m. per Open Meetings Law §105 (f) to discuss a personnel item, second by Legislator DeFilipps. Motion Carried.

Legislator DeRoller moved to exit out of executive session and reconvene the regular meeting at 5:11 p.m.; second by Legislator Eick. Motion Carried.

Legislator Miller moved to adjourn; second by Legislator Eick. Meeting adjourned at 5:12 p.m.

LEGISLATURE MEETING
February 25, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Genesee County Economic Development Center will hold their Annual Luncheon on March 6th at the Batavia Downs Registration is at 11:30 a.m. with Meeting to begin at Noon. The 17th Annual Go ART! Reach, Ripple and Spark Grant Awards Ceremony is scheduled for Friday March 13th from 6 – 8 p.m. at the Go ART! Seymour Place in Batavia. They are excited to announce many Orleans County award recipients which will provide Orleans County residents with great entertainment in the upcoming months. Save the date for March 14th for Farmer to Neighbor Night 2015 to be held at the White Birch Golf Course. The Albion Strawberry Festival Committee, under the authority of the Village of Albion, is requesting permission to hold its 29th annual festival on the Courthouse Lawn on June 12th and June 13th, 2015. Hours of operation will be 11 a.m. to 9 p.m. on Friday and 9 a.m. to 9 p.m. on Saturday. As in the past, the Courthouse grounds will be used for the same purposes which include arts and crafts, and entertainment. The Board approved this request.

Legislators DeRoller, Eick, Miller, and DeFilipps recognized Jerry Gray, Orleans County Highway Superintendent for a Small Cities and Rural Communities Award for Structures less than Five Million that was a result of the oversight and work completed on the Waterport Road Bridge over Oak Orchard Creek. He was recognized at the APWA – American Public Work’s Association – Awards Banquet. Legislators DeRoller, Miller, and DeFilipps attended this Awards Banquet with Superintendent Gray and over 300 other people. Keeler Construction and LaBella Associates were also recognized for this project. Legislator Eick, Chairman of the Highway Committee stated that Jerry has done an outstanding job over the years at our Highway Department and advised him to continue on with his great work. Chairman Callard indicated that the Highway Department has always done a great job but it is nice to be recognized regionally, which is first, and he voiced his appreciation to the Legislators who attended this awards ceremony on behalf of Orleans County.

Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through January, 2015. Treasurer Heard said it looks a little

disappointing due to the \$1.5 IGT transfer in the month of January which was very tough but tax money is rolling in every day. She hope it will look better as we continue to move forward.

Chairman Callard called for open discussion as it related to the resolutions. Mattie Zarpentine, Holley, Regional Director and Board Member of New York Revolution, thanked the Orleans County Legislature for once again showing support for our 2nd amendment rights and their willingness to send that message to Albany.

Ms. Zarpentine indicated that in 2013, 52 out of 62 counties passed resolutions opposing the unconstitutional SAFE Act. Orleans County was the first, and only, county to have all municipalities pass resolutions opposing the SAFE Act.

She expressed that Orleans County residents should be extremely proud of our strong stance in support of our Constitutional rights. Those resolutions sent a very clear message.

Here we are, nearly 2 years after the passage of that resolution, unwavering in our resolve to fight tyranny, stated Ms. Zarpentine. What we understood about the SAFE Act back then has proven true....it has done nothing to make us any safer. It has only managed to infringe upon the freedom of the law-abiding citizens of New York.

Ms. Zarpentine reported that resolutions such as the one being supported here today continue to be incredibly important. It shows that we stand united. We will continue to fight to restore freedom for our posterity. If we do not stop the constant infringement upon our Constitutional rights now, what will be left for them?

She implored all in attendance here today to continue to stand up, speak out and make freedom count! Ms. Zarpentine was applauded for her comments.

Timothy Grooms, originally from Albion/Gaines but now lives in Genesee County, seconded what Ms. Zarpentine said.

Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 49-215

**AUTHORIZING ABOLISHING, CREATING, AND FILLING
POSITIONS IN THE PUBLIC HEALTH DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Senior Public Health Technician (4010.05) in the Public Health Department at Grade 17 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Public Health Sanitarian in the Public Health Department at Grade 18 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant Public Health Sanitarian effective February 26, 2015.

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

Legislator Allport stated that he is honored to present the next resolution on behalf of the Legislator who was first in the State of New York to oppose the SAFE ACT Legislation when it was first presented and now we are asking for support of its repeal. He thanked Legislator Johnson for all of her hard work and support on this resolution. He thanked Tinker Young and SCOPE; and Mattie Zarpentine and the New York Revolution for their continued fight for our second amendment rights. He said it is very important that every right that we have be protected. Legislator Allport stated that regardless of what people think about gun ownership or non gun ownership, they should support the second amendment right as well as any of them. He said that when a right is infringed upon by an overbearing government, we all lose our freedoms. It is important that every American unite behind the Bill of Rights because they are specifically spelled out if you read the history of the founding of our country. Before Virginia signed onto the constitution, it was very important that the Bill of Rights were there to protect the citizens against the type of government we have right now. In speaking of our government, Legislator Allport stated that the United States, being one of the key sellers of arms in the world, he finds it very hypocritical of a government that unrestrictedly sells weapons of all types to anybody in the world. They have no idea where they are being used - either by an adult or child - or if they are being used to commit murder or to commit crimes. Yet they turn around to the United States

citizens in telling us that we are not allowed to have weapons which this hypocrisy needs to disappear.

Legislator Allport moved to support legislation to Repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013; a unanimous second was highly voiced. Legislator Johnson recognized Legislator Allport for his very well said comments. The following resolution was adopted with applause:

RESOLUTION NO. 50-215

**SUPPORTING LEGISLATION TO REPEAL THE NEW YORK
SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE)
ACT OF 2013**

WHEREAS, Senate bills S511-2015 and S1193-2015 have been introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione respectively, which would repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and

WHEREAS, this Legislative Body has long advocated for the protection of the rights afforded our citizens under the Constitution, which has for generations guided our Nation and served as a framework to our republic and society; and

WHEREAS, the Second Amendment of the United States provides for the “right of the people to keep and bear arms” and further states that this right “shall not be infringed”; and

WHEREAS, members of the Orleans County Legislature, being elected to represent the people of Orleans County, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, “Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed.”; and

WHEREAS, the lawful ownership of firearms is a recreational

benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with several locally owned and operated gun/sporting businesses; and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, will have a detrimental effect on hunters, sportsmen and legal gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms; and

WHEREAS, the legislation prohibits the sale of firearm magazines with a capacity larger than seven (7) rounds and, those firearm magazines with a capacity larger than seven (7) rounds, which are authorized to be retained by existing owners, may only be loaded with seven (7) rounds and eventually must be permanently altered to only accept seven (7) rounds or be disposed of; and

WHEREAS, few or no low capacity (seven (7) rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of Orleans County for the defense of life, liberty and property; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting; and

WHEREAS, while there are some areas of the legislation that the Orleans County Legislature finds encouraging, such as the strengthening of Kendra's Law and Marks's Law, as well as privacy protections for lawful permit holders, we find the legislation fails to offer little meaningful solutions to gun violence and places undue burdens where they don't belong, squarely on the backs of law abiding citizens; and

WHEREAS, there are many parts of this legislation that place an unfunded mandate on the local Sheriff Departments, County Clerk's Office and County Judges, while tax payers are crying out relief; and

WHEREAS, there will be significant financial impact due to the approximately 4,850 Orleans County pistol permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on permits, which now also must be renewed every five years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State; and

WHEREAS, this legislation effectively treats countless New York State law abiding gun owners as criminals; and

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained within; and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Orleans County Legislature; and

WHEREAS, this legislative body unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above in RESOLUTION NO.82-213 of the Orleans County Legislative proceedings of February 13, 2013; now be it

RESOLVED, that the Orleans County Legislature does hereby support Senators Michael Nozzolio's and Katherine Marchione's bills S511-2015 and S1193-2015 to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and be it

FURTHER RESOLVED, that this Legislature supports the introduction of an Assembly bill which calls for the repeal of the New York Secure Ammunition and Firearms Act of 2013; and be it

FURTHER RESOLVED, that this legislature supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, InterCounty of Western New York, all Orleans County Towns and Villages, and all others deemed necessary and proper.

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

Chairman Callard stated he has been duly appointed to the Resolutions Committee for the InterCounty of Western New York Association and he will present this resolution at the March meeting. He will ask the nineteen counties that make up this Association to adopt and move this important issue forward to the Governor along with getting individual county support for this very important matter.

RESOLUTION NO. 51-215

**APPROVING AGREEMENTS BETWEEN HEALTH DEPARTMENT
AND VARIOUS AGENCIES**

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

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 East Main Street Batavia, NY 14020, to provide screenings and referrals along with alcohol/substance abuse education to the Migrant Health Population through the New York State Migrant contract effective October 1, 2014 through September 30, 2015. County Cost \$0.

Timothy Hens, PE; 7319 Quinlan Road, Leroy, NY 14482 to provide Engineering Services to the Orleans County Health Department Environmental division. Contract period January 01, 2015 through December 31, 2015. Contractor to be paid \$85.00 per hour. Reimbursement from State Aid, NYS Water grant and collected fees. County Cost \$0.

Thomas Graham, 32 Farnsworth Ave, Oakfield, NY 14125; to provide Hearing Officer Services regarding Public Health Law for the Orleans County Health Department. Contract period January 1, 2015 to December 31, 2016. Contract amount \$25.00 dollars per hour. Reimbursement from State Aid.

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

RESOLUTION NO. 52-215

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO)

WHEREAS, the Orleans County Health Department has been awarded funding to house the Medical Reserve Corps (VALOR) and undertake activities to build membership and sustainability; and

WHEREAS, the Orleans County Health Department has been awarded additional funding to support the Medical Reserve Corp (VALOR) with the implementation of a Community Garden; now be it

RESOLVED, that this Legislature approves an agreement between the National Association of County and City Health Officials (NACCHO) (Contract #MRC15-2237) and the Health Department in the amount of \$3,500 effective January 1, 2015 through July 31, 2015 to undertake activities to build membership and sustainability for our Medical Reserve Corps (VALOR), County Cost \$0; and be it

FURTHER RESOLVED, that this Legislature approves an agreement between the National Association of County and City Health Officials (Contract #MRC15-2237C) and the Health Department, in the amount of \$15,000 effective January 9, 2015 through July 31, 2015, to support the Medical Reserve Corps (VALOR) in the implementation of a Community Garden, County Cost \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department budget as a result of the awards from the National Association of County and City Health Officials:

Revenue:

A4489	Bioterrorism Preparedness	\$ 18,500
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Appropriations:

4010.434	Advertising	\$ 1,343
4010.452	Personal Service Contracts	\$ 3,912
4010.461	Postage	\$ 81
4010.478	Health Promotion Supplies	\$ 1,800
4010.487	Environmental Health Supplies	\$ 11,364

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

RESOLUTION NO. 53-215

AUTHORIZING FILLING OF VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, due to a resignation, that this Legislature authorizes the filling of a vacant Community Mental Health Nurse position (4310.45) in the Mental Health Department at Grade 21 of the CSEA Salary Schedule which will be effective February 26, 2015.

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

RESOLUTION NO. 54-215

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND EFP ROTENBERG, LLP

RESOLVED, that this Legislature approves an agreement between Mental Health and EFP Rotenberg, LLP, 280 Kenneth Drive, Rochester, NY 14623 to provide the 2014 Consolidated Fiscal Report compliance review/audit at a cost of \$6,500. County cost is \$455.

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

Legislator DeFilipps moved to fill a vacant full time Senior Planner in the Planning and Development Department; second by Legislator Allport. Legislator DeRoller stated he strongly supports this Senior Planner position. The following resolution was adopted:

RESOLUTION NO. 55-215

AUTHORIZING THE FILLING A VACANCY THE PLANNING AND DEVELOPMENT DEPARTMENT

RESOLVED, as a result of a vacancy, this Legislature authorizes the filling of a contingent permanent full time Senior Planner position (8020.02) in the Planning and Development Department, Grade 22 in the CSEA Salary Schedule effective February 26, 2015.

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

RESOLUTION NO. 56-215

AUTHORIZING ABOLISHING, CREATING, AND FILLING OF POSITIONS IN THE ORLEANS COUNTY BUILDINGS AND GROUNDS DIVISION OF THE HIGHWAY DEPARTMENT

WHEREAS, upon review of the operations of the Buildings and Grounds Division of the Highway Department it has been determined to increase the efficiencies of the department, there needs to be increased line supervision of the Buildings and Grounds Division; now, therefore be it

RESOLVED, that this Legislature authorizes the creation of two (2) full time Working Supervisor positions in the Buildings and Grounds Division at a Grade 16 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective March 9, 2015; and be it

FURTHER RESOLVED, that should either or both of these vacant positions be filled with an existing Buildings and Grounds Division employee or employees, this Legislature authorizes the abolishment of the corresponding position or positions in the Buildings and Grounds Division which are in the CSEA Salary Schedule; effective upon the filling of the newly created vacant Working Supervisor position or positions.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to authorize purchase of a new video system for the Fuel Farm because the current system is over eight years old if not older and it is ailing us, which we really do need to replace. Legislator Miller seconded the motion; therefore the following resolution was adopted:

RESOLUTION NO. 57-215

AUTHORIZING PURCHASE OF NEW VIDEO SYSTEM AND SETTING UP OF NEW MONEY IN THE FUEL FARM BUDGET

RESOLVED, that this Legislature authorizes the Orleans County Fuel Farm to purchase a new video system located at 225 West Academy Street, Albion, New York 14411 from SI Technologies, Inc. d/b/a Security Integrations, 81 Benbro Drive, Suite 100, Cheektowaga, New York 14225

at a cost of \$18,085.99, to be paid from the Account of DM5140.250 – Fuel Farm; NYS Contract #PT63302, Award #20191.

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Fuel Farm Budget as follows:

<u>Revenue</u>		
Fuel Farm Capital Reserve Account		\$18,085.99
<u>Appropriations</u>		
DM5140.250	Other Equipment	\$18,085.99

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

Legislator Johnson moved to authorize the Chairman to appoint Matthew Ballard as the new County Historian; second by Legislator Allport. Legislator Johnson recognized Bill Lattin, who was present today, for his many years of dedication to the County Historian position and to welcome aboard Matt Ballard. They were recognized by applause. The following resolution was adopted:

RESOLUTION NO. 58-215

AUTHORIZING CHAIRMAN OF THE LEGISLATURE TO APPOINT THE COUNTY HISTORIAN

WHEREAS, due to a retirement, the County Historian position became vacant on December 31, 2014; now be it

RESOLVED, that the Chairman of the Legislature is authorized to appoint Matthew Ballard as County Historian effective February 26, 2015; and be it

FURTHER RESOLVED, that the annual pro-rated salary will be \$8,000.

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

Matt thanked the Board for the vote of confidence and stated that it is truly an honor to be appointed to the position. He stated that he is looking

forward to serving the community and working alongside Bill over the next year or so to make it a smooth transition. He thanked the board again for his appointment.

Chairman Callard stated that he has a small charge for him. Funding monies are very difficult to come by for small town and village projects but the County has been successful twice for the Marine Park. He thinks it is important to look at a county wide “themed” project that all the towns and villages could participate in, very consistent to our fishing theme. Another draw to our county such as a historical perspective one may be thought of like the thought shared of a Sandstone Trail. This may have an appeal to the State which then the Governor may be supportive of these efforts. He opens that up to our new Historian and to the residents of Orleans County to think about another theme to get people visiting our county. Chairman Callard whimsically advised Mr. Ballard that they will talk about that on Monday, so it gives him the weekend to think about it.

RESOLUTION NO. 59-215

APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

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

<u>Name & Mailing Address</u>	<u>Represents</u>	<u>Expiration Date</u>
Christine A. Buongiorno 111 Chamberlain Street Albion, New York 14411	Village of Albion	12-31-16

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

RESOLUTION NO. 60-215

AUTHORIZING PAYMENTS FROM THE SHERIFF’S BUDGET

WHEREAS, an equipment purchase started out as a repair but was more cost effective to replace and then there was a delay in billing as a result of a clerical error by Taser International; now be it

RESOLVED, that this Legislature authorizes payment to Taser International, PO Box 29661, Dept. 2018, Phoenix, AZ, 85038-9661, for

the payment of Invoice #SI13242173 dated December 13, 2013, for a replacement Taser with Holster at a cost of \$836, to be paid from Sheriff's account A3110.444-Repairs to Equipment & Property; and be it

FURTHER RESOLVED, that this Legislature authorizes payment to Erie Community College, 4041 Southwestern Boulevard, Orchard Park, NY, 14127, for Basic Police Academy Fall 2014 semester, for Deputy Brian Larkin, at a cost of \$5,237, to be paid from Sheriff's account A3110.460 – Training and Educational.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 61-215

AUTHORIZING PURCHASE OF CORRECTION UNIFORMS FROM THE JAIL BUDGET UTILIZING EXTENSION OF CONTRACT PROVISIONS OF ONTARIO COUNTY CONTRACT B 13096

WHEREAS, the Sheriff's Department wishes to purchase correction uniforms utilizing the extension of contract provisions of Ontario County's contract B 13096; and

WHEREAS, the Ontario County contract allows all eligible municipalities authorized under the General Municipal Law to purchase goods awarded as a result of a bid in accordance with the most recent amendments to the NYS General Municipal Law; now, therefore be it

RESOLVED, that this Legislature authorizes the Sheriff to purchase correction uniforms from United Uniform, 495 North French Road, Buffalo, NY 14228 to be paid from Jail Budget account A3150.415-Uniforms at a total cost of \$11,977.15; and be it

FURTHER RESOLVED, that this purchase is authorized under the General Municipal Law utilizing the extension of contract provisions of Ontario County contract B 13096, Ontario County Resolution No. 47-2014.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 62-215

**AUTHORIZING ABOLISHING, CREATING, AND FILLING OF
POSITIONS IN THE PROBATION DEPARTMENT**

WHEREAS, an Administrative Secretary has retired in the Probation Department; now, therefore be it

RESOLVED, that this Legislature authorizes abolishing a vacant full-time Administrative Secretary position (3140.15) in the Probation Department at a Grade 12 of the CSEA Salary Schedule; effective February 27, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of one (1) full time Account Clerk Typist position in the Probation Department at Grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective February 26, 2015.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 63-215

**APPROVING CELLULAR PHONE USE AGREEMENTS FOR MAJOR
FELONY CRIME TASK FORCE**

WHEREAS, the approved form of agreement for cellular phone use has been prepared by Eric Harling and Corey Black, Investigators in Major Felony Crime Task Force, and has been reviewed by the appropriate Legislative Committee; now be it

RESOLVED, that this Legislature approves the Cellular Phone Use Agreement covering use of cellular phones in accordance with the Cellular Phone Use Policy for position codes 1165.11 and 1165.12.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 64-215

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2014 Grant Funds for purchase of County wide IP/Camera Project #Y3373 with SI Technologies, Inc. 14 Petra Lane, Albany, NY 12205, at a cost not to exceed \$51,530.70, said equipment to be installed at the County PSB, COB and Mental Health; and be it

FURTHER RESOLVED, that this Legislature approves setting up 2014 Homeland Security Grant Funds as follows:

Revenue

A4309.2014	State Homeland Security Grant Program FY2014	\$51,530.70
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Appropriation

3640.486.2014	Grants	\$ 51,530.70
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Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 65-215

APPROVING AGREEMENT BETWEEN THE PUBLIC DEFENDER AND NYS OFFICE OF INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves the agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capital Rm. 128, Albany, NY 12224 to provide funds in the amount of \$211,428 to assist the County in improving the quality of indigent legal services by providing funds to create an Assigned Counsel Administrator, and a Case Manager as well as provide funds for investigative services in Orleans County, effective retroactive to January 1, 2014 through December 31, 2016.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 66-215

AUTHORIZING EXECUTION OF ASSIGNED COUNSEL ADMINISTRATOR AGREEMENT WITH HEATH & MARTIN, ATTORNEYS

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a contract for the Assigned Counsel Administrator with Heath & Martin Law Firm for providing all services as Assigned Counsel Administrator, at an annual cost of \$25,000; and said amount to be paid in quarterly installments of \$6,250, upon submission of a county voucher at the end of each quarter; agreement effective from March 1, 2015 until February 28, 2018, all subject to the availability of state grant funds for the contract.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 67-215

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE/JAIL AND MARK RUMBLE, DDS

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office/Jail and Dr. Mark Rumble, DDS, 243 S Main St, Albion, NY 1441 for dental services to the inmates in the Orleans County Jail, rates set forth in the fee schedule.

Moved DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 68-215

AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE MENTAL HEALTH BUDGET

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds in the Mental Health Department to pay for painting of their office space, as approved by Resolution No. 5-115 as follows:

<u>Revenue</u>	
Reserve for Misc Billing	\$2,480

Appropriations

A4310.447 Contracted Services/Equipment \$2,480

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

RESOLUTION NO. 69-215

**AUTHORIZING PAYMENT OF CLAIMS FOR MARCH AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 11, 2015:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	11518-11668	\$369,808.49
Highway	508-511; 1181-1221	\$83,616.69
Nursing Home	27700-27704	\$35,680.08
Job Development	1717-1726	\$14,717.500
Self Insurance	54942-54946; 55005	\$6,054.33

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 25, 2015:

Fund/Department	Check Number (s):	Amount:
General	11698-11828	\$322,286.62
Highway	512-515; 1222-1246	\$54,574.66
Nursing Home	27705-27708	\$29,738.58
Job Development	1729-1736	\$9,079.11
Self Insurance	1081-1083; 55006-55007	\$44,679.99

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

The following three (3) add on resolutions were then presented for adoption:

RESOLUTION NO. 70-215

APPROVING PROBATION DIRECTOR TO SUBMIT A CORRECTIVE ACTION PLAN FOR THE LEANDRA' S LAW IGNITION INTERLOCK PROGRAM PLAN FOR ORLEANS COUNTY

WHEREAS, by passage of Resolution No. 180-514, the Probation Director was authorized to submit the Leandra's Law Ignition Interlock Program Plan Update to the NYS Division of Criminal Justice Services, Office of Probation and Correctional Alternatives per Chapter 496 of the Laws of 2009; now be it

RESOLVED, that this Legislature authorizes the Director of the Orleans Probation Department to submit a Corrective Action Plan for the Leandra's Law Ignition Interlock Program Plan Update for Orleans County to the NYS Division of Criminal Justice Services, Office of Probation and Correctional Alternatives.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 71-215

APPROVING AGREEMENT EXTENSION BETWEEN BUILDINGS AND GROUNDS AND INTEGRYS ENERGY SERVICES

RESOLVED, that this Legislature approves an agreement extension (Contract ID#1581372) between the Buildings and Grounds Department and Integrys Energy Services, 106 Afton Lake Rd., Afton NY 13730 to provide the County energy services (electric) through the MEGA

(Municipal Electric and Gas Alliance) Program; the agreement extension is in effect for twenty four months starting on or about the first meter read date of May 30, 2016 through June 9, 2018, which locks in a fixed rate of 0.06427/kWh, for an additional twenty four (24) month period.

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

Legislator Johnson moved a resolution to support reform of the Aid and Incentive for Municipalities, also known as AIM revenue sharing, which is a formula that New York State set up in 1980's and we are asking the state to look at implementing multi-year phasing of a 50% increase in the AIM funding in order to distribute the new aid to local governments in a more fair and objective manner. Legislator Johnson also asked that the resolution be forwarded to Lieutenant Governor Hochul. Legislator DeRoller seconded the resolution. Chairman Callard announced that Lieutenant Governor Hochul was in Orleans County and met with our Legislators, Department Heads, and other elected officials in our Legislature office. This was a great opportunity to discuss items of concern and this subject was specifically discussed. We wanted to bring this resolution to her attention so she could carry it closer to the Governor than probably anyone else. This has been a long awaited subject that needed to be addressed on behalf of our villages and towns and Orleans County will step up in helping this get up streamed. Chairman Callard stated he will also take this matter to the InterCounty of Western New York Association for support. The following resolution was adopted:

RESOLUTION NO. 72-215

SUPPORTING REFORM OF THE AID AND INCENTIVE FOR MUNICIPALITIES (AIM) FORMULA IN ORDER TO DISTRIBUTE THE NEW AID TO LOCAL GOVERNMENTS

WHEREAS, unrestricted state aid to local governments – formerly known as revenue sharing, now known as Aid and Incentive for Municipalities, or AIM – is general purpose state aid provided to all of New York's cities (outside of New York City), villages and towns; and

WHEREAS, since the late 1980s, the original “revenue sharing” formula – intended to provide property tax relief by redistributing the state's progressive tax revenues to municipalities that do not have the tax base or the taxing authority to generate these revenues on their own – has

been annually disregarded and various constraints have been imposed on the overall level of state aid to local governments; and

WHEREAS, the original “revenue sharing” formula has not been utilized for decades and, since that time, various additional aid categories have been targeted to specific municipalities based on no particular economic or demographic factors, the current allocation of unrestricted aid (AIM) fails to accurately reflect the fiscal need and capacity of its recipient cities, villages and towns; and

WHEREAS, unrestricted State aid to local governments is a clear and proven way to provide property tax relief, when sufficiently funded; and

WHEREAS, a strong and growing state-local fiscal partnership is essential to generating economic vitality in all regions of our State; and

WHEREAS, local governments are limited by the 2% cap on property tax levies, growth in unrestricted State aid is critical; now, therefore be it

RESOLVED, that the Orleans County Legislature calls on the Governor and the State Legislature to implement a multiyear phased 50% increase in the AIM program funding and a reform of the AIM formula in order to distribute the new aid to local governments in a fair and objective manner, and would account for local fiscal capacity and need; and be it

FURTHER RESOLVED, that the new program’s formula components, at a minimum, should include population, population density, poverty and public safety services and the formula should also consider the amount of tax-exempt property a municipality has within its boundaries, as this has a significant effect on a community’s ability to raise revenue; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, NYSAC, InterCounty of Western New York, Orleans County Towns and Villages, and all others deemed necessary and proper.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called for comments from the floor. Gaines Supervisor Carol Culhane stated that she has good news in that she has been tasked by Santa Claus to announce that there will be a Santa Claus conference held in Orleans County at the Albion Middle School. The Santa's are due to arrive on April 16th. The conference will be held April 17th through the April 18th where they will occupy the auditorium as well as the gymnasium for vendor purposes. At this point there are 451 Santa's that have signed up for this conference. This is being spear headed by Phil Wenz, who was the individual in September of 2010 who gave the presentation on Christmas Park and Charlie Howard in Orleans County. On April 19th, they will be present at Fairhaven Treasurers to play a big part in the dedication of the Peace Garden. All Legislators are invited to attend that event. She will share all of the materials, agenda and posters, he sends for the event.

Chairman Callard stated that he and Supervisor Culhane discussed that any event like this brings new people to our county. Every new business, cultural event, and arts and crafts bring people to our County. They then shop around our area. This brings us around in developing another theme, another reason to bring people to our county. Supervisor Culhane also advised that two to three new businesses will be opening in Gaines. Small businesses make this nation great and also helps bring people to Orleans County.

Emergency Management Director, Dale Banker, wanted to thank Jerry Gray, Orleans County Highway Superintendent and his staff for demolishing houses back in November and also in January. The one in November was in sever extreme conditions and the recent one in January involved a fatality in the premises and due to the extreme conditions of that home they could not gain access to the building, he sent staff and heavy equipment down, which if not would have taken days to demolish. On behalf of the Emergency Management Office and the Fire Service, Dale thanked Jerry and his staff.

Allen Lofthouse, Kendall, made a few statements concerning Resolution No. 50. He advised the Board that the Conservative Party of Orleans County was the only political party that he knows of that sent a resolution to the Governor, and many others, for the Repeal of the NY SAFE ACT. Also this morning, the medical association, supported by the Doctors, is really concerned about the 38,000 people that are harmed by the use of guns in the United States. This is another bump in the road for the second amendment. Mr. Lofthouse also inquired of a purchase, in Resolution No.

61, of the correction uniforms and asked if they are for inmates or personnel. Mr. Nesbitt indicated that they are for the Correction Officers.

Legislator Allport wanted to recognize the Welfare Fraud Unit at the Department of Social Services. In 2014 they stopped the payout of over \$1.7 million dollars and recouped \$73,000. He acknowledged that staying within New York State Laws, their vigilance in watching over tax payer money by overseeing that those that truly deserve the help are getting it. The Board all agreed that this department is doing an outstanding job.

Legislator Eick moved to enter into executive session at 5:01 per Open Meetings Law §105 (f) ;second by Legislator Allport. Motion Carried. Chairman Callard stated that they will take a moment for the public to leave.

Legislator Miller moved to exit out of executive session and reconvene the regular meeting at 5:12 p.m.; second by Legislator DeRoller. Motion Carried.

Legislator Allport moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 5:40 p.m.

LEGISLATURE MEETING
March 25, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present, with the exception of Legislators DeFilipps and DeRoller.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Albion	
T/Gaines	Supporting Reform of the AID and Incentive for
T/Ridgeway	Municipalities (AIM) Formula in Order to Distribute the
T/Yates	New Aid to Local Governments.
V/Medina	
T/Albion	Supporting Legislation to Repeal the New York Secure
T/Gaines	Ammunition and Firearms Enforcement (SAFE) Act of
T/Ridgeway	2013
T/Yates	

Orleans County Chamber of Commerce will be holding their 2015 Home & Garden Show on April 11th 10 a.m. – 6 p.m. and April 12th 10 a.m. to 4 p.m. at the Orleans County Cornell Cooperative Extension 4-H Fairgrounds. Admission is \$1.00 and Free Parking. The 10th Annual Canal Clean Sweep is coming Friday-Sunday April 17-19. NYS Canal Corporation in partnership with Parks & Trails New York is organizing this event in recognition of Earth Day 2015 and in advance of the 191st navigation season on the New York State Canal System. ABATE of New York Inc, Orleans County Chapter is requesting use of the Courthouse Steps to conduct their Motorcycle Safety and Awareness Rally on Sunday, May 3, 2015 from Noon until 3 p.m. They are also requesting use of power. This is their annual promotion event for motorcycle safety, awareness, and rider education along with alerting the public to the renewed presence of motorcycles on the highway. The Board approved this request. Orleans County Office for the Aging and The ARC of Orleans presents their Spring Jubilee celebrating Older Americans Month on Thursday, May 7, 2015 at the Trolley Building at the 4-H Fairgrounds. Doors open at 10:15 a.m.; entertainment begins at 11 a.m.; recognition program starts at Noon and lunch will begin to be served at 12:30 p.m. \$3 for anyone 60 or older and \$6 for anyone under 60 accompanying a Senior. Tickets available at the Nutri-fair site or by calling Office for the Aging at

589-3191. The Albion Strawberry Festival Committee, Sponsored by Albion Rotary Club, is requesting that a 5'x12' banner be hung on the courthouse lawn from May 30, 2015 to June 13, 2015 to advertise the Albion Strawberry Festival. The Board approved this request. The ARC of Orleans County would like to hold their Annual Chicken BBQ Fundraiser at the Albion Academy Nutri-fair site on Saturday, August 8, 2015 from 12:30 – 5:30 p.m. This fundraiser benefits the Nutrition Program in Partnership with the Office for the Aging. The Board approved this request.

Legislator Allport presented a proclamation for Public Health Week, April 6-12th, to Public Health Director Paul Pettit.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through February, 2015. She advised that our financials have improved over last month with tax money coming in. She indicated that she has been busy with the \$8 million bond and we maintained our A-1 rating with Moodies. Moodies pointed out that we have a modest but stable tax base, manageable debt burden, average reserve levels, and conservative budgeting were in our favor. Chairman Callard stated that A-1 is outstanding and Treasurer Heard confirmed that it was considering the size of our county.

Chairman Callard called for open discussion as it related to the resolutions. David Kusmierczak, Shelby, questioned and inquired about Resolution No. 98 concerning the STAR exemption. He asked if the County is looking to a tax credit rather than seeing it on our School tax bills? Legislator Johnson stated that this Resolution supports maintaining the tax bill credit rather than it going on the income tax return, which the Board is not in favor. Chairman Callard stated that they feel many senior citizens would lose track of the STAR exemption through the income tax process. He said those that would need it the most would probably suffer the most if the state changed this process. Mr. Nesbitt stated at this time, this proposal is losing traction.

Dawn Allen, Real Property Director, explained that in the Governor's Budget there is a proposal to transition any new STAR applications into a personal income tax credit going forward. Based on how it is written in the budget proposal, anyone they told March 1, 2014 through February 28, 2015 that they were granted an exemption based on their application, but based on the proposal, they would have to receive a denial letter and then have to wait until next year to see that credit on their income tax credit.

This would not affect any existing exemptions, only going forward because the state wants to take control. If a person is receiving it currently and wants to transition to the income tax credit that could be done for the future. The problem with going backwards is those that have escrow accounts. Mrs. Allen indicated that many were concerned with the transition timing if looking back in time. Mr. Kusmierczak questioned the income pertaining to the enhanced STAR. Traditionally when the senior goes over the income limit they revert back to the basic and then the following year can go back to the enhanced based on income changes. They see it often bouncing back and forth. Mrs. Allen stated that they will know more in the next few weeks if this will be moving forward.

Allen Lofthouse, Kendall, stated that he is opposed to Resolution No. 108. He referenced the Cottages of Troutburg in Kendall and replayed how they quickly and quietly tried to handle the meetings. He said that it seems everyone wants to be in each other's pockets when a person wants to start a business.

Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 73-315

APPROVING MODIFICATION AND ADDITION TO RESOLUTION NO. 23-115 FOR THE APPOINTMENT OF THE INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT

WHEREAS, Resolution No. 385-1211 abolished a full time position of Director of Planning and Development and created and filled a part-time Director of Planning and Development; and

WHEREAS, Resolution No. 23-115 appointed an Interim Director of Planning and Development with the assumption it was a full time position; now, therefore be it

RESOLVED, that it was the intent of the Legislature to hire a full time Interim Director of Planning and Development; and be it

FURTHER RESOLVED, that this Legislature re-creates and fills a full time position of Director of Planning and Development at Grade 10 in the Management Salary Plan retroactive to January 14, 2015; and be it

FURTHER RESOLVED, that this Legislature abolishes the part-time position of Director of Planning and Development, as authorized in Resolution No. 385-1211, effective January 14, 2015.

Moved, Allport; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 74-315

APPROVING AGREEMENTS WITH THE ORLEANS COUNTY SHERIFF/JAIL AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Sheriff/Jail and the following agencies:

General Physicians Sub I, PLLC, formerly Lake Plains Medical, 100 Ohio St, Medina NY 14103, for jail nursing services at a cost of \$7,754/per month for 2015 an increase of 3%; and \$7,987/per month for 2016 an increase of 3%; effective January 13, 2015 through December 31, 2016;

Leads OnLine, 6900 Dallas Pkwy, Suite 825, Plano, Texas, 75024 for electronic data reporting system, at an annual cost of \$1,758, effective March 1, 2015 through February 28, 2018.

Wayne County Sheriff, 7376 Route 21, Ste 1000, Lyons NY 14489, for the housing of Orleans County inmates in the Wayne County Jail, when needed, at a cost of \$85 per prisoner/per day, effective January 1, 2015 through December 31, 2015.

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 75-315

AUTHORIZING PAYMENT FROM CENTRAL OFFICE EQUIPMENT REPAIR ACCOUNT

WHEREAS, telephone communications is an extremely vital component of the ongoing operation of Orleans County Government; and

WHEREAS, it is imperative that aging systems be maintained, serviced, and repaired in an expedient manner; be it

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RESOLVED, that this Legislature authorizes payment to ICS Telecom to be made in the amount of \$6,152.50 from account A1615.453, Central Office Equipment Repair to repair critical failures in the Mitel Phone system at the County Office Building.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 76-315

AUTHORIZING FILLING OF VACANCY IN BUILDINGS AND GROUNDSDPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Building Maintenance Worker (1620.24) position in the Buildings and Grounds Department at Grade 12 of the CSEA Contract Salary Schedule, effective immediately.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 77-315

AUTHORIZING THE TREASURER TO INCREASE THE INTENSIVE CASE MANAGEMENT CHECKING ACCOUNT IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, Case Managers need access to funds to assist clients in developing and maintaining situations for living and working; and

WHEREAS, the cost of these needs continues to inflate, thus stressing the current account limit of \$1,000; be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to increase the Intensive Case Management checking account by \$1,000; with account not to exceed \$2,000.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 78-315

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2015 calendar year:

Hillside Children's Center, 24 Main St, Mount Morris, NY 14510 providing a program of family resiliency as a community support service for individuals with mental and emotional problems who are living in the community at a cost of \$79,111. County cost \$0.

Hillside Children's Center, 24 Main St, Mount Morris, NY 14510 providing a program of customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a cost of \$14,000. County cost \$0.

Coordinated Care Services, Inc., 1099 Jay St, Rochester, NY 14611 providing specialized financial management services and preparation and submission of CFR reports at a cost of \$27,000. County cost \$1,890.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 79-315

APPROVING AN APPOINTMENT AND A RE-APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the appointment and the re-appointment to the Community Services Board as follows:

Douglas E. Holmes, to serve a four-year term to begin March 26, 2015 and ending March 25, 2019.

Brenda L. Bierdeman, to serve a second four-year term to begin March 26, 2015 and ending March 25, 2019.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 80-315

APPROVING PROBATION TO CONTINUE PARTICIPATION FOR GRANT FUNDING THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION (ATI) FUNDING

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to continue in the participation in the grant opportunity in the amount of \$5,531 from the NYS Division of Criminal Justice Services for the Article 13-A Classification Alternatives to Incarceration ATI award for the delivery of Pre-Trial Services with grant period effective July 1, 2015 through June 30, 2016; and be it

FURTHER RESOLVED, that the 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, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 81-315

APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND DOHERTY COMMUNICATIONS

RESOLVED, that this Legislature approves a three year renewal agreement between Buildings and Grounds Division of the Orleans County Highway Department and Doherty Communications, 237 West Academy St, Albion, NY 14411 for maintenance of county phones at a cost of \$18,000 effective February 1, 2015 through January 31, 2016, to be paid in quarterly amounts of \$4,500; and effective February 1, 2016 through January 31, 2018 the annual cost will be \$19,000 to be paid in quarterly payments of \$4,750; and be it

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

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 82-315

APPROVING EXTENSION OF AGREEMENT WITH DOHERTY COMMUNICATIONS FOR THE RADIO SYSTEM MANAGEMENT PROJECT

WHEREAS, this Legislature did, via Resolution No. 50-113, extend an existing Agreement between the Buildings and Grounds Division of the Orleans County Highway Department and Doherty Communications for maintenance of the County's telecommunications infrastructure through January 31, 2014; and

WHEREAS, on that same resolution, this Legislature extended an amendment to that Agreement to cover the scope and terms for the Radio System Management Project as detailed in Resolution No. 35-112, through January 31, 2014 and with subsequent extensions by Resolution No.'s 41-114, 244-714, 299-814, and 345-1014; and

WHEREAS, the Radio System Project has been installed and accepted, Kevin M. Doherty, doing business as Doherty Communications, hereby makes this proposal to continue management of Orleans County's three RF site Harris P25 digital Public Safety Communications System in a labor-only contractual relationship for a term beginning December 1, 2014 through and including January 31, 2018; be it

RESOLVED, that this Legislature authorizes all provisions of that agreement, including but not limited to the scope of work and terms of payment; and not to exceed \$6,300 per month through the contract date, to be paid from Account A3640.452 Personal Services, Contractual in the Emergency Management budget; subject to County Attorney approval.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 83-315

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

RESOLVED, that this Legislature approves the Appendix X agreement extensions between the Orleans County Board of Elections and

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the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2015 through March 31, 2016 that funds are available to the local board of elections for the following:

Contract #T002560 – Voter Education and Poll Worker Training Program – Original Funding amount of \$23,131 (Res. No. 123-307); current balance \$4,226.02.

Contract #T002676 – NYS Voting Access for Individuals with Disabilities Polling Place Access Improvement Grant – Original Funding amount of \$11,656 (Res No. 110-308); current balance \$56.96; and be it

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

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

Legislator Johnson moved to authorize the Jail Superintendent to apply for grant through the Bureau of Justice Assistance; seconded by Legislator Allport. Legislator Johnson stated how well Jail Superintendent Scott Wilson has done for obtaining these opportunities for our Jail. The following resolution was adopted:

RESOLUTION NO. 84-315

AUTHORIZING THE JAIL SUPERINTENDENT TO APPLY FOR A GRANT THROUGH THE BUREAU OF JUSTICE ASSISTANCE

RESOLVED, that this Legislature authorizes the Orleans County Jail Superintendent to apply for the State Criminal Alien Assistance Program (SCAAP) grant (FY15) through the Bureau of Justice Assistance, 810 Seventh St NW, Washington D.C., 20531 to provide federal payments to stated and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 85-315

APPROVING AGREEMENT WITH ORLEANS COUNTY SHERIFF'S
OFFICE/JAIL AND THE U.S. DEPARTMENT OF JUSTICE

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement and Certification between the Orleans County Sheriff's Office on behalf of the Orleans County Jail and the U.S. Department of Justice, 950 Pennsylvania Ave NW, Washington DC 20530-0001 effective January 1, 2015 through December 31, 2015 allowing receipt of seized funds on Federal forfeitures.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 86-315

MODIFYING RESOLUTION NO. 28-115 REGARDING A VACANCY
IN THE OFFICE FOR THE AGING AND AUTHORIZING
ABOLISHING, CREATING, AND FILLING POSITIONS IN THE
OFFICE FOR THE AGING

WHEREAS, Resolution No. 28-115 authorized to fill a vacant Keyboard Specialist in the Office for the Aging; now be it

RESOLVED, that this Legislature does hereby modify Resolution No. 28-115 to now abolish a vacant part time Keyboard Specialist position (6772.26) position at the Office for the Aging; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a part-time Clerk position in the Office for the Aging, at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant part-time position, effective March 26, 2015.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 87-315

AUTHORIZING CREATING AND FILLING OF TEMPORARY POSITION IN THE OFFICE FOR THE AGING

WHEREAS, the following position changes presented herewith will be contingent upon the availability of receiving additional OFA funding; now be it

RESOLVED, that this Legislature does hereby authorize the creation of a temporary part-time Aging Services Specialist position in the Office for the Aging, at Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling the newly created, temporary part-time vacant position, effective April 1, 2015 until March 31, 2016.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 88-315

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 operations of county business; and

WHEREAS, several employees will, or have recently retired, while others have resigned, vacated positions as the result of promotions, or accepted positions in other departments; now be it

RESOLVED, that this Legislature does hereby abolish the following full-time positions:

Account Clerk Typist	6010.0809
Senior Account Clerk Typist	6010.2007

and be it

FURTHER RESOLVED, that this Legislature does authorize filling a vacant full time Child Support Specialist position (6010.0803) in the Department of Social Services at Grade 11 of the CSEA Salary Schedule effective March 26, 2015; and be it

FURTHER RESOLVED, that this Legislature does hereby create an Assistant Director of Administrative Services position in the Management Plan at Grade 5; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize filling of this newly created full-time position at Grade 5, of the Management Salary Schedule effective March 26, 2015; and be it

FURTHER RESOLVED, that the Commissioner has the discretion to hire a qualified candidate for the Assistant Director of Administrative Services at any step of Grade 5 of the Management Salary Plan.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 89-315

APPROVING AGREEMENT BETWEEN REAL PROPERTY AND SYSTEMS DEVELOPMENT GROUP, INC (SDG)

RESOLVED, that this Legislature approves the agreement between Real Property Tax Services and Systems Development Group Inc. (SDG), 441 Trenton Ave, Utica, NY 13502 for web-based delivery of the Orleans County Real Property Information for the period March 1, 2015 through February 28, 2018 at an annual cost of \$3,300 for Software, support and hosting services. This is a reduction of \$2,500 per year from previous agreements and amount will be charged back to the Towns in the annual chargeback.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 90-315

APPROVING AGREEMENT BETWEEN EMERGENCY MANAGEMENT OFFICE AND J. O'CONNELL & ASSOCIATES, INC.

RESOLVED, that this Legislature approves the agreement between the Emergency Management Office and J. O'Connell & Associates, Inc. of 10646 Main St., Clarence, NY 14031, to provide professional services for the purpose of preparing and submitting a grant application to the New York Statewide Interoperable Round 4 Grant Program FY14-15 through the New York State Department of Homeland Security and Emergency Services at a cost not to exceed \$8,000; said funds to be paid from Emergency Management Budget Account A3640.418 - Other Contractual; and be it

FURTHER RESOLVED, as a result of matching fund monies being available due to a smaller than expected grant award to the Orleans County Marine Park Grant, the Treasurer is authorized to transfer funds from Marine Park Budget to the Contingent Fund as follows:

FROM:		
A7180.470	Capital Construction Projects	\$8,000
TO:		
A1990.435	Contingent Fund	\$8,000

FURTHER RESOLVED, that the Treasurer is authorized to Transfer Funds from Contingency to the Emergency Management Budget to cover the cost of these professional grant services as follows:

FROM:		
A1990.435	Contingent Fund	\$8,000
TO:		
A3640.418	Other Contractual Expenses	\$8,000

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 91-315

AUTHORIZING PURCHASE OF JAIL WALL LIGHTS FROM BUILDINGS AND GROUNDS BUDGET

RESOLVED, that this Legislature approves the purchase of (20) Jail Wall Lights from I.D. Booth Inc./Booth Electric Supply, 620 William St, PO Box 579, Elmira, New York at a total cost of \$6,300 to be paid

from the Capital Project Account #H1620.403.222 Energy Performance. There is a \$4,000 reimbursable incentive program through National Grid; County cost \$2,300; and be it

FURTHER RESOLVED, that the Treasurer is authorized to return the reimbursable incentive monies of \$4,000 to the Energy Performance Capital Project Account #H1620.403.222 upon receipt.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 92-315

AUTHORIZING PURCHASE FOR THE VMWARE HOST CAPITAL PROJECT BY COMPUTER SERVICES

RESOLVED, that this Legislature authorizes the purchase of one (1) server and equipment from CDW-G, 75 Remittance Dr, STE 1515; Chicago, IL 60625-1515 for the Computer Services Capital Project VMWare Host upgrade project in the amount of \$5,230 (PO #55945) to be paid from Computer Services Account A1680.270 – Capital Equipment which will maximize the architecture to minimize data loss and downtime for failure; and provide a greater fault tolerance and user accessibility.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 93-315

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC

RESOLVED, that this Legislature approves an agreement between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide Government Affairs Services for Orleans County, in the amount of \$5,000 per month; effective March 26, 2015 through March 25, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, as a result of matching fund monies being available due to a smaller than expected grant award to the Orleans County Marine Park Grant, the Treasurer is authorized to transfer funds from Marine Park Budget to the Contingent Fund as follows:

FROM:		
A7180.470	Capital Construction Projects	\$60,000
TO:		
A1990.435	Contingent Fund	\$60,000

and be it

FURTHER RESOLVED, that the Treasurer is authorized to Transfer Funds from the Contingent Fund to the Legislative Board Budget to pay for these government affairs services as follows:

FROM:		
A1990.435	Contingent Fund	\$60,000
TO:		
A1010.418	Other Contractual Expenses	\$60,000

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 94-315

AUTHORIZING PURCHASE OF ONE USED VEHICLE FOR THE DEPARTMENT OF SOCIAL SERVICES FROM THE MENTAL HEALTH DEPARTMENT AND APPROVING AGREEMENT FOR THE PURCHASE AND TRANSFER OF THIS USED VEHICLE

WHEREAS, Orleans County Department of Social Services is in need of a replacement vehicle to carry out the duties of the department as assigned by this Legislature; and

WHEREAS, one of the current Department of Social Services vehicles is at the end of its useful life; therefore be it

RESOLVED, that this Legislature authorizes an agreement for the Commissioner of Social Services to purchase one used 2011 Chevrolet Express van from the Orleans County Mental Health department at a cost

not to exceed \$15,000 for use by the Orleans County Department of Social Services; and be it

FURTHER RESOLVED, that the Department of Social Services will make three annual payments of \$5,000 in January of 2016, 2017, and 2018 effectuated by voucher and interdepartmental transfer of funds by the Orleans County Treasurer's Office.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 95-315

APPROVING LEASE AGREEMENT BETWEEN MENTAL HEALTH AND FIRST NIAGARA LEASING, INC

WHEREAS, we received a quote from Joe Basil Chevrolet in the amount \$22,245.50 to lease a 2015 Chevrolet Cruze 4-door sedan for the Mental Health Department to replace the 2011 Chevrolet Express Van being purchased by the Department of Social Services; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute a lease agreement for a 2015 Chevrolet Cruze with First Niagara Leasing Inc, 726 Exchange St, Ste 900, Buffalo, NY 14210, authorizing four arrears lease payments of \$6,039.12 to be paid in 2016, 2017, 2018, and 2019 at an interest rate of 3.38% to be paid from Mental Health account A4310.270 – Capital Equipment subject to the review and approval of the County Attorney and the Chief Administrative Officer.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 96-315

APPROVING PROBATION DIRECTOR TO CONTINUE PARTICIPATION IN THE STATE AID FUNDING FROM THE NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES

RESOLVED, that this Legislature approves the Orleans County Probation Director to continue participation for state reimbursable aid in the amount of \$149,616 effective July 1, 2015 to June 30, 2016 calendar year from the NYS Division of Probation and Correctional Alternatives; and be it

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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 and Chief Administrative Officer.

Moved, Johnson, second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 97-315

AUTHORIZING GRANT APPLICATION AND AGREEMENT BETWEEN ORLEANS COUNTY OFFICE FOR THE AGING AND NEW YORK STATE OFFICE FOR THE AGING

WHEREAS, the purpose of this new funding is to support local programs by increasing offerings and access to non-institutional long term services and support for caregivers and their Medicaid-eligible loved ones; now be it

RESOLVED, that the Director of Orleans County Office for the Aging is authorized to apply for a one time funding grant from NYSOFA through the Balancing Incentive Program(BIP) Caregiver Support Program, for \$20,000 from April 1, 2015 to March 31, 2016 at no county cost; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the BIP Caregiver Support Grant agreement with the New York State Office of the Aging for the Orleans County Office for the Aging subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 98-315

RESOLUTION OF THE ORLEANS COUNTY LEGISLATURE PETITIONING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO DELAY PROPOSED LEGISLATION WHICH WOULD MOVE THE STAR EXEMPTION FROM A REAL PROPERTY TAX EXEMPTION TO A PERSONAL INCOME TAX CREDIT

WHEREAS, included in the 2015/2016 New York State Budget is a proposal to convert the STAR real property tax exemption to a Personal Income Tax (PIT) credit; and

WHEREAS, this transition is supported by both the New York State Assessors Association and the New York State Association of County Directors of Real Property Tax Services as New York State is better equipped to ensure the accuracy of this exemption; and

WHEREAS, this transition to a PIT credit would start with any STAR exemption that was granted for property owners that were not eligible as of March 3, 2014; and

WHEREAS, this transition would result in much confusion to the local property owner who has been under the assumption that they would be eligible for the exemption since they applied with their local Assessor; and

WHEREAS, when additional confusion is added to an already complicated property tax system taxpayers become more frustrated with the whole tax system; and

WHEREAS, this transition will require the Assessors' offices in Orleans County to send out approximately 276 denial letters for this exemption which will increase the amount of phone calls, letters, and foot traffic to explain why the denial has to occur when an approval was already sent out; and

WHEREAS, this transition will result in either a shortage in their escrow account which would then have to be made up in double for the next escrow payment year or their anticipated tax bill will be approximately \$600 more with Basic STAR and \$1,400 more with Enhanced STAR than they budgeted on their own; and

WHEREAS, this additional tax amount might disqualify potential buyers of real property as it will put them over the 43% Debt to Income ratio established in the provisions of DODD FRANK that became effective January 2014; now therefore be it

RESOLVED, that the Orleans County Legislature on recommendation of the Finance Committee petitions New York State to delay this transition to any STAR exemption that was granted after the

2015 Assessment Roll to more adequately inform the public of this important change in their taxes; and be it

FURTHER RESOLVED, that the Clerk of this Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Robert Ort, New York State Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, and all others deemed necessary and proper.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 99-315

APPOINTING MEMBERS TO FIRE ADVISORY BOARD

RESOLVED, that this Legislature appoints the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2015 with all terms expiring December 31, 2015:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
Albion Fire Department	Jeremy Graham
Barre Fire Department	Jerry Bentley
Carlton Fire Company	Andrew Niederhofer
Clarendon Fire Company	Robert Freida
East Shelby Fire Department	Allen Turner
Fancher-Hulberton-Murray Fire Co.	Joe Morlino
Holley Fire Company	Peter Hendrickson
Kendall Fire Company	Michael Schultz
Lyndonville Fire Company	Jason Gerety
Medina Fire Department	Jonathan Higgins
Morton (H-W-M Fire District)	Randy Davis
Ridgeway Fire Company	Francis Woodward
Shelby Fire Company	Andrew Benz
and be it	

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

Orleans County Emergency Management	Dale Banker
Orleans #2 Deputy Coordinator	Francis Gaylord
Orleans #3 Deputy Coordinator	Martin Zwifka
Orleans #4 Deputy Coordinator	David J. Hydock
Orleans #5 Fire Investigator	David Clary
Orleans #6 Fire Investigator	Walter Batt
Orleans #7 Fire Investigator	David Knapp
Radio Systems	Kevin Doherty
Legislature Chairman/Vice Chairman	David Callard/ Lynne M. Johnson
Legislator / Public Safety Committee	Ken DeRoller
Orleans County Sheriff	Scott Hess
Office of Fire Prevention and Control	Dan Hausman

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 100-315

APPOINTING MEMBERS TO EMERGENCY MEDICAL SERVICES COUNCIL

RESOLVED, that this Legislature appoints the following members to the Emergency Medical Services Council, all terms expiring December 31, 2015:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
<u>VOTING MEMBERS:</u>	
Albion Fire Department	Fred Piano
Barre Fire Department	Patrick Lamka
Carlton Fire Company	Lynn Miller/ Justin Niederhofer, Alt.
Clarendon Fire Company	Donald Mosier
East Shelby Fire Department	Michael Fuller
Fancher-Hulberton-Murray Fire Co.	Debbie Fiorito
Holley Fire Company	Peter Hendrickson
Kendall Fire Company	Sue Maslyn
Lyndonville Fire Company	Lee Kistner
Medina Fire Department	Steve Cooley/Mike Maak, Alt.
Ridgeway Fire Company	Kristin McAdoo
Shelby Fire Company	John L. Miller II

COVA	Jason Spencer/Laurie Schwab, Alt.
Orleans County Health Dept	Al Cheverie
Mutual Aid / EMS Coordinator	H. Dale Banker
Orleans County Sheriff	Scott Hess
Orleans County Dispatch	Allen Turner
Red Cross	Vacant
Mercy Flight of WNY	Lynne Ribbeck
<u>NON-VOTING MEMBERS</u>	
Co. Leg /Public Safety Committee	David Callard/Kenneth DeRoller
NYS Department of Health	James M. Mihalko

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 101-315

AUTHORIZING OUT OF STATE TRAVEL FOR SHERIFF'S OFFICE EMPLOYEE

RESOLVED, that this Legislature approves the following Out-of-State travel request made by Deputy Sheriff Erin Fuller, to travel to Bremerton, Washington, April 21st thru April 24th, 2015 for the purpose of inspecting and approving the newly constructed Safe Boat.

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 102-315

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements between the Orleans County Health Department and various agencies:

Office of the Aging, 14016 Rt 31 West, Albion, NY 14411 to provide chronic disease and accident prevention along with safety programs for Orleans county residents age 60 and above. Reimbursement from NYS Health Department. Contract period January 1, 2015 through December 31, 2015. Contract amount \$10,000. County cost \$0.

Greater Rochester RHIO (Public Health Information database) 200 Canal View Blvd, Ste 200, Rochester, NY 14623. Contract allows public health nurses access to data base for health disease investigations and follows HIPPA guidelines. Contract effective December 31, 2014 through December 31, 2019. County cost \$0.

Erie County Public Health Lab, 503 Kensington Ave. Buffalo, NY 14214 to provide Lab services for the Public Health Nursing division and the Environmental Health water program. Contract option to renew for an additional year. Contract period January 1, 2015 through December 31, 2015. Reimbursement from NYS Water grant, fees and state aid. County cost \$0.

NYS Department of Health, Bureau of Early Intervention, ESP Corning Tower Room 287, Albany, NY 12237-0660. Contract to provide funding to offset costs related to the early intervention program. Contract effective October 1, 2014 to September 30, 2015. Contract amount \$29,985.

Orleans County Sheriffs Department to collect and prepare animals for rabies testing in Albany, NY. Sheriff's Office will submit a billing statement on a quarterly basis and be compensated at the rate of \$25.00 for each specimen collected and prepared. Contract period January 1, 2015 through December 31, 2017.

SUNY Brockport, 350 New Campus Dr, Office of Career Services, Brockport, NY 14420 to provide an association for the purpose of carrying out an Intern program for qualified students to intern within the Orleans County Public Health Departments programs. Contract period January 1, 2015 through December 31, 2019. County cost \$0.

Moved, Allport; second, Eick.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilippis and DeRoller.

RESOLUTION NO. 103-315

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

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Ronald Bierstine, 1764 Oak Orchard Rd, Albion, NY 14411, to provide dock worker and custodial services at Orleans County Marine Park from April 15, 2015 to September 27, 2015 at a cost not to

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exceed \$15,559 to be paid from Account A7180.432-Misc. Contracts/Agreements.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 104-315

**APPROVING AGREEMENT WITH TIMOTHY NEWTON
CONSTRUCTION FOR MOWING AT ORLEANS COUNTY PARKS**

RESOLVED, that this Legislature hereby approves the renewal agreement with Timothy Newton Construction, 2374 Eagle Harbor-Waterport Rd., Albion, NY 14411, for mowing and trimming at the Orleans County Marine Park, Point Breeze site, boat dock rental site, and Rte. 98/18 site at a cost of \$280 per mowing at all sites, to be paid from Account A7180.432-Misc. Contracts/Agreements.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 105-315

**CANCELING AGREEMENT WITH CORPORATE
COMMUNICATIONS; AUTHORIZING AMENDMENT TO
AGREEMENT WITH LYNNE MENZ DESIGNS FOR TOURISM
SERVICES AND APPROVING CELLULAR PHONE USE
AGREEMENT**

WHEREAS, Resolution No. 442-1214 authorized an agreement with Corporate Communications, Inc. for Tourism Management and Marketing Services; and

WHEREAS, Resolution No. 443-1214 authorized an agreement with Lynne Menz Designs for Tourism Coordination Services to Orleans County in 2015 in the amount of \$13,000; now be it

RESOLVED, that this Legislature authorizes the cancellation of the Corporate Communication Inc. agreement with Orleans County; and be it

FURTHER RESOLVED, that this Legislature approves an amended agreement between the County of Orleans and Lynne Menz

Designs of Kent, NY to provide tourism coordination, to include management and marketing services, to Orleans County in 2015 at a cost not to exceed \$25,000 to be paid in equal monthly installments from Tourism Account A6410.466; and authorizes the Legislature Chairman to execute an amendment to her Independent Contractor Agreement upon the review and approval of the Orleans County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that this Legislature hereby approves the cellular phone use agreement, as well as assignment of a cell phone to the Orleans County Tourism Promotions Contractor Lynne Menz to conduct Tourism business on behalf of Orleans County with costs to be charged to Tourism Account A6410.401 - Cellular Phones & Pagers; and be it

FURTHER RESOLVED, that this Legislature approves reimbursement for mileage and other approved costs for all out of county travel.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 106-315

APPROVING AGREEMENT BETWEEN THE DEPARTMENTS OF PLANNING AND DEVELOPMENT AND TOURISM AND WAYNE HALE

RESOLVED, that this Legislature approves an agreement between the Departments of Planning and Development and Tourism and Wayne Hale, 228 West Center St, Medina, NY 14103 provide transitional resources and training for the new Interim Director of Planning and Development and for Tourism Coordination effective through December 31, 2015 at a cost of \$27.00 per hour, total contract not to exceed \$10,000; and be it

FURTHER RESOLVED, that this Legislature approves reimbursement for mileage and other approved costs for all out of county travel.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

Legislator Allport moved a resolution to oppose New York State's Plan to close Skill Development Centers and Work Centers. He explained that this relates to the ARC of Orleans business known as Orleans Enterprise which opened in 1981. The State in cost savings has decided by 2020 to close these center based work centers. This is the first step of clients of the ARC to be able to be employed. Upon further evaluation and approved in these center based centers, they are then placed in community based employment at places like Walmart or Associated Brands. Without this key step the dignity of having a job, feeling productive, and collecting a pay check by these individuals will be destroyed by having to have to stay home or be placed in day care type centers. Legislator Allport called for a united voice across the state against the closing of these centers by contacting our elected officials concerning this. Legislator Eick seconded his motion. Chairman Callard stated that the irony here is that the ARC Orleans County Enterprise Workshop is the most successful and most profitable in the State. Legislator Allport stated that they get enough work that they have to pass it off to Genesee and Niagara counties. The following resolution was adopted:

RESOLUTION NO. 107-315

OPPOSING NEW YORK STATE'S PLAN TO CLOSE SKILL DEVELOPMENT CENTERS AND WORK CENTERS

WHEREAS, this Legislature believes that people have the right to participate in their community to their full ability that people have the right to a supportive network of friends and advocates and that people have the responsibility to care for themselves and their neighbors in a safe, holistic, healthy community; and

WHEREAS people with intellectual and other developmental disabilities currently receive funding for employment in sheltered workshops also known as skill development centers. This means that a student transitioning out of high school with a disability are able to pursue employment and a paycheck in this vocational setting upon graduation; and

WHEREAS, the Orleans Enterprises (OE) workshop at 215 Washington Street opened in 1981 providing employment to hundreds of individuals leading with a mission to promote community inclusion through community based supported employment; and

WHEREAS, new vocational service recipients start in sheltered, many were found through vocational evaluation funded by VESID (Vocational and Education Services for Individuals with Disabilities, a branch of State Ed now known as ACCESS-VR) to be appropriate for community based employment. Some individuals have chosen to stay in sheltered work, which is the right of every American to choose where they want to work and they are provided support and information to choose other options on a regular basis through case reviews; and

WHEREAS, the State's plan to close vocational workshops like the one operated by the ARC of Orleans will force those employed now to either stay home or participate in a Day Care program, thus removing the dignity associated with employment and taking away a vital step to community based employment; and

WHEREAS, The U.S. Supreme Court's decision in *Olmstead v. L.C.* recognized the right of the individual with developmental disabilities who are currently in a sheltered workshop to remain in that setting if they wish to do so; now be it

RESOLVED, that the Orleans County Legislature does hereby oppose the New York State's plan to close SKILL DEVELOPMENT CENTERS AND WORK CENTERS, thus removing this important step towards Community Based supported employment; and be it

FURTHER RESOLVED, that the Orleans County Legislature is requesting this plan to close the Center Based workshops to be rescinded and allow the funding of these Work Centers to continue allowing them to stay open and continue giving those working there the self-advocacy of choosing where they want to work; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, Inter-County of Western New York, all Orleans County Towns and Villages, ARC of Orleans County, NYSARC, OPWDD, and all others deemed necessary and proper.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 108-315

**OPPOSING PART W OF GOVERNOR’S PROPOSED 2015 BUDGET
CONCERNING LOCAL INDUSTRIAL DEVELOPMENT AGENCIES**

WHEREAS, Industrial Development Agencies (IDA) are an important economic development tool to promote job creation and retention in our communities and are the main source of economic development subsidies at the local and county level; and

WHEREAS, our Local IDA has been a driver of development in Orleans County, and we need to continue relying on them; and

WHEREAS, part of their success lies in the fact that they have the best knowledge of and interest in the areas that they serve; and

WHEREAS, Governor Cuomo’s proposed Revenue Bill - Part W, as indicated in the State of the State, is set to add an additional layer of redundant paperwork and delays to projects utilizing IDA assistance; and

WHEREAS, Part W of this budget severely restricts the ability of Industrial Development Agencies to respond to the needs of businesses by removing home rule decisions and placing certain incentive decisions with the Regional Economic Development Council and Empire State Development; and

WHEREAS, allowing the State to have a larger role in approving IDA incentives will decrease the ability of local municipalities to decide how they plan to economically develop and replace that with the decisions coming from downstate; and

WHEREAS, Part W of this budget also grants the Authorities Budget Office greater power over local Industrial Development Agencies, inhibits County’s ability to build industry clusters, and significantly slows Industrial Development Agencies ability to respond to “at the speed of business”; now, therefore be it

RESOLVED, that the Orleans County Legislature continues to support our local IDA and endorses their activities unburdened by additional State regulations and mandates; and be it

FURTHER RESOLVED, that the Orleans County Legislature joins with all local Local IDAs within the State of New York in their opposition to Governor Cuomo's proposal to add further paperwork to the IDA incentive process; and be it

FURTHER RESOLVED, copies of this resolution shall be sent to Governor Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, Senator Philip Boyle, Chairman of the Senate Committee for Commerce, Economic Development & Small Business; Assembly Minority Leader Brian Kolb; Assemblyman Robin Schimminger, Chairman of the Assembly Committee for Economic Development, Job Creation, Commerce & Industry; Empire State Development Corporation; NYS Economic Development Council; Orleans County Economic Development Agency; NYSAC; InterCounty of Western New York; and all others deemed necessary and proper.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 109-315

APPROVING PURCHASE AND SALE CONTRACT FOR COMMERCIAL PROPERTY FOR THE SALE OF 46 STATE STREET, HOLLEY, (TAX MAP NO. 88.5-2-45)

WHEREAS, a commercial parcel referred to as 46 State St, Holley, (tax map no. 88.5-2-45), was subject to an In Rem Tax Foreclosure Proceeding pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, the County of Orleans is authorized to sell commercial property acquired by means of In Rem Foreclosure via private treaty; and

WHEREAS, the County of Orleans has received a Purchase and Sale Contract for Commercial Property for the aforementioned property which the County is desirous of approving; now, therefore be it

RESOLVED, this Legislature hereby approves a Real Estate Purchase and Sale Contract for Commercial Property submitted by Wiley's Ark Properties, Inc., having a sale price of \$20,000 subject to and in accordance with the terms and conditions set forth in the Contract and approval by Orleans County Attorney David C. Schubel; and be it

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FURTHER RESOLVED, that Susan M. Heard, Orleans County Treasurer and Chief Tax Enforcement Officer is authorized to execute a deed and other documents in order to convey all of the County's right, title and interest in and to said parcels.

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 110-315

**APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND
GLOW ONE-STOP OPERATOR CONSORTIUM**

RESOLVED, that this Legislature does hereby approve the agreement between the Job Development Department and the GLOW One-Stop Operator Consortium, c/o Livingston County Workforce Development, 6 Court St, Room 105, Geneseo, NY, 14454 for the purpose of providing workforce development services in the GLOW Workforce Investment Area, effective July 1, 2015 through June 30, 2016.

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the Consortium Agreement, subject to review by the County Attorney and Chief Administrative Officer.

Moved, Miller; second, Johnson.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 111-315

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

RESOLVED, that the following terms of auction for County-owned property for the auction to be held Wednesday, June 24, 2015 at 11:00 a.m. at the Albion Elk Lodge #1006, 428 West State Street, Albion, New York, be approved by this Legislature as follows:

TERMS OF AUCTION
ORLEANS COUNTY TAX PROPERTY AUCTION
ALBION ELK LODGE#1006
ALBION, NEW YORK
June 24, 2015
11:00 AM

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

TERMS AND CONDITIONS
OF THE
ORLEANS COUNTY AUCTION OF TAX FORECLOSED PROPERTY

1. Orleans County acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings; and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water assessments are the responsibility of the purchaser, whether they are received or not; (d) the levied 2015 Town and County tax bill including any relieved taxes, 2014/2015 village taxes, 2014/2015 school tax, any village or town water and sewer rents and assessments, in addition to any other applicable charges (including, but not limited to, omitted and pro rata taxes, demolition charges, interest and penalties); and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the public auction.
4. The purchaser shall be solely responsible for the payment of: the levied 2015 Town and County tax bill including any relieved taxes; any Village taxes levied after May 31, 2015, the 2015/2016 school taxes, the 2016 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.
5. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date of the auction. Upon delivery of the quitclaim deed by the County of Orleans to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.

6. No personal property is included in the sale of any of the parcels owned by Orleans County, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
7. All informational tools, such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. THE COUNTY, THE AUCTIONEER, AND THE AUCTION SERVICE MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.
8. The County of Orleans reserves the right, in its sole discretion, to withdraw from the auction any of the properties listed on the schedule of real property.
9. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and sold subject to the provisions of law applicable thereto.
10. All bidders are required to register and provide suitable personal identification prior to the auction. Auctioneer reserves the right to decline registration if identification is not sufficient.
11. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.
12. Bidder acknowledges receipt of the pamphlet entitled "Protecting Your Family From Lead in Your Home." Bidder also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards, mold, asbestos or any other hazardous substances.
13. The former owner of the property, or his agent, shall not be deemed to be the successful bidder on the property or purchase same at the public auction, unless the bid amount exceeds the amount of the purchase price to affect the release of County's interest. If the former owner or his agent reacquires the property, all liens existing prior to the foreclosure, will be reinstated and the purchaser (former owner) must sign the deed to reinstate the liens.
14. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for

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

15. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.
16. The Purchaser will execute an Offer to Purchase form immediately upon being declared the high bidder. The approval of each bid by Resolution of the County Legislature *will not constitute a Contract of Sale* and the County reserves the right to reject any bid prior to the closing of title and the recording of the deed.
17. The Purchaser shall be responsible for the payment of an eleven percent (11%) buyer's premium should buyer be paying by credit card or a ten percent (10%) buyer's premium should the buyer be paying by cash or by bank check in addition to the accepted purchase price and the closing fees/costs. The "buyer's premium" is the fee/commission earned by the auctioneer. An additional one and one half percent (1.5%) of the purchase price will be added to each parcel for advertising expenses. Accepted purchase price is the amount bid by a perspective bidder, which has been approved by the Orleans County Legislature.
18. All required deposits must be paid in full for all successful bids immediately upon being declared the successful bidder. Any successful bidder, who fails to tender the deposit immediately upon being declared the successful bidder, will be forbidden to participate in this or any other auction. Any parcels which the County did not receive deposits for, as per these terms and conditions, will be considered to be defaulted, and resold and the bidder will be disqualified from further bidding.
19. 25% of the total contract price (total contract price is the combination of the high bid and the buyer's premium, as defined in section 17 of these terms and conditions), shall be paid as a down payment on the day of the auction upon execution of an Offer to Purchase Form. Total contract prices selling for \$250.00 or less must be paid in full at auction, including all closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax [\$4.00 for the first \$1,000; \$2.00 for each \$500 thereafter of the

purchase/bid price]; (b) Filing Fee for the Real Property Transfer Report [\$125.00 if the parcels classification code is 100-199, 200-299 or 411-C; \$250.00 for all parcels otherwise classified]; (c) Filing Fee for combined Gains Transfer Tax Affidavit [\$5.00]; (d) all fees required by the Orleans County Clerk for recording of the deed [\$50.00 to record a one page deed; \$5.00 for each additional page] *Closing costs may be subjected to an increase in fees as required by law, without notice.* All deposits must be made in cash or guaranteed funds payable to the “Orleans County Treasurer” and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No exceptions.

20. All bids shall be subject to approval by the Orleans County Legislature, which shall have the right, in the Legislature’s sole discretion, to reject any bid for any reason whatsoever.
21. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all deposits tendered, and you will not be permitted to close on any other parcels for which you are the successful bidder.
22. The entire balance of the accepted purchase price, the buyer’s premium, as defined in section 17 of these terms and conditions, and all closing costs/fees must be paid by cash or guaranteed funds payable to received by the Orleans County Treasurer’s Office on or before July 31, 2015. The County is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the total contract price plus closing costs and fees as herein provided, the deposit shall be forfeited. The County reserves the right, in its sole discretion, to extend the time of payment upon such terms and conditions it deems appropriate.
23. If the successful bidder fails to tender such amount due by the close of business on July 31, 2015, then the County may, but is not obligated to offer any unsold property to the second highest bidder. All terms and conditions for the sale set forth herein above shall apply to the second highest bidder and/or any other purchaser.
24. All sales shall be final, absolute and without recourse, once title has closed and the deed has been recorded. In no event, shall Orleans County and/or Haroff Auction & Realty, Inc. and/or Absolute Auctions & Realty, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, success or

- assigns, against Orleans County and/or Haroff Auction & Realty, Inc. and/or Absolute Auctions & Realty, Inc. arising from this sale.
25. The County of Orleans will execute no warranties concerning the parcel or title thereto and will not deliver or be responsible for abstracts, title insurance, title searches, surveys, maps or other documents concerning a parcel whatsoever.
 26. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the accepted purchase price, buyer's premium, and closing fees/costs. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE ORLEANS COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording the deed.
 27. A quitclaim deed issued as a result of the auction shall contain the following provisions: (a) "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein;" (b) Orleans County shall in no event be or become liable for any defect in the title so conveyed for any cause whatsoever, or for any encroachments or disputed boundaries; and that no claim or demand of any nature shall ever be made against said Orleans County arising from such sale or conveyance or any proceedings leading thereto.
 28. Evictions, if necessary, are solely the responsibility of the successful purchaser after closing and recording of the deed.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 112-315

AUTHORIZING AGREEMENT BETWEEN THE TREASURER'S OFFICE AND HAROFF AUCTION AND REALTY, INC. AND ABSOLUTE AUCTIONS AND REALTY, INC.

RESOLVED, that this Legislature approves an agreement between the Treasurer's Office and Haroff Auction and Realty, Inc. and Absolute

Auctions and Realty, Inc. for professional auction and licensed real estate broker services for the County In Rem Auction; for their professional services rendered through December 31, 2015 for the County In Rem Auction to be held on Wednesday, June 24, 2015; and be it

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

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 113-315

AUTHORIZING AGREEMENT BETWEEN PROBATION AND MID ERIE COUNSELING AND TREATMENT SERVICES

WHEREAS, Resolution No. 259-714 approved an agreement with Mid Erie Counseling services and Treatment Services for the development and delivery of mental health services; now be it

RESOLVED, that this Legislature approves an agreement between the Probation Department and with Mid Erie Counseling and Treatment Services, 156 Walden Ave, Ste 400, Cheektowaga, NY 14425 for also the assessment and treatment of domestic violence services to persons under Probation Supervision from July 1, 2014 through July 1, 2019 for the treatment of conditions related to sexual offender behavior. County cost \$0.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 114-315

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

WHEREAS, the Public Assistance unit must remain full-staffed at all times to comply with State regulations and mandates so they can interview applicants to determine eligibility; now be it

RESOLVED, that this Legislature, as the result of a termination, does hereby authorize the filling of a vacant full-time Social Welfare Examiner (6010.0109) position in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective March 26, 2015; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a temporary full- time Social Welfare Examiner (6010.0109*) position in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective March 26, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant temporary position to be effective for the period from March 26, 2015 through the appointment date of the full-time permanent employee (6010.0109).

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 115-315

AUTHORIZING CHAIRMAN TO NOTIFY NEW YORK STATE HOMES AND COMMUNITY RENEWAL TO CEASE OPERATIONS OF THE SECTION 8 HOUSING OFFICE IN ORLEANS COUNTY

RESOLVED, that this Legislature authorizes the Chairman to notify New York State Homes and Community Renewal in writing that the County of Orleans will no longer operate the Section 8 Housing Department effective September 30, 2015.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 116-315

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

RESOLVED, that this Legislature approves the appointment of Carol D'Agostino, Kendall, NY to the County of Orleans Industrial Development Agency to replace the seat vacated by David Lewis effective March 26, 2015; and be it

FURTHER RESOLVED, as per policy of this Legislature, all appointments to COIDA will be reviewed upon the commencement of a new term of the Orleans County Legislature.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 117-315

AUTHORIZING PAYMENT OF CLAIMS FOR APRIL AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 8, 2015:

Fund/Department	Check Number (s):	Amount:
General	11836-12000; 12008	\$430,068.01
Highway	516-524; 1247-1277	97,114.55
Nursing Home	No Claims	
Job Development	No Claims	
Self Insurance	55063-55066; 55120	\$4,527.75

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 22, 2015:

Fund/Department	Check Number (s):	Amount:
General	12018-12156	\$321,472.51

Highway	525-528; 1279-1295	\$7,432.36
Nursing Home	27709-27713	\$36,037.75
Job Development	No Claims	
Self Insurance	1085; 55121	\$13,254.53

Moved, Johnson; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

The following add on resolutions were presented:

RESOLUTION NO. 118-315

AUTHORIZING PURCHASE FROM WEST FIRE SYSTEMS FOR NEW AND REPLACEMENT FIRE PANELS IN PUBLIC SAFETY BUILDING AND CENTRAL HALL AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE BUILDINGS AND GROUNDS BUDGET

WHEREAS, the Public Safety Building and Central Hall are in need of upgrades to their fire alarm systems; now be it

RESOLVED, that this Legislature authorizes the purchase of materials and labor to be provided from West Fire Systems, Inc, 58 Pixley Industrial Pkwy, Rochester, NY 14624 to replace the fire alarm system at the Public Safety Building at a cost of \$6,075 and to upgrade the fire alarm system at Central Hall at a cost of \$4,430 to be paid from Buildings and Grounds Account A1620.403 – Maintenance Projects; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Buildings and Grounds budget as follows:

From:		
A1990.435	Contingency	\$10,505
To:		
A1620.403	Maintenance Projects	\$10,505

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

RESOLUTION NO. 119-315

**AUTHORIZING PURCHASE FROM THE HEALTH DEPARTMENT
BUDGET FOR VACCINE TO PREVENT INFLUENZA**

RESOLVED, that this Legislature authorizes the Health Department to purchase various forms of Fluzone in the amount of \$5,328.08 from VaxServe Inc., 111 N. Washington Ave, Scranton, PA 18503 with funds to be expended from Health Department Budget account A4010.409 – Vaccines and Medications, as approved in the 2015 Orleans County Budget.

Moved, Allport; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

Chairman Callard introduced the following resolution as an InterCounty of WNY resolution and now we have placed it on our agenda for consideration. Legislator Eick moved this resolution in its entirety to support Highway and Bridge Funding as indicated for immediate need by the New York State County Highway Superintendent's Association. Chairman Callard stated that there will be monies for infrastructure but it will go to downstate and that upstate counties also need that funding. The following resolution was adopted:

RESOLUTION NO. 120-315

**SUPPORTING THE NEW YORK STATE COUNTY HIGHWAY
SUPERINTENDENT'S ASSOCIATION'S IDENTIFIED NEED TO
IMMEDIATELY FUND HIGHWAY AND BRIDGE FUNDING**

WHEREAS, Governor Cuomo calls for a direct linkage between tourism, agriculture, and marketing the Upstate New York region as a whole in order to foster economic development; and

WHEREAS, Upstate New York relies solely upon safe and secure roads and bridges to move products to markets, produce food and fiber, and to receive tourists; and

WHEREAS, the lack of state and federal aid has impacted both the New York State Department of Transportation and local municipalities abilities to maintain and replace infrastructure; and

WHEREAS, aging bridges have been flagged, load posted, or restricted due to lack of funding; and

WHEREAS, such restrictions on the state highway system have had an impact on the delivery of agricultural products and good movements in general; and

WHEREAS, impacts have been realized in the form of ticketed vehicles or added time to deliver goods on long detours on local roads not intended for such heavy vehicles; and

WHEREAS, a significant investment has been made by the Governor's Office to support the expansion of agricultural products such as yogurt, barley, and wine as the hallmark of economic recovery in Upstate New York; and

WHEREAS, stagnant highway and bridge funding at the state level, especially for rural counties, has a significant impact on the Governor's plans for recovery and threatens the investment made in agriculture; and

WHEREAS, federal highway and bridge funding available for use by counties in New York has been reduced significant by the emphasis placed on interstate highways under the Moving Ahead for Progress in the 21st Century (MAP-21) Act and further impacted by the New York State Department of Transportation decision to allocate available federal construction funding towards the preservation of the state highway and bridge system; now, therefore be it

RESOLVED, that the Orleans County Legislature does hereby request that the Governor and the State Legislature immediately fund highway and bridges as to meet the needs identified by the New York State County Highway Superintendent's Association which calls for \$615 million in annual CHIPs funding and a \$500 million local road and bridge program funded over 5 years with funds to be distributed through the CHIPS formula; and be it

FURTHER RESOLVED, that the Orleans County Legislature does hereby request that Senator Schumer, Senator Gillibrand, and Congressman Collins work toward repairing the Dedicated Highway and Bridge Trust Fund and amending MAP-21 or its reauthorization to allow for more concentration of funding on Off-System Bridges rather than interstate maintenance; and be it

FURTHER RESOLVED, that copies of this resolution be sent to Senators Schumer and Gillibrand, Congressman Collins, Governor Cuomo, State Senator Ortt, Assemblyman Hawley, Assemblyman Corwin, NYSAC, Intercounty of WNY, NY Agriculture Society, and all Town and Village Highway/Public Works Superintendents.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and DeRoller.

With there being no old business to be raised, Chairman Callard called for comments from the floor. Emerson “Tinker” Young, Past Chairman of Orleans County Chapter of SCOPE, retired as chairman effective March 9th and has been a member since 1988. He thanked the Board for passing a resolution last month to repeal the SAFE ACT. He also stated that he stands behind David Thom as the new Chairman of the Orleans County Chapter of SCOPE. He will continue with SCOPE as an endowment member along with Bud Schroeder, Herb Berry, and John Krauller, senior state wide members of this organization now in its 50th year in New York State. He expressed his continued support to this Board and what the Board has done for SCOPE.

Chairman Callard congratulated Mr. Young on his retirement. Chairman Callard also affirmed that this Legislature will continue to support our second amendment rights. Mr. Young stated that the Second Amendment is the most powerful and strongest amendment and it was put in place to keep our government in check. The constitution is to protect us from our government. He said it is encouraging that our county sticks together to support our second amendment rights and not every county does that.

Chief Deputy Sheriff Drennan requested that at the next months meeting the Board recognize the individuals who were part of last weekend’s shooting incident. He expressed appreciation to the Legislature in the support of the Vest Program and in the purchasing of patrol rifles which have recently been placed in our patrol vehicles which both were huge factors in the protection of our officers. Chief Deputy Drennan indicated that next month we will celebrate Crime Victim’s Week and no one would be bigger victims than these six who were shot at, with one getting shot and also our Dispatchers who were listening to this event. He thinks it would be nice for the Legislators to support them but also for them to share their appreciation to the Legislature for the support in the purchasing of items they use for their protection. Chairman Callard indicated that we will plan on this at our next month’s meeting and will look forward to it.

With there being no further business, Legislator Allport moved to adjourn; second by Legislator Eick. Meeting adjourned at 5:17 p.m.

LEGISLATURE MEETING

April 22, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag, Chairman Callard called for a moment of silence to recognize the death of John J. McCarthy II who was a past Orleans County Legislator from 1990-1993. He also served as Orleans County Civil Defense Coordinator for six years. Veteran David Kusmierczak lead the invocation and then the Clerk called the roll. All Legislators were present. Chief Administrative Officer Charles Nesbitt was absent.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

<u>Town/Village</u>	<u>Resolution Title</u>
T/Shelby	Supporting Reform of the AID and Incentive for Municipalities (AIM) Formula in Order to Distribute the New Aid to Local Governments.
T/Shelby	Supporting Legislation to Repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013

Orleans County Department of Social Services is requesting use of the Courthouse lawn to place a banner from May 1, 2015 to May 15, 2015 for Foster Parent Month which the Board approved. Drug Take Back Day is scheduled for Saturday, April 25, 2015 from 10 a.m. – 2 p.m. at three Orleans County drop off locations. Holley Fire Department; Medina Fire Department and Orleans County Public Safety Building. Susan Heard, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$395.48, that has been reviewed and authorized by her office. Reminder that the 33rd Annual Youth Recognition Banquet is Thursday, May 14th at Hickory Ridge Golf and Country Club.

Legislators DeRoller and Johnson presented special recognitions to Orleans County Sheriff Deputy James DeFilipps, Orleans County Sheriff Deputy Kevin Colonna, Orleans County Sheriff Deputy Brian Larkin, NYS Trooper Scott Gregson, NYS Trooper Kevin Bentley, Holley Village Police Officer Guy Burke, Albion Police Sergeant William Scribner, Orleans County Dispatcher Julie Vendetti, Orleans County Dispatcher Michael Schultz, and Clarendon Fire Department. (Orleans County Sheriff Deputy Joshua Narburgh was absent.) Certificates were presented to these individuals for their assistance in the early morning incident that occurred on March 21st, 2015 which they all were quick to react to what could have

been a very serious incident for our County. They all were shown appreciation by a standing ovation and applause.

Chairman Callard called upon Niagara County Legislative Chairman William Ross, Niagara County Legislator David Godfrey, Legislator Lynne Johnson and Legislator DeRoller. Chairman Callard recognized Chairman William “Coach” Ross as he will be retiring as a Niagara County Legislator. He was thanked for the relationship he developed with Chairman Callard in the development of NORA and the long lasting relationship had with our neighboring county. Chairman Ross stated that we are lucky to have a great partnership in working together for the benefit of our taxpayer. He shared many of the projects both counties are involved in and that these common goals show how in working together we may be able to make a better life for our communities. Chairman Callard thanked Chairman Ross for the personal and professional friendships held with all of us.

Legislators DeRoller and Johnson presented a proclamation designating April 19th through April 25th, 2015 as Crime Victim’s Week in Orleans County to Terrissa Drennan, Orleans County Crime Victim’s Services Coordinator and to Christi Waldron from Restore-Sexual Assault Services.

Legislators Eick and Miller presented a proclamation to Melissa Blonar, Orleans County Director of the Office for the Aging, to honor Older Americans Month in Orleans County in the month of May.

Legislators Eick and Miller presented a proclamation to Jeannine Larkin, Orleans County Foster Care Supervisor and to Holli Nenni, Deputy Commissioner of the Orleans County Department of Social Services, to celebrate in May Orleans County Foster Care Month.

Chairman Callard called upon Legislators Eick and Miller, who presented a proclamation to David Kusmierczak, an Orleans County Veteran, honoring the 55th Anniversary of Western New York Armed Forces Week; to be celebrated May 3 – 9, 2015. This special recognition is given this year in honor of the Gold Star Mothers of the Eight Western New York Counties.

Legislators DeRoller and Johnson presented a proclamation for Motorcycle Awareness and Safety Month held in the month of May in Orleans County. Chuck Persons, President of the Orleans County Chapter of ABATE of New York, Inc. accepted this and announced that they will be holding their

annual Motorcycle Rally on Sunday, May 3rd at the Orleans County Courthouse at 2 p.m.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through March of 2015. Treasurer Heard stated that finances look better this month over last month.

Chairman Callard called for open discussion as it related to the resolutions. Legislator Godfrey, Niagara County Legislator, spoke briefly of the two resolutions that NORA is advancing on the agenda today. One is in support of Congressman Collins in fighting back the IJC Plan 2014; and more specifically the E-waste resolution on today's agenda. Legislator Godfrey explained that Senator Ort's office reached out to them asking for NORA's involvement with this due to the recent complaints called in to his office and also the costs to our taxpayers and to our townships. He thanked Chairman Callard and Chairman Ross for seeing the importance of this and in taking on this initiative. It is a two part thing, thanks to Dawn Tim, from Niagara County and her Council, will work with NYS DEC to change the regulations. It is a fight that hopefully NORA can step into and persuade Albany to change these regulations. The second part of this is saving taxpayers money by working together with the tonnage to drive that cost to zero. We want to make sure this recycling is available to all of our taxpayers across our two counties at all times.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 121-415

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND NYS DOT CONCERNING THE HULBERTON ROAD BRIDGE OVER WEST BRANCH OF SANDY CREEK IN THE TOWN OF MURRAY

RESOLVED, that this Legislature approves a Supplemental Agreement #3 Contract #D033855 with the Orleans County Highway Department and NYS DOT, 1530 Jefferson Road, Rochester, NY 14623-3161. This supplemental agreement amends the previous Resolution No. 236-714 to add additional funding for the Hulberton Road Bridge over West Branch of Sandy Creek Bridge Replacement – PIN 475542; BIN: 3319220; and be it

April 22, 2015
Resolutions 121-163

FURTHER RESOLVED, the Chairman of the Legislature is authorized to sign the Supplemental #3 Agreement for Hulberton Road Bridge over West Branch of Sandy Creek Bridge Replacement; total cost of \$1,338,900; reimbursement \$1,271,955 and County cost \$66,945; effective through February 3, 2022.

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

RESOLUTION NO. 122-415

**AWARDING BIDS FOR VARIOUS MATERIALS AND
COMMODITIES FOR HIGHWAY DEPARTMENT**

WHEREAS, the Orleans County Highway Department sought bids for various materials and commodities for the years 2015-2016; and

WHEREAS, such bids have been received, opened and reviewed to determine the lowest responsible bidder for each material and commodity; be it

RESOLVED, that the bids for the various materials and commodities be awarded to the low bidders named on schedules for the dollar amounts per unit shown on such schedules, subject to the approval of the County Attorney.

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

RESOLUTION NO. 123-415

**APPROVING AGREEMENT BETWEEN THE HIGHWAY
DEPARTMENT AND LABELLA ASSOCIATES, P.C.**

RESOLVED, that this Legislature does hereby approve an agreement between the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Engineering Services for the design of Waterport Carlton Road Bridge over Beardsly Creek in the Town of Carlton; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives Labella Associates authorization to proceed, Labella Project

#2150154, Bin #3319100, at a cost not to exceed \$80,000 to be paid out of the Capital Project Infrastructure Project for Bridges account #H-5120.250.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 124-415

APPROVING AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement between the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Engineering Services for the design of Oak Orchard Road Bridge over Manning Muckland Creek in the Town of Barre; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives Labella Associates authorization to proceed, Labella Project #2150155, Bin #3319270, at a cost not to exceed \$96,000 to be paid out of the Capital Project Infrastructure Project for Bridges account #H-5120.250.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 125-415

APPROVING AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement between the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Services for the design of two (2) Knowlesville Road Culverts over Oak Orchard Creek Tributary in the Town of Ridgeway; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed, Labella Project #2150153, at a cost not to exceed \$40,000 and to be paid out of the Capital Project Infrastructure Project for Culvert Improvements Account #H-5120.251.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

April 22, 2015
Resolutions 121-163

Chairman Callard noted that these last three adopted resolutions represent this year's first step in improving our infrastructure which includes two bridges and two culverts over three towns.

RESOLUTION NO. 126-415

**APPROVING AGREEMENT WITH BUILDINGS AND GROUNDS
AND GARLAND/DBS, INC**

RESOLVED, that this Legislature does hereby approve an agreement with the Buildings and Grounds Department and Garland/DBS, Inc., 3800 East 91st St, Cleveland, OH 44105 to reroof the County Public Safety Building in 2015; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives Garland/DBS, Inc. authorization to proceed, Proposal #25-NY-150150, MICPA #14-5903, at a cost not to exceed \$476,820 to be paid out of the Capital Project Infrastructure Project for Roof Replacement account #H-5120.253.

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

RESOLUTION NO. 127-415

**AUTHORIZING PURCHASE FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS FOR THE MENTAL HEALTH
DEPARTMENT**

RESOLVED, that this Legislature authorizes Buildings and Grounds to purchase an Outdoor Olympian Model G80 Natural Gas Emergency Packaged Generator Set from Southworth-Milton CAT Inc., PO Box 3851, Boston, MA 02241-3851 under NJPA Contract #092409 for the Mental Health Building, \$48,814 to be paid from the Capital Project Infrastructure Project Account H1520.254; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Milton CAT Purchase Proposal to accept the price and installation terms in quote #ENPRO1448.

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

Chairman Callard noted that these last two adopted resolutions represent our first stage of improving our buildings infrastructure which covers two departments. Legislator Eick stated that the Public Safety Building roof has been leaking and it has come to the point that it needs to be repaired. The following resolution was adopted to begin payments toward our infrastructure projects:

RESOLUTION NO. 128-415

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$ 15,396.00	LaBella Associates, P.C.	Waterport Carlton Road Bridge – Project #2150154: Invoice #62456– Professional Services 12/20/14-2/20/15
\$ 11,269.00	LaBella Associates, P.C.	Oak Orchard Road Bridge – Project #2150155; Invoice #62455 – Professional Services 12/20/14-2/20/15
\$ 1,045.00	Source Media	Bond buyer legal ad
\$ 54.80	Northern NY Newspapers Corp.	Legal Notice
\$ 13,000.00	Moody’s Investor Service	Bond Rating
\$ 7,800.00	Fiscal Advisors & Marketing, Inc.	Professional Services
\$ 11,125.00	Orrick, Harrington & Sutcliffe	Bond Counsel
\$ 1,985.69	Premier Printing Inc	Official Statements

and be it

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

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<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$ 21,161.50	LaBella Associates, P.C	Knowlesville Culvert – Project #2150153 – Invoice No. 62457 - Professional Services 12/20/14-2/20/15

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

RESOLUTION NO. 129-415

APPROVING APPOINTMENTS TO THE OFFICE FOR THE AGING ADVISORY COUNCIL

RESOLVED, that this Legislature approves the following appointments to the Office for the Aging Advisory Council for a three year term, effective April 1, 2015 through March 31, 2018. (* denotes final term)

Bill Newsome	13356 Ridge Road, Albion, NY 14411
*Florence Surdi	13919 Allen Road, Albion, NY 14411
*Abraham Rozman	115 Knapp Street, Albion, NY 14411

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

RESOLUTION NO. 130-415

AUTHORIZING ABOLISHING, CREATING, AND FILLING POSITIONS IN OFFICE FOR THE AGING

WHEREAS, a part-time Community Service Worker is retiring in the Office for the Aging; and

WHEREAS, the following position creation presented herewith will be contingent upon the availability of receiving additional Office for the Aging funding; now be it

RESOLVED, that this Legislature authorizes abolishing a part-time Community Service Worker position in the Office for the Aging due to a retirement and reorganization, effective May 29, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full- time Aging Services Specialist position at grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishing of the part-time Aging Service Specialist position in the Office for the Aging effective upon the filling of the newly created full time Aging Services Specialist position; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position, effective May 4, 2015.

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

RESOLUTION NO. 131-415

APPROVING AGREEMENTS BETWEEN OFFICE FOR THE AGING AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements between the Office for the Aging and various agencies:

Independent Living Services (ILS)-iCircle, 521 Fifth Avenue, 3rd Floor, New York, NY 10175 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2015 to April 30, 2016 to clients needing services, iCircle will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one year renewals, to be reviewed in 2020. County cost \$0 – Revenue Source.

Fidelis Care, 95-25 Queens Boulevard, Rego Park, NY 11374 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2015 to April 30, 2016 to clients needing services, Fidelis will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one year renewals, to be reviewed in 2020. County cost \$0 – Revenue Source.

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

RESOLUTION NO. 132-415

**AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR THE
MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS
ACT (MIPPA) FUNDING**

RESOLVED, that this Legislature authorizes Office for the Aging to apply for the MIPPA grant in the amount of \$10,209 (first year allotment) to educate and assist Medicare beneficiaries with limited incomes, outreach and assistance with Medicare Part D for beneficiaries in rural areas, and assist with Low Income Subsidy and Medicare Savings Applications effective September 30, 2014 through September 29, 2017; County cost \$0; and be it

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

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

RESOLUTION NO. 133-415

**APPROVING ADDENDUM WITH ORLEANS COUNTY OFFICE
WITH THE AGING AND ARC OF ORLEANS COUNTY**

WHEREAS, Resolution No. 23-114 approved an agreement with ARC of Orleans County, 122 Caroline St, Albion, NY 14411 to provide a renewal contract for the Nutrition Program; Contract effective January 1, 2014 through December 31, 2016.

RESOLVED, that this Legislature approves an addendum to this contract adding that the contractor will not enter into any agreement with any Managed Long Term Care entity for the provision of home delivered meals or congregate services without prior referral by Office for the Aging. Any request initially received by the Contractor for such services will be first referred to OFA which will then make referrals to Contractor for the requested services.

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

It was noted by Legislator Allport that the ARC of Orleans County is doing an outstanding job with the Nutrition Program since they have taken it over and it has actually expanded under their leadership.

RESOLUTION NO. 134-415

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Angels in Your Home, Hilton, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2015 through December 31, 2015 at rates set by NYS Department of Health. County cost is \$0.

Angels in Your Home, Hilton, NY for the provision of Personal Care Aide services to eligible Medicaid clients; to be effective January 1, 2015 through December 31, 2015 at rates set by NYS Department of Health. County cost is \$0.

LabCorp Corporation, Burlington, NC for the provision of conducting blood tests to determine paternity for Child Support Unit, to be effective April 1, 2013 through March 31, 2018.

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

RESOLUTION NO. 135-415

APPROVING THE 2015 YOUTH BUREAU RESOURCE ALLOCATION PLAN

WHEREAS, the Orleans County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid from the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines; and

WHEREAS, the Orleans County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county

comprehensive youth services planning efforts during 2015 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Orleans County appropriation; and

WHEREAS, guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Orleans County Youth Bureau and the Committee on Economic Assistance and Opportunity does recommend approval at this time; now, therefore be it

RESOLVED, that the Orleans County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2015 Orleans County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

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

RESOLUTION NO. 136-415

AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget to set up revenue and expenses for Federal Medicaid Salary Sharing monies received as follows:

Revenue:

A4490	Mental Health Federal	\$4,000
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Appropriation:

A4310.411	Office Supplies	\$4,000
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Moved, Allport; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 137-415

AUTHORIZING FILLING OF VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a full-time Supportive Case Manager position (4310.21) in the Mental Health Department at Grade 18 of the CSEA Salary Schedule, effective April 23, 2015.

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

RESOLUTION NO. 138-415

APPROVING AGREEMENT EXTENSION BETWEEN MENTAL HEALTH DEPARTMENT AND NEW YORK CARE COORDINATION PROGRAM, INC (NYCCP)

RESOLVED, that this Legislature approves an agreement extension between Mental Health and New York Care Coordination Program, Inc. (NYCCP), 1099 Jay Street, Bldg. J, Rochester, NY 14611 providing non-clinical consulting, management, and data analysis services to support the effort of behavioral health providers, consumers, and local governments to improve care and service outcomes for individuals diagnosed with serious mental illness, addictions, and co-occurring medical disorders. Health Homes of Upstate New York (HHUNY), on behalf of Huther Doyle Memorial Institute, Inc. will pay Orleans County Mental Health 94% of the monthly rate paid by the Department of Health with the extension of this agreement effective through December 31, 2019. County cost \$0.

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

RESOLUTION NO. 139-415

AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH EMPLOYEE

RESOLVED, that this Legislature authorizes Out of State Travel for Brenden Bedard, Director of Community Health Services in the Public Health Department for the following:

To attend NACCHO Preparedness Summit at the Peach Tree Center in Atlanta, Georgia from April 14th through April 15th, 2015. All costs covered by NACCHO. County cost \$0.

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To attend NACCHO Epidemiology/ID Workshop in Person Meeting at Peach Tree Center, Atlanta, Georgia from May 18th through May 20th, 2015. All costs covered by NACCHO. County cost \$0.

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

RESOLUTION NO. 140-415

AUTHORIZING FILLING OF VACANCY IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Registered Nurse (4010.47) in the Public Health Department at Grade 19, of the CSEA Salary Schedule effective April 23, 2015.

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

RESOLUTION NO. 141-415

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND HEALTH RESEARCH, INC AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature approves an agreement between Orleans County Health Department and Health Research, Inc. (HRI), 150 Broadway, Ste 560, Menands, NY 12204 to accelerate state and local public health preparedness planning and operational readiness for responding to Ebola Virus effective April 1, 2015 through September 30, 2016 contract cost is \$38,000. County cost \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the 2015 Public Health Department budget as a result of the contract with Health Research, Inc. as follows:

Revenue:
A4489 Bioterrorism Preparedness \$ 38,000

Appropriations:

4010.220	Office Equipment	\$ 5,164
4010.250	Other Equipment	\$ 14,716
4010.411	Office Supplies	\$ 3,710
4010.460	Training & Education	\$ 2,040
4010.462	Travel - Mileage	\$ 400
4010.463	Travel – Other than Miles	\$ 200
4010.487	Environmental Health Supplies	\$ 5,991
4010.489	Nursing Supplies	\$ 5,779

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

RESOLUTION NO. 142-415

**APPROVING AGREEMENTS BETWEEN HEALTH DEPARTMENT
AND VARIOUS AGENCIES**

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

Orleans Community Health (MMH)-Lead Education 200 Ohio St, Medina, NY 14103 to provide lead poisoning education, information, sampling, and testing for the residents of Orleans County effective October 1, 2014 through September 30, 2015 at a contract amount of \$10,000. County cost \$0.

Oak Orchard Health a/k/a Oak Orchard Community Health-(Migrant Services) 300 West Ave, Brockport, NY 14420 to provide translation services and liaison between the Orleans County Health Department and the migrant population. Contract funded through NYS Migrant Grant and contract to run concurrent with the NYS contract from October 1, 2014 through September 30, 2015 at a contract amount of \$16,000. County cost \$0.

3D Delivery/dba Genesee Delivery, 58 Kingsbury Ave, Batavia, NY 14020 to provide delivery services for the Orleans County Health Department to the Erie County Public Health Lab for water and medical samples effective January 1, 2015 through December 31, 2015 at a contract rate of one dollar and sixty cents (\$1.60) per mile with reimbursement from State. County cost \$0.

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NYS Department of Health, Children with Special Health Care Needs: ESP Corning Tower —Rm 859, Albany, NY 12237 to provide funding for the operation of program services. The Health Department provides personnel, licenses, and facilities to provide the required services. This is to be disbursed at \$17,380 per year payable in 2015, 2016, and 2017 at a total three contract cost of \$52,140. County cost \$0.

NYS Department of Health/Migrant Health to provide funding for migrant health services, supplies, education & training effective October 1, 2014 through December 31, 2019 (in order to align with the start of the other state contracts) in the amount of \$60,204 per year at a total five year contract cost of \$301,024. County cost \$0.

Medical Group, 300 Meridian Centre Blvd, Rochester to allow for billing of public health nursing clinics effective for an initial term of three years effective May 1, 2015 through April 30, 2018 with the option to renew automatically for two additional one year terms through April 30, 2020. County cost \$0.

AMENDMENT – TERM OF CONTRACT Eric Harty, 6 Tanglewood Drive, Lancaster, NY 14086 for the provision of software creation and development for a graphic interface for already existing databases effective November 24, 2014 through December 31, 2015 at a cost not to exceed \$4,000 or more than 100 hours. Reimbursement from NYS Dept of Health Water and ATUPA Grants. County cost \$0.

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

RESOLUTION NO. 143-415

APPROVING PROPOSAL FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION

RESOLVED, that this Legislature hereby approves the proposal for household hazardous waste collection by Environmental Enterprises, Inc., 4650 Spring Grove Ave., Cincinnati, OH at the following waste unit costs, payment to be made from the Solid Waste Fund:

Aerosol Cans	\$.75 per pound
Anti-Freeze	\$.16 per pound
Chemicals (labpacks)	\$1.00 per pound
Corrosive Acids	\$1.00 per pound
Corrosive Bases	\$1.00 per pound
Fluorescent Tubes	\$.75 per pound
Household Cleaners	\$1.00 per pound
Miscellaneous Chemicals (reactives)	\$2.95 per pound
Oil Base Paints (liquids)	\$.20 per pound
Oil Base Paints & Varnishes (sludges)	\$.19 per pound
Oil Filters	\$.09 per pound
Organic Liquids	\$.19 per pound
Oxidizers	\$1.00 per pound
Pesticides/Insecticides	\$1.05 per pound
Pesticides/Insecticide (dioxin precursors)	\$1.05 per pound
Poisons	\$1.00 per pound
Resins & Adhesives	\$.35 per pound
Waste Oil	\$.09 per pound

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

RESOLUTION NO. 144-415

APPROVING HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENT

WHEREAS, this Legislature desires to conduct a Household Hazardous Waste Collection on June 20, 2015 to provide County residents safe and convenient disposal of household hazardous wastes; and

WHEREAS, this Legislature approved a proposal for household hazardous waste collection at unit costs stipulated in Resolution No. 142-415; be it

RESOLVED, that upon the approval of the County Attorney, this Legislature approves an agreement with Environmental Enterprises, Inc., 4650 Spring Grove Ave, Cincinnati, OH for the 2015 Orleans County Household Hazardous Waste Collection Program.

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

RESOLUTION NO. 145-415

APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

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

NAME & MAILING ADDRESS	REPRESENTS	EXPIRATION DATE
William Camann 14829 W Brighton Cliffe Dr. Kent, New York 14477	Town of Carlton (Alternate)	12-31-17

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

RESOLUTION NO. 146-415

APPROVING RENEWAL LEASE AGREEMENT BETWEEN ORLEANS COUNTY AND ROY W. AND SCOTT A. SALMON

WHEREAS, Resolution No. 158-410 approved a five year lease agreement with Roy W. and Scott A. Salmon to provide public access to Oak Orchard Creek; now be it

RESOLVED, that this Legislature approves the lease renewal agreement between Orleans County and Roy W. and Scott A. Salmon of 1701 Park Avenue, Waterport, NY 14571, for the County of Orleans to lease from the Salmons 15.8 acres along the Oak Orchard Creek to provide public access to Oak Orchard Creek and its banks for recreational fishing and boating, to preserve vegetative cover in a riparian buffer so as to protect water quality and riparian habitat and to provide sites for fishery and habitat management, research and educational programs effective August 22, 2015 through August 21, 2020 at a cost of \$60,000, to be paid in yearly installments of \$12,000; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Lease Agreement and any other documents in order to effectuate the terms of the Lease.

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

RESOLUTION NO. 147-415

**AUTHORIZING PAYMENT OF TOURISM MATCHING FUNDS TO
GREATER NIAGARA REGION**

WHEREAS, Resolution No. 368-1014 authorized application for, and receipt of, State I Love New York Matching Funds which, in part, are committed to regional tourism promotion; now be it

RESOLVED, that this Legislature hereby authorizes payment of \$42,040 to the Greater Niagara Region, 210 E. Main St., Batavia, NY 14020, to be paid from Tourism Account 6410.468 - I Love New York Matching Funds with said amount to be expended for regional tourism promotion programs which may include the following:

- 4-County Country Byways
- 2-County Genesee/Orleans Program
- 5-County Greater Niagara Region
- 8-County Peace Garden Trail
- Lake Ontario Sportfishing Promotion
- Canal New York Business Alliance
- 26-County Haunted History Trail

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

RESOLUTION NO. 148-415

**AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL
MASTER LEASE**

WHEREAS, this Legislature approved a Dell Master Lease # 810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 49 desktop computers and 2 laptops to be added to the Dell Master Lease as # 810-6457612-08 throughout the County effective May 9, 2015 through May 8, 2019, four (4) annual payments of \$8,708.09 with a \$1 buyout option at the end; and be it

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FURTHER RESOLVED, that the Chairman authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 149-415

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF INSURANCE PLAN AND COVENTRY HEALTH CARE WORKERS COMPENSATION, INC

WHEREAS, the Orleans County Self Insurance Plan continuously reviews procedures to improve the quality of care to injured workers of the Plan's members; and

WHEREAS, the Orleans County Self Insurance Plan has determined that providing injured workers with a 24 hours a day, 7 days a week on-call registered nurse to respond to a claimant's telephone call to assist claimants in the decision making process regarding appropriate timing for receipt of a particular level of medical care appropriate to the injury or illness experienced by the claimant; now be it

RESOLVED, that this Legislature authorizes the agreement with Coventry Health Care Workers Compensation, Inc. for on-call registered nurse response for the Orleans County Self Insurance Plan claimants, effective June 1, 2015 through May 31, 2016 at a cost of \$85 per call with an option to an annual extension to a maximum of four (4) Renewal Terms which would end May 31, 2020 with an annual fee adjustment equal to the CPI (Consumer Price Index), to be billed monthly, which will be a direct expense to the Orleans County Self Insurance Plan.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to fill vacancy of the Deputy Clerk of the Legislator. She announced that Onnalee took a position of growth within the County and she will be missed; seconded by Legislator DeRoller. The following resolution was adopted:

RESOLUTION NO. 150-415

**AUTHORIZING FILLING VACANCY IN THE OFFICE OF THE
CLERK OF THE LEGISLATURE**

WHEREAS, the Deputy Clerk of the Legislature will be taking another position within the County in the Department of Social Services; now, therefore be it

RESOLVED, that this Legislature authorizes the filling of the vacant full-time Deputy Clerk of the Legislature position (1040.3) in the office of the Clerk of the Legislature at a Grade 3 of the Management Compensation Plan effective upon the filling of the said vacant position in the Department of Social Services.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 151-415

**AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE
ACCOUNT TO CENTRAL REPAIR ACCOUNT**

WHEREAS, funds in the amount of \$29,395.28 from the 2014 Central Repair Account have been reverted to the County's Reserve Account; and

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

RESOLVED, that the County Treasurer is hereby authorized to set up funds from the reserve account in the amount of \$20,164.08 to Central Repair Account A1615.443 – Central Repairs to Office Equipment, and \$9,231.20 to Account A1615.453 – Central Repair Telephone & Communications.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 152-415

DESIGNATING DEPOSITORIES AND AMOUNTS ALLOWED

RESOLVED, that pursuant to Section 212 Subdivision 3 of the County Law, the following institutions be, and hereby are, designated as depositories of all monies received by the County Treasurer, and be it further

RESOLVED, that the maximum amount which may be on deposit at any time in each depository shall not exceed that listed below:

Five Star Bank	\$ 30,000,000
Bank of America	\$ 5,000,000
M & T Bank	\$ 10,000,000
JPMorgan Chase	\$ 5,000,000
First Niagara Bank	\$ 5,000,000
Bank of Castile	\$ 15,000,000
Citizens Bank	\$ 5,000,000

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 153-415

APPROVING CLOSING-OUT OF NURSING HOME CAPITAL PROJECT

WHEREAS, all capital project work for the County Nursing Home has been completed, and the Nursing Home has been sold; and

WHEREAS, the Capital Project Nursing Home has an unspent balance of \$128,077.06, which is due to the Debt Service Fund per NY State Comptroller; now be it

RESOLVED, that this Legislature authorizes the County Treasurer to close out this Capital Project and transfer the unspent balance of \$128,077.06 to the Debt Service Fund.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 154-415

APPROVING RENEWAL OF AGREEMENT BETWEEN COUNTY TREASURER AND EFP ROTENBERG, LLP FOR INDEPENDENT AUDIT

WHEREAS, it is the recommendation of the County Treasurer to renew the auditing contract with EFP Rotenberg, LLP for three extension years; and be it

RESOLVED, that this Legislature approves a three-year agreement between the County of Orleans and EFP Rotenberg, LLP, 280 Kenneth Dr., Ste 100, Rochester, NY 14623, to provide auditing services for the fiscal years 2014, 2015, and 2016 at a cost of \$30,750 per year, including the Department of Transportation audit, Sheriff and Jail audit, and all out of pocket costs. Cost of Audit will be billed to maximize reimbursement to Treasurer, Department of Social Services, Workforce Investment Act (WIA), and the Highway Department.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 155-415

DETERMINING TAX MAP PARCEL NO. 42.-1-45 IN THE TOWN OF KENDALL SHOULD BE RESTORED TO THE TAXABLE PORTION OF THE ASSESSMENT ROLL AND AUTHORIZING THE ENFORCING OFFICER TO PERMIT CANCELLATION OF INTEREST AND PENALTIES

WHEREAS, Legislature Resolution No. 130-389 removed Tax Map Parcel No. 42.-1-45 from an In Rem Proceeding; and

WHEREAS, Legislature Resolution No. 63-201 withdrew Tax Map Parcel No. 42.-1-45 from an In Rem Proceeding pursuant to RPTL § 1138(1)(d) and directed the County Treasurer as enforcing officer to issue a certificate of prospective cancellation; and

WHEREAS, RPTL § 1138(6)(d) provides that a parcel shall remain exempt until the governing body determines that the parcel should be restored to the taxable position of the assessment roll, and the enforcing officer files a certificate of restoration; and

WHEREAS, Tax Map Parcel No. 42.-1-45, formerly known as the Kendall Landfill, is a parcel with no road frontage served by 30 foot right of way or ingress and egress which was listed on the DEC registry because there was some concern that there was hazardous waste there; and

WHEREAS, Dennis Bauer and Barbara Bauer, owners of Tax Map Parcel No. 42-1-43.1 which adjoins Tax Map Parcel No. 42.-1-45 on its northerly boundary, have conducted their independent due diligence with respect to the environmental condition of Tax Map No. 42.-1-45 and are now desirous of acquiring title to Tax Map Parcel No. 42.-1-45 from the current owners, Donald Bauch and Lynn Bauch; and

WHEREAS, Dennis Bauer and Barbara Bauer have requested the County of Orleans restore Tax Map Parcel No. 42.-1-45 to the taxable portion of the assessment roll and in consideration thereof, the Bauer's will pay the principal amount of taxes due on the said parcel; and

WHEREAS, the County of Orleans, its officers and employees, have made no representations or warranties with respect to the environmental condition of Tax Map Parcel No. 42.-1-45 and that the Bauer's have had full and ample opportunity to conduct their own independent due diligence and investigation of Tax Map Parcel No. 42.-1-45; and

WHEREAS, it appears that there is no practical method to collect the unpaid interest and penalties accrued to Tax Map Parcel No. 42.-1-45 and that it is in the best interests of the County of Orleans to cancel same upon payment in full of the principal amount of the taxes due on the said parcel; now, therefore be it

RESOLVED, upon the payment by Dennis Bauer and Barbara Bauer of the principal amount of the taxes due, pursuant to RPTL § 1138(6)(d), this Legislature hereby determines that Tax Map Parcel No. 42.-1-45 shall be restored to the taxable portion of the assessment roll upon the filing of a certificate of restoration by the County Treasurer as enforcing officer; and be it

FURTHER RESOLVED, that there being no practical method to collect the unpaid interest and penalties, and it being in the best interests of the tax district, this Legislature hereby authorizes the County Treasurer as enforcing officer to permit the cancellation in whole of any interest, penalties, or other charges imposed on Tax Map Parcel No. 42.-1-45.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 0 absent. Legislator DeRoller recused himself from deliberations and vote.

RESOLUTION NO. 156-415

AUTHORIZING CONTINUATION OF ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING APPOINTMENTS TO THE ALTERNATIVES TO INCARCERATION BOARD

RESOLVED, that this Legislature authorizes the continuance of the Alternatives to Incarceration Program, at a reimbursable cost of \$5,531 to the county, leaving a county cost of \$36,537 effective July 1, 2015 through June 30, 2016; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the Alternatives to Incarceration Board, term expiring June 30, 2016

NAME	REPRESENTATION
James P. Punch	Supreme Court Judge
David B. Callard	Chairman of Legislature
Joseph Cardone	District Attorney
Sanford Church	Public Defender
Dawn Keppler	Magistrates
Lucille Welch	Probation Director
Scott D. Hess	Sheriff
Kenneth DeRoller	Legislator
Thomas Drennan	Chief Deputy/ATI Coordinator
Bonnie Ruhlen	Crime Victim
Mark O'Brien	Director of Community Services
Kathy Hodgins	GCASA
Charles Nesbitt, Jr	Chief Administrative Officer

Moved, DeRoller; second, Johnson.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 157-415

**APPROVING AGREEMENT BETWEEN PROBATION DEPARTMENT
AND AUTOMON CORPORATION**

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 10450 N. 74th St, Scottsdale, AZ 85258, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2015 through June 20, 2016 at a cost of \$6,862.19.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 158-415

**APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY
DISTRICT ATTORNEY AND JOAN WEET**

RESOLVED, that this Legislature approves an agreement between the District Attorney and Joan H. Weet, 9772 Mountain Rd, Middleport, NY 14105, to provide Court Stenography services for the Orleans County for Justice Court appearances, hearings and trial effective January 1, 2014 through December 31, 2018 at a contract amount of \$100 per appearance for hearings or other special court appearances and printed transcripts for Justice Court cases shall be provided at the request of the District Attorney's Office at a cost of \$3.50 per page. County cost 100%.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 159-415

**AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT
GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY
AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE
OF EMERGENCY MANAGEMENT AND SHERIFF OFFICE**

WHEREAS, new funding opportunities have become available in the amount of \$105,000 to continue participation in the State Homeland Security Program grant cycle (SHSP/LETTP) for FY2015; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH15-1040-D00; contract #C972450 in the amount of \$78,750 for the Emergency Management Office to use towards planning, equipment purchase, training, exercises and management to support core capabilities as allowed under FY2015 SHSP allocation effective September 1, 2015 through August 31, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE15-1009-D00; contract #T972452 in the amount of \$26,250 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under FY2015 SLETPP allocation effective September 1, 2015 through August 31, 2018.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 160-415

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE/JAIL

RESOLVED, that this Legislature authorizes the filling of the following vacancies in the Sheriff's Office/Jail:

Full-time Deputy Sheriff (3110.20), grade 1 of the Orleans County Deputy Sheriff's contract (OCDSA), effective April 27, 2015

Full-time Deputy Sheriff (3110.30), grade 1 of the Orleans County Deputy Sheriff's contract (OCDSA), effective April 23, 2015

Part-time Correction Officer (3150.24) at the Jail at an hourly rate of \$13.92, effective April 23, 2015.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to urge state representatives to amend the NYS Electronic Equipment Recycling and Reuse Act. She explained that the original equipment manufacturers were to take back a percentage of what they sell in New York State. Each year that percentage is met at an earlier time in the year. She shared the example in that in 2012 they met their quota in October, in 2013 in September, and in 2014 it was in June. At that

point they stopped paying for the collection and placing that cost burden on the towns. We are asking the State DEC to have these equipment manufacturers collect this electronic recycling waste year round. That is what NORA is trying to accomplish. Legislator DeRoller seconded the motion. The following resolution was adopted:

RESOLUTION NO. 161-415

URGING STATE REPRESENTATIVES TO AMEND THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) was to assist local governments with managing the fast growing end-of-life electronics waste stream by relying on electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but unfortunately the collection infrastructure is rapidly shrinking as governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, the consequence, specifically following the January 2015 Disposal Ban, is significant as a growing number of municipalities such as Orleans County are faced with bearing more of the financial responsibility for continued e-scrap collection in their communities; and

WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

WHEREAS, once manufacturers meet their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their programs, thus shifting management costs to unsuspecting and cash strapped local governments; and

WHEREAS, the issue is exasperated by the fact that electronics currently sold today are much lighter than the obsolete CRT devices that make up about 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage. As a result, many local governments across the state have grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; now be it

RESOLVED, that the Orleans County Legislature does hereby call upon Governor Cuomo, the New York State Assembly, the New York State Senate, and the State Department of Environmental Conservation to improve the current law intended to build toward the long-term goals of creating a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure by implementing actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of the Proposed Statutory Changes to the Act to provide for year round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations—that help alleviate the immediate financial pressures faced by local governments; and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Governor Cuomo, Environmental Conservation Committee Chairman Thomas O'Mara, State Senator Robert G. Ortt, Assemblyman Hawley, Assemblywoman Corwin, NYSAC, InterCounty Association, and all others deemed necessary and proper.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 162-415

AUTHORIZING PAYMENT OF CLAIMS FOR MAY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills will be audited by this Legislature; be it

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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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 May 13, 2015:

Fund/Department	Check Number (s):	Amount:
General	12170-12362	\$678,082.64
Highway	529-536; 1296-1329	\$196,289.82
Nursing Home	27714-27718	\$48,248.51
Job Development	1777-1778	\$12,821.79
Self Insurance	1086; 55176, 55233-55235	\$22,266.97

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 May 27, 2015:

Fund/Department	Check Number (s):	Amount:
General	12378-12479	\$341,657.96
Highway	537-540; 1330-1346	\$56,927.43
Nursing Home	27719-27720	\$20,333.99
Job Development	1779-1792	\$14,097.82
Self Insurance	1087-1088; 55287-55290	\$8,400.04

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson tabled the resolution REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATING USE TAX due to the Assembly Bill has yet to be assigned and this resolution needs to be passed after that bill number is assigned to make our resolution valid. The Clerk of the Legislature would like to move this forward as soon as we get a bill

number so we can prepare Home Rule documents and get it on the floor for approval or at least filed before they go on spring recess.

RESOLUTION NO. 163-415

**NORA INITIATIVE IN SUPPORTING CONGRESSMEN COLLINS
FIGHT AGAINST IJC PLAN 2014**

WHEREAS, In June of last year, the International Joint Commission introduced Lake Ontario St. Lawrence River Plan (Plan 2014); and

WHEREAS, the U.S. Department of State is currently conducting and inter-agency review of Plan 2014, seeking information specifically from the Environmental Protection Agency, the Army Corps of Engineers and the Department of Transportation; and

WHEREAS, Plan 2014 will have a devastating impact on the communities along the Lake's southern shoreline. The Plan will increase the frequency of raising and lowering the water levels in Lake Ontario. The fluctuation in water levels will result in increased erosion damage to the shoreline, including the properties of businesses and homeowners; and

WHEREAS, Plan 2014 would also raise the current water maximum by 2.4 inches and will increase the annual cost of shoreline maintenance and protections by 13 percent. The plan offers no means of compensation to the stakeholders who will be negatively impacted by this man made property damage; and

WHEREAS, the IJC received over 5,000 letters from organizations and constituents opposing the plan, yet the IJC has done nothing to address the negative impacts that increasing frequency of water level fluctuation will have on these communities; and

WHEREAS, the Plan spans six counties in Upstate New York and would cause damage to land assessed at nearly four billion dollars; and

WHEREAS, U.S. Representatives Chris Collins (NY-27) and John Katko (NY-24) jointly sent a letter to the House Committee on Appropriations Subcommittee on State, Foreign, Operations and Related Programs requesting language be included in the House Budget preventing any use of federal funding to implement IJC Plan 2014; now be it

RESOLVED, that the Orleans County Legislature supports NORA's initiative in supporting Congressman Collins fight to eliminate the IJC's ability to implement Plan 2014 which will provide certainty to the communities who have seen repeated efforts by the IJC to disrupt the current shoreline protections; and now be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to the International Joint Commission, the New York Department of State, the New York State Department of Environmental Conservation, the New York State Environmental Facilities Corporation, U.S. Secretary of State John Kerry, U.S. Senator Charles E. Schumer, U.S. Senator Kirsten E. Gillibrand, U.S. Congressman Chris Collins, Governor Andrew M. Cuomo, Senator Robert Ortt, Assemblyman John D. Ceretto, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, Senate Environmental Conservation Committee Chairman Thomas O'Mara, Assembly Environmental Conservation Committee Chairman Steven Englebright, EPA Region II Administrator Judith Enck, Orleans County Legislature Chairman David Callard, Niagara County Legislature Chairman William L. Ross, NYSAC, InterCounty of Western NY, Towns in Orleans County, and all others deemed necessary and proper.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard requested comments from the Legislators. Legislator Eick reported on attending the Peace Garden ceremony last Friday on Routes 104 and 98. Legislator Johnson and he were impressed to see nearly 250 Santa Clauses during their convention. It was a wonderful event held in Orleans County.

Chairman Callard asked from comments from the floor. Allen Lofthouse, Kendall, inquired on what Park Strategies has produced for the County and if they have been paid since approval at the last meeting. Chairman Callard reported that we have not paid anything to them to date. A strategy meeting was held with our Park Strategies representative. At that meeting a plan was outlined for action items that are intended to be presented to Department Heads in New York State and also an intent to meet with the Lieutenant Governor. Other counties have been doing this as a normal course of business. We are beginning the process now here in our county. One of the highlights would be our interaction with the Department of Transportation. A plan is being put together on our bridges and how we

could collaborate together with the state. This will plant the seed with collaboration and hopeful we can reach an accord. If the state reduces bridge weights during the winter months, it will prevent us from plowing them. This is one example to positively approach our issues of concern. Chairman Callard announced that a delegation from here will be traveling to Albany before the session ends in June. In conjunction with one of our bullet points, is our Broadband plan, Legislator Johnson and Niagara County Legislator Godfrey will also be speaking before a Broadband summit representing both of our counties in putting us in the forefront of this. We are also working on a grant pertaining to the enhancement of our radio system. In the schools we realize that we may not have coverage inside our buildings. This could also include our BOCES and our local hospital. Our lobbyists are helping in this grant opportunity. We are doing a better job in planning ahead and we need to do this face to face with our elected representatives and their peers and State Department Heads. Chairman Callard expresses that he is hopeful in seeing very positive results in this process.

Mr. Lofthouse also thanked the Legislators for the Gold Star Mothers Proclamation because his grandmother was a Gold Star Mother.

Legislator Johnson also requested that the Clerk of the Legislature also forward the E-waste resolution to our Towns in Orleans County.

With no further business, Legislator DeRoller moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:30 p.m.

SPECIAL LEGISLATURE MEETING

May 13, 2015

Chairman Callard called the special meeting to order at 1:03 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present, with the exception of Legislators Allport, Eick, and Johnson.

Legislator Miller moved to add two resolutions to the agenda; second by Legislator DeRoller. Motion carried. The following resolutions were presented for adoption.

RESOLUTION NO. 164-515

**AUTHORIZING THE MODIFICATION OF RESOLUTION NO. 55-215
FOR THE PLANNING AND DEVELOPMENT DEPARTMENT**

WHEREAS, Resolution 55-215 authorized the filling of a vacant full time Senior Planner position in the Planning and Development Department, and

RESOLVED, that this Legislature authorizes the abolishing of this vacant full time Senior Planner position (8020.02) in the Planning and Development Department, Grade 22 in the CSEA Salary Schedule effective May 20, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a permanent full time Planner position (8020.02) in the Planning and Development Department, Grade 20 in the CSEA Salary Schedule effective May 21, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of a permanent full time Planner position (8020.02) in the Planning and Development Department, Grade 20 in the CSEA Salary Schedule effective May 21, 2015.

Moved, DeFilipps; second, DeRoller.
Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

RESOLUTION NO. 165-515

**AUTHORIZING THE MODIFICATION OF RESOLUTION NO. 150-415
FOR THE OFFICE OF THE CLERK OF THE LEGISLATURE**

WHEREAS, Resolution No. 150-415 authorized filling vacancy of the Deputy Clerk in the Office of the Clerk of the Legislature; now be it

RESOLVED, that this Legislature authorizes filling the vacant Deputy Clerk of the Legislature position at Grade 3, Step 5 of the Management Salary Plan effective May 18, 2015.

Moved, DeFilippis; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

RESOLUTION NO. 166-515

**AUTHORIZING ABOLISHING, CREATING, AND FILLING
POSITIONS IN THE JOB DEVELOPMENT AGENCY**

RESOLVED, that this Legislature authorizes the abolishment of a full-time Account Clerk Typist position effective May 18, 2015 in the Job Development Agency and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full time Senior Account Clerk Typist position in the Job Development Agency, at grade 10 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Job Development Agency effective May 18, 2015.

Moved, Miller; second, DeFilippis.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

RESOLUTION NO. 167-515

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND ERNST'S LAKE BREEZE MARINA**

RESOLVED, that this Legislature does hereby approve an agreement between the Orleans County Sheriff's Office and Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, New York, for the pre-

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purchase of gasoline in the amount of \$5,000, for use by the navigation patrol, to be paid from FY2011 and FY2012 Operation Stonegarden Grant Funds.

Moved, DeRoller; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

RESOLUTION NO. 168-515

AMENDING RESOLUTION NO. 306-814 REGARDING PURCHASE OF A MARINE PATROL VESSEL FOR THE SHERIFF MARINE PATROL

WHEREAS, Resolution No. 306-814 authorized the purchase of a Marine Patrol Vessel and to obtain funding through Municipal Leasing Consultants; now be it

RESOLVED, that this Legislature amends Resolution No. 306-814 to purchase a 27' Walk Around Cabin Marine Vessel from SAFE Boats International and authorizes the total payment of \$233,984.47 (invoice 004695) - an increase as a result of Change Order #1 which includes the purchase and installation of the FLIR Thermal Imaging Camera as authorized in Resolution No. 412-1214 at the cost of \$14,826.36; and Change Order #2 for the purchase and installation of an Alpine Radio and Harris Mobile Radio at the cost of \$1,489.90; and be it

FURTHER RESOLVED, that this Legislature amends Resolution No. 306-814 to change the leasing provider to First Niagara Leasing Inc, 726 Exchange Street, Ste 900, Buffalo, NY 14210 to be paid by annual payments of \$17,765.29, including, interest through 2021 with a total lease amount of \$115,000; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute a lease agreement with Niagara Leasing Inc.

Moved, DeRoller; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

Legislator DeRoller moved to set up funds to pay for the new Sheriff's boat; second by Legislator Miller. Chief Administrative Officer Chuck Nesbitt noted that the county will save \$2,077.22 if payment is sent to

SAFE Boat International as soon as possible that is why this was presented for adoption today. The following resolution was adopted:

RESOLUTION NO. 169-515

AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET FOR THE PURCHASE OF THE MARINE PATROL VESSEL AND ACCESSORIES

RESOLVED, that this Legislature authorizes the Treasurer to set up Homeland Security Operation Stonegarden grant and SLETPP grant funds to be used towards the purchase of the Marine Patrol Vessel, the FLIR Thermal Imaging Camera; and the Alpine and Harris Radios as authorized in Resolution No. 412-1214 as follows:

Revenue:

A4308.7411	Homeland Security/Operation Stonegarden FY2011	\$14,526.46
A4308.5313	Homeland Security/SLETPP (LE 13)	\$20,236.14
A4308.5314	Homeland Security /SLETPP (LE 14)	\$19,395.51
A4308.7414	Homeland Security/Operation Stonegarden FY2014 (FLIR)	\$14,826.36
A3808	NYS Parks and Recreation (Boat)	\$50,000.00

Appropriations:

A3110.486.7411	Special Grants/SG11-1000-D02	\$14,526.46
A3110.486.5313	Special Grants/LE13-1036-D01	\$20,236.14
A3110.486.5314	Special Grants/LE14-1035-D01	\$19,395.51
A3110.486.7414	Special Grants/SG14-1002-D00 (FLIR)	\$14,826.36
A3110.486	Special Grants	\$50,000.00

Moved, DeRoller; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

RESOLUTION NO. 170-515

APPROVING EXTENSION OF FY12 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT

WHEREAS, Resolution No. 212-613 approved the acceptance of funding in the amount of \$2,000,000 for the FY12 Statewide Interoperable Communications Grant (SI12-1016-D00) effective February 4, 2013

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through February 3, 2014 and Resolution No. 55-214 extended it through February 3, 2015; now be it

RESOLVED, that this Legislature approves the extension of this grant through February 3, 2016; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to e-sign all related documents associated with the extension of this grant (SI12-1016-D02).

Moved, DeRoller; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

The following add on resolutions were presented:

Legislator Miller moved to approve purchase of a new 2014 International Dump Truck for the Highway Department; second by Legislator DeFilipps. CAO Nesbitt reported that this would be a \$9,600 budget savings with going with a 2014 model. The following resolution was adopted:

RESOLUTION NO. 171-515

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A NEW 2014 INTERNATIONAL DUMP TRUCK

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) 2014 International Dump Truck, Model #4300 SBA 4X2 (MA025) from Navistar Inc., 399 Shaker Road, Suite 202, Loudonville, NY 12211 for \$82,331 to be purchased off the Onondaga County Contract #7823; to be paid from account #DM5130.270. County cost \$0

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

Legislator DeRoller moved to approve the five year agreement with CSEA, second by Legislator Miller. Chuck Nesbitt reported that with the approval of this contract the county could see a minimum savings of \$75,000 and could be more with the current 0% raise. The following resolution was adopted:

RESOLUTION NO. 172-515

APPROVING FIVE-YEAR AGREEMENT WITH CSEA

RESOLVED, that this Legislature approves an agreement with the Civil Service Employees Association, agreement covering a five-year period beginning January 1, 2015 and ending December 31, 2019, including the following provisions:

Provides for salary increases of 0% in 2015; 2% in 2016; 2% in 2017; 2% in 2018; 2% in 2019.

Includes health insurance benefit reductions including: increased cost sharing and increased deductibles.

FURTHER RESOLVED, this Legislature approves modification of the Management Compensation Plan to reflect changes to the dates of summer hours to reflect those contained in the CSEA Agreement.

Moved, DeRoller; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

Legislator DeRoller moved and Legislator Miller seconded the motion to remove the resolution concerning empowering Orleans County to extend the expiration of the imposition of an additional 1% sale and compensating use tax off the table for consideration for adoption. Motion Carried. The following resolution was adopted:

RESOLUTION NO. 173-515

REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATING USE TAX

WHEREAS, the enactment of a special law amending the tax law in relation to extending the expiration of the provisions authorizing the County of Orleans to impose an additional 1% sales and compensating use tax is in the best interests of the County of Orleans; be it

RESOLVED, that pursuant to Article IX of the Constitution, the County of Orleans requests the enactment of Senate Bill S.4696, sponsored by Senator Ortt, and Assembly Bill A.7071, sponsored by Assemblyman

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Hawley entitled “An Act to amend the tax law in relation to extending the expiration of the provisions authorizing the County of Orleans to impose an additional one percent sales and compensating use tax”; said bills to extend the sales tax increase through November 30, 2017.

Moved, DeRoller; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent – Allport, Eick, and Johnson.

With there being no further business, Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 1:12 p.m.

SPECIAL LEGISLATURE MEETING

May 19, 2015

Chairman Callard called the special meeting to order at 1:02 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present.

The following resolutions were presented for adoption:

RESOLUTION NO. 174-515

RESCINDING RESOLUTION NO. 173-515 CONCERNING THE SPECIAL LAW TO EXTEND THE EXPIRATION OF THE ADDITIONAL 1% SALES AND COMPENSATING USE TAX

RESOLVED, that this Legislature rescinds Resolution No. 173-515 concerning the Special Law to Extend the Expiration of the Additional 1% Sales and Compensating Use Tax as a result that it did not meet the required two-thirds vote of our Legislative membership.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 175-515

REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATING USE TAX

WHEREAS, the enactment of a special law amending the tax law in relation to extending the expiration of the provisions authorizing the County of Orleans to impose an additional 1% sales and compensating use tax is in the best interests of the County of Orleans; be it

RESOLVED, that pursuant to Article IX of the Constitution, the County of Orleans requests the enactment of Senate Bill S.4696, sponsored by Senator Ortt, and Assembly Bill A.7071, sponsored by Assemblyman Hawley entitled "An Act to amend the tax law in relation to extending the expiration of the provisions authorizing the County of Orleans to impose an additional one percent sales and compensating use tax"; said bills to extend the sales tax increase through November 30, 2017.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

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With there being no further business, Legislator Eick moved to adjourn; second by Legislator Allport. Meeting adjourned at 2:04 p.m.

LEGISLATURE MEETING

May 27, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Gaines T/Ridgeway T/Shelby	Support of Orleans County Legislature Resolution No. 107-315 Opposing New State's Plan to Close Skill Development Centers and Work Centers
T/Gaines T/Ridgeway T/Shelby	Support of Orleans County Legislature Resolution No. 120-315 The New York State County Highway Superintendent's Association's Identified Need to Immediately Fund Highway and Bridge Funding
T/Gaines T/Ridgeway	Support of Orleans County Legislature Resolution No. 108-315 Opposing Part W of Governor's Proposed 2015 Budget Concerning Local Industrial Development Agencies
T/Albion T/Gaines T/Ridgeway	Support of Orleans County Legislature Resolution No. 98-315 Petitioning Governor Cuomo and the State Legislature to Delay Proposed Legislation which would move the Star Exemption from a Real Property Tax Exemption to Personal Income Tax Credit
T/Carlton	NORA Initiative in Supporting Congressmen Collins Fight Against IJC Plan 2014
V/Medina	Requesting Legislature to modify sales tax distribution to Villages
V/Albion	Urging State Representatives to Amend the New York State Electronic Equipment Recycling and Reuse Act

Community Action of Orleans and Genesee is requesting use of the Courthouse lawn to place a banner from June 15, 2015 to June 26, 2015 in celebration of their 50th Anniversary. The Board approved this request. The Annual Financial Report Update Document for the County of Orleans for the Fiscal Year ending December 31, 2014 has been filed by the Orleans County Treasurer. Jack Welch, Director of Personnel and Self Insurance, has filed six resolutions with the New York State Civil Service Commission to update the Orleans County Civil Service Rules. As of this date, the Commission has approved two resolutions which now have been incorporated within our Orleans County Civil Service Rules and have been filed in the office of the Clerk of the Legislature. These include adding Medical Director to Appendix B – Non Competative Class and updating the Probationary Term under Rule XIV. Land Use Training for Municipal Officials will be presented by Orleans County Department of Planning and

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Development and Niagara County Department of Economic Development on Wednesday, June 17, 2015 at the Hoag Library from 5 p.m. – 9:30 p.m. In-service credit will be given

Legislator Johnson presented a special recognition certificate to Iroquois Job Corps celebrating the 50th Anniversary of Job Corps. Melinda Maedel, Business and Community Liaison from the Iroquois Job Corps Center in Medina along with students Ibrihim Abdul-Aleem and Keyanna Mitchell accepted the recognition.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through April of 2015. Treasurer Heard said that she will get the report to them sooner. In April the Tobacco funds were received. Sales tax cash is up \$220,000 over last year's numbers.

Chairman Callard asked for comments from the Legislators. Legislator Allport updated the board on a resolution previously adopted concerning the center based employment centers. He indicated that representatives from the ARC of Orleans were sent to Albany to meet with OPWDD about the center based employment centers so the conversations have been started in the right place. Chairman Callard also stated that the Inter County Association was interested in the information that was given at their meeting.

Legislator Johnson shared a letter to the board from the Terry Woodworth, Superintendent of Public Works for the Village of Lyndonville. Mr. Woodworth shared his appreciation for several county employees for the job that they performed. He mentioned Michael Cliff, Deputy Superintendent of Orleans County Highway Department, for saving tax dollars by providing equipment or direction. Sid Lovell, Orleans County Work Experience Crew Leader, was also commended for his work on baseball fields to bring them back into playing condition for opening day for the Lyndonville Baseball League. Mr. Woodworth concluded that both of these gentlemen have a servant's heart and should be commended for what they have done for the Village of Lyndonville.

Chairman Callard recognized Onnalee O'Connor, who was hired as the Deputy Clerk of the Legislature in December of 2010. She is moving on and was hired as the Assistant Director of Administrative Services at the Department of Social Services. The Board wished her the best in her new position. Chairman Callard introduced Lisa Stenshorn as the New Deputy Clerk of the Legislature.

Chairman Callard announced that this month marks the 10th anniversary of service of our Chief Administrative Officer, Chuck Nesbitt. Previous to that he worked for the Empire State Development of Finger Lakes Regional Office. Besides administrative responsibilities, Chuck also assumes oversight of the budget, records management, and risk management.

During this tenure he has become designated Credential Manager from the ICMA, the International City/County Management Association. At that time he was one of only 20 from New York State. He is currently President of the New York State Association of County Administrators and Managers, Chairman of the Standing Committee on Taxation and Finance for the New York State Association of Counties, and Chairman of the Board of Trustees for the Healthcare Alliance of Western New York. Chuck also graduated from the Dennis A. Pelletier County Government Institute and is now accepted to begin his Masters of Public Administration from Valdosta State.

Chairman Callard expressed that significant to his credit is the upgrading of the radio system, implementation of the energy project, and the beginnings of an \$8 million infrastructure to replace six bridges, six culverts, two new pole barns, replacing roofs on the County Administration Building and the Public Safety Building, and a generator for the Mental Health Building.

He has endorsed short term and long term strategic planning in the county and helped in placing Orleans County's naming of the fourth best run county in the New York State Bar Association's study of New York State. Nesbitt is now giving great emphasis to shared services cooperation and service delivery innovation within across county lines.

“With twenty five years yet to go — who knows”, stated Chairman Callard. The Board congratulated Chuck Nesbitt for his ten years of service to Orleans County.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Town of Yates, questioned Resolution No. 180 as to why Highway Department staff could not install these air conditioners in their Department. Superintendent Gray stated that they do not have trained staff or equipment to get them in place and maintain them. Our Highway or Buildings and Grounds employees do not have HVAC training. Mr. Lauricella questioned Resolution No. 199 as to why these two were bundled together. Explanation led into the importance of both programs in protecting our children and safety of officers. We are continuing

participation with these programs based on the grant dollars already awarded to Orleans County.

Mr. Lauricella inquired about Resolution No. 201 and what these Operation Stonegarden funds are used for. Legislator Allport explained that Orleans County qualifies for this grant money because we need to patrol the shores of Lake Ontario which we have international borders to oversee. Mr. Allport also explained in depth of each grant funded year.

Mr. Lauricella also inquired about Resolution No. 188 regarding the creation of three positions in the Social Services Department. Mr. Nesbitt indicated that we are filling vacant positions due to retirement and resignations. Mr. Allport stated our Department of Social Services has done a tremendous job in making sure staffing numbers are for essential jobs or those that are required by the government rules. Mr. Lauricella finally questioned a previously held special meeting on May 19th concerning the sales tax extender. This special meeting was held to get the required 2/3 votes that we did not get initially on May 13th. There was no dissension on any of the votes pertaining to this issue.

Legislator Eick moved to add two resolutions to the agenda; second by Legislator DeRoller. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 176-515

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND BARTON AND LOGUIDICE**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Barton and Loguidice, 290 Elwood Davis Rd, Syracuse, NY 14614 to perform Engineering Services for the East Scott Road Bridge over Fish Creek in the Town of Ridgeway; and be it

FURTHER RESOLVED, this agreement is effective as soon as County gives notice to proceed through December 31, 2016. Barton and Loguidice Project ID #780499, File #703.3013 Bin #3318920, at a cost not to exceed \$49,600 to be paid from Capital Project Account H-5120.250 – Bridge Replacement Program.

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

RESOLUTION NO. 177-515

APPROVING AGREEMENT BETWEEN THE HIGHWAY
DEPARTMENT AND KEELER CONSTRUCTION

RESOLVED, this Legislature accepts the low bid submitted by Keeler Construction and authorizes the Chairman to execute an agreement with Keeler Construction, 13519 West Lee Rd, Albion, NY 14411 for the Replacement of Knowlesville Road Culverts over Oak Orchard Creek Tributary Project #2150153 at a bid cost of \$430,199; to be paid out of the Capital Infrastructure Project account #H-5120.250 – Bridge Replacement Program; and be it

FURTHER RESOLVED, that this Legislature authorizes to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 178-515

APPROVING AGREEMENT BETWEEN THE HIGHWAY
DEPARTMENT AND REDMAN CONSTRUCTION

RESOLVED, this Legislature accepts the low bid submitted by Redman Construction and authorizes the Chairman to execute an agreement with Redman Construction, 6565 Redman Rd, Brockport, NY 14420 for the Replacement of Oak Orchard Road Bridge over Manning Muckland Creek Project #2150155 at a bid cost of \$322,935; to be paid out of the Capital Infrastructure Project account #H-5120.250 – Bridge Replacement Program; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 179-515

APPROVING AGREEMENT BETWEEN THE HIGHWAY
DEPARTMENT AND C.P. WARD INC, GENERAL CONTRACTOR

RESOLVED, this Legislature accepts the low bid submitted by C.P. Ward Inc., General Contractor and authorizes the Chairman to execute an agreement with C.P. Ward Inc., General Contractor, 100 West River Road, P O Box 900, Scottsville, NY 14546 for the Replacement of Waterport Carlton Road Bridge over Beardsly Creek Project #2150154 at a bid cost of \$486,606.50; to be paid out of the Capital Infrastructure Project account #H-5120.250 – Bridge Replacement Program; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 180-515

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT
AND M&T HEATING

RESOLVED, that this Legislature approves the agreement between the Highway Department and M&T Heating, 2777 Brown Rd, Albion, New York 14411 to provide materials and installation of (3) new air conditioners at the Highway Department. County cost is \$6,500; to be paid out of the DM5130.445 and DM5130.444 accounts. Agreement effective as soon as County gives notice to proceed.

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

RESOLUTION NO. 181-515

AUTHORIZING EMERGENCY REPAIR PAYMENT FROM
HIGHWAY BUDGET

RESOLVED, that this Legislature approves an emergency repair payment to Southworth-Milton, Inc., P.O. Box 3851, Boston, MA 02241-

3851 for the repair of the 2007 Hurricane Chipper at a total cost of \$7,207.05 to be paid from the Highway Budget account #DM5130.444.

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

RESOLUTION NO. 182-515

AUTHORIZING FILLING OF VACANCY IN THE HIGHWAY DEPARTMENT

RESOLVED, as a result of a retirement, this Legislature authorizes the filling of a vacant full-time Motor Equipment Operator Lead-Person position (5110.10) at Grade H4 of the CSEA Salary Schedule effective June 1, 2015; and be it

FURTHER RESOLVED, that should this position be filled with an existing Highway employee, this Legislature authorizes the filling of the vacant full-time Motor Equipment Operator in the Highway Department at Grade H2 of the CSEA Salary Schedule; effective upon filling of the Motor Equipment Operator Lead-Person position.

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

RESOLUTION NO. 183-515

APPROVING AGREEMENT WITH THE BUILDINGS AND GROUNDS DEPARTMENT AND GARLAND/DBS, INC.

RESOLVED, that this Legislature does hereby approve an agreement with the Buildings and Grounds Department and Garland/DBS, Inc., 3800 East 91st St, Cleveland, OH 44105 to reroof the County Office Building in 2015; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives Garland/DBS, Inc. authorization to proceed. Proposal #25-NY-150231, MICPA #14-5903, at a cost not to exceed \$496,889 to be paid out of the Capital Infrastructure Project account #H-5120.253 – Roof Replacement Program.

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

RESOLUTION NO. 184-515

AUTHORIZING PURCHASE OF EXTERIOR LIGHTS FOR MARINE PARK AND POINT BREEZE

RESOLVED, that this Legislature approves the purchase of 117 lights from I.D. Booth Inc./Booth Electric Supply, 620 William St, P O Box 579, Elmira, NY at a total cost of \$21,049.84 to be paid from Capital Project Account #A1620.403.222 – Energy Performance with \$8,390 to be reimbursed through the National Grid Incentive Program therefore making county cost \$12,659.84; and be it

FURTHER RESOLVED, that the Treasurer is authorized to return the reimbursable incentive monies of \$8,930 to the Energy Performance Capitol Project Account H1620.403.222 upon receipt.

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

RESOLUTION NO. 185-515

AUTHORIZING GRANT APPLICATION AND APPROVING GRANT AGREEMENT BETWEEN ORLEANS COUNTY OFFICE FOR THE AGING AND NEW YORK STATE OFFICE FOR THE AGING

WHEREAS, the purpose of this funding is to expand 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 required by the federal Balance Incentive Program (BIP) authorized under the Affordable Care Act; now be it

RESOLVED, that this Legislature authorizes the Director of Orleans County Office for the Aging to apply for a grant from NYSOFA through the Balancing Incentive Program(BIP), for \$223,711 from April 1, 2014 to December 31, 2016 at no county cost; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the BIP grant agreement with the New York State Office of the Aging for the Orleans County Office for the Aging subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 186-515

AUTHORIZING COMPUTER PURCHASES FOR THE OFFICE FOR THE AGING DEPARTMENT

RESOLVED, that this Legislature authorizes Computer Services to purchase ten (10) Opliplex Computers under contract 81AGQ and one (1) Dell Latitude Laptop under Contract #44ADD from Dell Services, 1 Dell Way, RR 8-23, Round Rock, TX 78682 for the Office for the Aging in the amount of \$6,220 for the computers and \$1,272.36 for the laptop at a total of \$7,492.36 to be paid from Office for the Aging Account A6772.270 – Capital Equipment. Covered by the BIP Grant therefore county cost \$0; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Dell Services proposal and accept the price in quote #705608620 for the 10 computers, and quote #706058370 for the laptop.

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

RESOLUTION NO. 187-515

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Greater Rochester Collaborative MSW Program, Rochester, NY for an intern agreement among Nazareth College, Brockport College, and Orleans County Department of Social Services; to be effective June 12, 2015 through June 11, 2016. County cost \$0.

Orleans County Job Development, Albion, NY for funding of summer employment for TANF eligible youth, ages 14 – 20; to be effective June 1, 2015 through September 30, 2015 at a cost of \$58,578. County cost \$0.

Ontario County Department of Social Services, Canandaigua, NY for the provision of Youth Care Facility for detention of PINS and JD youth; to be effective March 1, 2015 through December 31, 2015. County cost 51%.

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Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective May 6, 2015 through May 5, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Children's Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services; to be effective May 1, 2015 through April 30, 2016 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

ARC of Orleans County, Albion, NY for the provision of Consumer Directed Personal Care Assisted Program; to be effective May 1, 2015 through April 30, 2016 at rates established by the NYS Department of Health. County cost \$0.

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

RESOLUTION NO. 188-515

AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services has three vacant positions as the result of a retirement and resignations within the department; now be it

RESOLVED, that this Legislature does hereby authorize the filling of the following vacancies in the Department of Social Services:

Full-time Caseworker position (6010.0216) at Grade 16 of the CSEA salary schedule, effective July 10, 2015.

Full-time Caseworker position (6010.0227) at Grade 16 of the CSEA salary schedule, effective May 28, 2015.

Full-time Social Welfare Examiner position (6010.0413) at Grade 13 of the CSEA Salary Schedule, effective May 28, 2015.

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

RESOLUTION NO. 189-515

APPROVING REAPPOINTMENT TO THE DEVELOPMENTAL
DISABILITIES SUBCOMMITTEE

RESOLVED, that this Legislature approves the reappointment of Cindy Dowdall to the Developmental Disabilities Subcommittee of the Community Services Board to serve a second term to begin May 1, 2015 and ending April 30, 2019.

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

RESOLUTION NO. 190-515

APPROVING AGREEMENTS BETWEEN HEALTH DEPARTMENT
AND VARIOUS AGENCIES

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

New York State Department of Health, Bureau of Public Water Supply Protection, Corning Tower, Room 1110, Empire State Plaza; Albany, NY 12237 to provide \$107,516 to the Orleans County Health Department for the Public Water Supply Program. Contract period April 1, 2015 through March 31, 2016. Contract# C030116. County cost \$0.

Carol Heligenthaler to provide 'Related Services' in the form of Physical Therapy for the eligible children of Orleans County at \$54/hour. Services provided through the 3-5 pre-school program. Reimbursement from NYS Dept of Health Medicaid and some third party Insurances. To run from July 1, 2015 through June 30, 2018.

Monroe County Public Health (Medical Examiner) to provide fourteen (14) full autopsy examinations and five (5) blood description autopsy exams at a cost of \$37,400. All autopsy's over the approved 14 full autopsy's and the approved 5 blood description autopsy's for 2015 will be charged at a rate as approved by the Monroe County Legislature in the 2015 budget as listed in the Public Health Medical Examiner Fees and Charges schedule. If county does not utilize all autopsy services, county may use balance on other services. 2015 fees and charges attached. Full County Cost.

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National Association of County and City Health Officials, Modification to Agreement as approved under Resolution No. 52-215 (Original Contract #MRC15-2237); This Modification of Agreement amends the funding source to the following: ***Department of Health and Human Services, GRANT# 1 HITEP150026-01-00, CFDA #93.008; entitled "Promote, Support and Build Capacity in the Medical Reserve Corp.*** All terms and conditions will remain unchanged.

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

RESOLUTION NO. 191-515

AUTHORIZING FILLING OF VACANCY IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Senior Account Clerk-Typist in the Public Health Department at Grade 10 of the CSEA Salary Schedule effective May 28, 2015.

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

RESOLUTION NO. 192-515

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature approves Out of State travel for Brenden Bedard, Director of Community Health Services; to attend NACCHO preparedness summit at Peach Tree Center, Atlanta GA, from June 23 through June 25, 2015. All costs covered by NACCHO. County Cost \$0.

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

RESOLUTION NO. 193-515

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND NEW YORK STATE DEPARTMENT OF STATE FOR PHASE TWO OF COUNTY MARINE BOATING ACCESS

RESOLVED, this Legislature approves Agreement #C1000543 between the County of Orleans and the New York State Department of State with a contract period of May 1, 2015 to April 30, 2018 in the amount of \$163,000 for capital improvements to the County Marine Park including replacement of north stairway/walkway, shore power for 36 docks, and playground at 50% County cost; and be it

FURTHER RESOLVED, that this Legislative body hereby authorizes the Chairman of the Legislature to execute this Agreement upon the review and approval by the Orleans County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 194-515

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE PLANNING BUDGET AND APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND J O'CONNELL AND ASSOCIATES

RESOLVED, that the County Treasurer is authorized to transfer funds into the Planning budget for the NORA Broadband Expansion Project and for a Local Government Efficiency Grant Application as follows:

From:

A1990.435	Contingency	\$8,750
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To:

A8020.418	Other Contractual Expenses – Local Government Efficiency Grant	\$5,000
A8020.418	Other Contractual Expenses – NORA Broadband Expansion Project	\$3,750

and be it

RESOLVED, that this Legislature approves an agreement between the County of Orleans and J. O'Connell & Associates, Inc. of 10646 Main

St., Clarence, NY 14031, to provide professional services for the purpose of preparing and submitting a Local Government Efficiency Grant application at a cost not to exceed \$5,000; said funds to be paid from Planning Department Budget Account 8020.418 - Other Contractual Expenses.

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

RESOLUTION NO. 195-515

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2015; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

Mortgage Tax Apportionment
October 1, 2014 through March 31, 2015

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	202,806,015	405,612,030	115,776,874	28.54%	53,159.89	15,173.82	37,986.07
Barre	95,349,799				10,346.89		10,346.89
Carlton	191,339,371				8,972.26		8,972.26
Clarendon	154,831,192				17,020.98		17,020.98
Gaines	115,736,023	231,472,046	22,506,814	9.72%	7,366.97	716.32	6,650.65
Kendall	151,839,123				14,842.14		14,842.14
Murray	176,839,825	353,679,650	52,797,502	14.93%	14,383.04	2,147.11	12,235.93
Ridgeway	220,932,139	441,864,278	92,706,268	20.98%	26,806.08	5,624.11	21,181.97
Shelby	181,425,990	362,851,980	73,089,516	20.14%	30,744.95	6,192.98	24,551.97
Yates	<u>150,839,645</u>	301,679,290	<u>28,441,625</u>	9.43%	33,938.95	3,199.69	30,739.26
Total	1,641,939,122				217,582.15	33,054.03	184,528.12

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 196-515

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY CLERK
AND NEW YORK STATE DIVISION OF CRIMINAL JUSTICE
SERVICES

WHEREAS, Resolution No. 457-1208 authorized a Use and Dissemination Agreement for the purposes of the issuance of EDL's (Enhanced Drivers Licences); and

WHEREAS, the Orleans County Clerk, in her capacity as agent for the NYS Department of Motor Vehicle, must again obtain an Originating Agency Identifier (ORI) for the purpose of conducting fingerprint/background checks for County employees who will be involved with the issuance of CDL's (Commercial Drivers Licenses); and

WHEREAS, the New York State DMV offered to use its identifier to fingerprint/background check the initial group of County employees to allow for the timely processing of Commercial Drivers Licenses; now that the initial group of County employees have been fingerprinted/background checked; therefore be it

RESOLVED, that this Legislature authorizes an updated Use and Dissemination agreement between the Orleans County Clerk and the New York State Division of Criminal Justice Services for Orleans County to obtain its own identifier from DCJS to process fingerprint/background checks for County employees who will be involved with the issuance of EDL's and CDL's.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 197-515

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

RESOLVED, that this Legislature authorizes the creation of a full-time Deputy Sheriff Sergeant position at Grade 2 of the Orleans County Deputy Sheriff's Association Salary Schedule; and be it

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FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position effective May 28, 2015; and be it further

FURTHER RESOLVED, that a vacant full time Deputy Sheriff position (3110.43) be abolished upon the filling of the newly created Deputy Sheriff Sergeant position.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 198-515

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND BARRE ANIMAL HOSPITAL

RESOLVED, that this Legislature approves the agreement with Barre Animal Hospital, 15445 East Lee Rd, Holley, NY 14470 for emergency veterinary services effective January 1, 2015 through December 31, 2015, as per contracted cost schedule.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 199-515

AUTHORIZING SHERIFF TO CONTINUE PARTICIPATION IN THE GOVERNOR TRAFFIC SAFETY CHILD PASSENGER SAFETY AND BULLET PROOF PARTNERSHIP GRANTS AND APPROVING GRANT AGREEMENTS UPON ANNOUNCED GRANT AWARDS

RESOLVED, that the Sheriff is authorized to apply for the New York State Governor's Traffic Safety Child Passenger Safety Grant in the amount of \$5,000 for the funding period October 1, 2015 through September 30, 2016 to purchase infant/toddler car seats for families in need and for the promotion of assisting at fitting stations to show proper installation of car seats; and be it further

RESOLVED, that the Sheriff is authorized to apply through the Bureau of Justice Assistance for grant funding from the Bullet Proof Vest Partnership through October 31, 2016, at a 50% reimbursement for the purchase of bullet proof vests; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute all documents necessary to accept grant funds subject to the review and approval of the County Attorney and the Chief Administrative Officer.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 200-515

APPROVING AGREEMENT WITH KEEFE COMMISSARY NETWORK AND THE ORLEANS COUNTY SHERIFF'S OFFICE/JAIL

RESOLVED, that this Legislature approves an agreement between Keefe Commissary Network L.L.C. d/b/a Access Corrections ("KCN"), 13675 Darice Parkway, Strongsville, OH 44149 and the Orleans County Sheriff's Office/Jail for the use of prepaid debit cards for inmate account balances effective through May 21, 2018. County cost \$0.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 201-515

AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up Homeland Security Operation Stonegarden grant and SLETPP grant funds as follows:

<u>Revenue:</u>		
A4308.7411	Homeland Security/Operation Stonegarden FY2011	\$4,898.84
A4308.7412	Homeland Security/Operation Stonegarden FY2012	\$8,195.45
A4308.7413	Homeland Security/Operation Stonegarden FY2013	\$35,320.47
A4308.7414	Homeland Security/Operation Stonegarden FY2014	\$9,452.64
A4308.5314	Homeland Security/SLETPP (LE14)	\$5,604.49
		\$63,471.89

Appropriations:

A3110.486.7411	Special Grants/SG11-1000-D02	\$1,711.91
A3110.430.7411	Navigation Expenses	\$3,186.93
A3110.486.7412	Special Grants/SG12-1004-D01	\$5,333.98
A3110.430.7412	Navigation Expenses	\$2,861.47
A3110.486.7413	Special Grants/SG13-1004-D00	\$35,320.47
A3110.486.7414	Special Grants/SG14-1002-D00	\$9,452.64
A3110.486.5314	Special Grants/LE14-1035-D01	\$5,604.49
		\$63,471.89

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 202-515

AUTHORIZING PAYMENT OF CLAIMS FOR JUNE AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 June 10, 2015:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	12480-12499; 01-131	\$195,749.54
Highway	541-561; 1347-1374	\$1,418,303.59
Nursing Home	No Claims	
Job Development	1795-1803	\$5,103.59
Self Insurance	1089-55351-55353	\$45,486.31

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 June 24, 2015:

Fund/Department	Check Number (s):	Amount:
General	151-270	\$360,467.05
Highway	562-568; 1375-1386	\$163,610.23
Nursing Home	27721-27724	\$686,751.27
Job Development	1806-1820	\$11,109.98
Self Insurance	1090-1091; 55422-55424	\$4,327.72

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

The following two add on resolutions were presented for adoption:

RESOLUTION NO. 203-515

**AUTHORIZING ABOLISHING, CREATING, AND FILLING
POSITIONS IN THE HOUSING DEPARTMENT**

RESOLVED, that this Legislature authorizes the abolishing of the full-time Housing Assistance Coordinator position (8020.04) in the Housing Department effective May 31, 2015; and be it

FURTHER RESOLVED that this Legislature authorizes the creation of a part-time Housing Assistance Coordinator position (8020.04) in the Housing Assistance Department effective June 1, 2015; and be it

FURTHER RESOLVED, that this Legislature approves the filling of the newly created vacant part-time position with the full-time Director, Sheila Allport, effective June 1, 2015 with an hourly rate of \$32.39.

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

RESOLUTION NO. 204-515

**AUTHORIZING A REQUEST FOR PROPOSALS WITH RESPECT TO
PHOTOVOLTAIC ALTERNATIVE POWER FOR INSTALLATION ON
ORLEANS COUNTY PROPERTY**

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WHEREAS, the County of Orleans spends significant tax payer resources on energy costs; and

WHEREAS, incentives and lower start-up costs, along with potential environmental benefits, have made solar power more attractive; and

WHEREAS, this Legislature wishes to begin the process of considering solar power as an alternate energy source; now be it

RESOLVED, the County of Orleans' Chief Administrative Officer is hereby authorized to issue a Request for Proposals for design and installation of a Photovoltaic or Solar Electrical System at an appropriate County property location.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

With there being no further business, Legislator DeFilipps moved to adjourn; seconded by Legislator Allport. Meeting was adjourned at 5:05 p.m.

LEGISLATURE MEETING

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Chairman Callard called the meeting to order at 2:00 PM. The Clerk called the roll. All Legislators were present.

Motion was made by Legislator Allport; second by Legislator Eick to move into executive session at 2:03 p.m. to discuss litigation on a matter with outside counsel per Open Meetings Law §105 (d). Motion Carried

Motion was made by Legislator Eick; second by Legislator DeFilipps to reconvene the meeting from Executive session at 2:56 p.m. Motion Carried. Motion to recess until 4:30 p.m. was made by Legislator DeRoller; second by Legislator Allport. Motion Carried.

Chairman Callard reconvened the meeting at 4:36 PM. After the pledge to the flag, the invocation was led by Veteran David Kusmierczak.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through 2015. Treasurer Heard also handed out the auction results from today's In Rem Auction. She reported that there were two no sales, which were properties we have had on the auction list before and didn't sell at that time also. Some of the properties sold for \$50, so it was surely a buyer's day. We did not lose as much as we have in the past, we received two-thirds. Legislator DeFilipps said we had a 20'x20' landlocked garden in the Village of Albion, a hard sell stated Treasurer Heard. Chairman Callard indicated that we had fewer properties in this auction 30 versus 55, which is also significant.

Chairman Callard called for comments from the Legislators. Legislator DeFilipps reported on the professionalism of Haroff Reality and stated that they did a great job during our sale today.

Legislator DeRoller shared his concerns, also amongst our other municipalities, as it related to unfunded mandates. A recent senate bill which has passed requiring our municipalities, including schools, to pay for programs. A Senate Bill, S03144, passed the Senate on May 27, 2015 with 55 out of 62 Senators voted in favor of this. The Assembly companion Bill, A04942, is now in the assembly and needs to be moved along. It has been stuck in committee since February 9th. Legislator DeRoller indicated that he introduced this to the WNY InterCounty with 15 out of the 19 in attendance to help push this concern forward. The bill is sponsored by Ray Walte and co-sponsored by our Assembly representatives Hawley and

Corwin. Committee Chair William McNally has been contacted by Legislator DeRoller to step up. This is a three page bill that said that all future legislation of \$10,000 to \$1,000,000 aggregate would have to have funding. We are in the minority on this bill but in our best interest to support this moving forward. A presentation at InterCounty, indicated that about 15.3% to fund the state comes out of property tax. Chairman Callard said that Hugh Trust did a survey who objectively looked at each state across the nation. All states, except NYS, went from a plus figure up to a maximum of 4%. California only draws 2% of their revenues from Local government, all other states up to 4%, NYS now is at 15.3%.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Town of Yates, inquired about the purchase of the new dump truck. He asked what it will be replacing and why no county cost. Highway Superintendent Gray indicated it will be replacing the 1995 beyond repair truck and it is covered by CHIPS funding. Mr. Lauricella inquired about Resolution No. 220 for a contract with Amy Wolter and why that was not being covered by School Districts. Legislator Allport indicated that this is an unfunded mandate. She will be hired to attend school special education committee meetings to make sure county tax dollars are spent wisely for the best services for the 3-5 year olds. Health Director Paul Pettit indicated that this will be a new model due to the restructuring of staff due to retirements and this model has worked well in Genesee County. Staff has always been attending these meetings but now we will have a contractor attend to continue to help save tax payers dollars.

Mr. Lauricella inquired about Resolution No. 232 regarding equipment being purchased from Homeland Security. Legislator Johnson indicated that we already have been awarded this money. EMO Director Banker indicated that they will be purchasing overhead projectors, laptops, and other training materials for first responders. Mr. Lauricella expressed that Homeland Security is an unconstitutional agency that spies on us, “fondles us” at the airports, is buying up all the ammunition, militarizing our police departments and is strategically placing weapons of war throughout our county. Mr. Lauricella feels we should not be taking this money based on what is behind their agenda.

Mr. Lauricella inquired about Resolution No. 235 and asked if this microenterprise grant is for nonprofit and disadvantaged entrepreneurial groups. CAO Nesbitt explained it is a small business program organized by our IDA. He inquired about the full-time case managers in the Mental Health Department in Resolution No. 218 and if they are newly created?

CAO Nesbitt responded that they will be revenue generating positions in excess of what they cost us and it is a response to the new health care models put together by the federal government. Mr. Lauricella asked if they are mandated. CAO Nesbitt indicated it is entrepreneurial government. With operating the only Mental Health Clinic in Orleans County, CAO Nesbitt explained the adjustment of our services to the funding models that are available. Chairman Callard stated that we are increasing our mental health needs for our residents in our county so we can have a healthy county. Mr. Lauricella asked about the pay grade increase from grade 21 to grade 22 in Resolution No. 223. CAO Nesbitt indicated that the increase in grade gets more pay but also goes to a higher level of supervision by that person. Mr. Lauricella asked if this is a new person. CAO Nesbitt advised that it is a restructuring of the duties of one person to allow them to supervise. We continue to restructure the Public Health Department saving \$330,000 a year. Mr. Lauricella approved money being saved but indicated he would like to see that in his tax bill. Mr. Lauricella asked (Resolution No. 228) if any properties were removed from the sale for upgrades by the county for re-sale. It was mentioned that there were some no-sales but none that fit within his inquiry. Lastly, Mr. Lauricella asked about the air-conditioning in the Jail control room. Scott Wilson, Jail Superintendent, explained that the control room is manned 24/7 and is the primary area which operates and controls all doors electronically, answer the phones, video surveillance and servers are there. It will replace the old air conditioning unit.

Legislator Eick moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 205-615

AMENDING RESOLUTION NO. 121-415 REGARDING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND NYS DOT CONCERNING THE HULBERTON ROAD BRIDGE OVER WEST BRANCH OF SANDY CREEK IN THE TOWN OF MURRAY

WHEREAS, that this Legislature approved a Supplemental Agreement #3 Contract #D033855 with the Orleans County Highway Department and NYS DOT in adoption of Resolution No. 121-415; now be it

RESOLVED, that Resolution No. 121-415 be amended to amend Supplemental Agreement #2 approved by passage of Resolution No. 236-

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714 to add additional funding for the Hulberton Road Bridge over West Branch of Sandy Creek Bridge Replacement – PIN 475542; BIN: 3319220 total cost of \$1,338,900; reimbursement \$1,271,955 and County cost \$66,945; effective through February 3, 2022 all remains unchanged. There is no supplemental agreement #3.

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

RESOLUTION NO. 206-615

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A NEW 2016 FORD SUPER DUTY F-550

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) New and Unused 2016 Ford Super Duty F550 with dump body Truck from National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 for \$45,898.00 to be purchased off the National Joint Powers Alliance Bid Number #102811; to be paid from account #DM5130.270. County cost \$0

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

RESOLUTION NO. 207-615

APPROVING AN AGREEMENT BETWEEN THE BUILDINGS AND GROUNDS DEPARTMENT AND SECOR BUILDING SOLUTIONS

RESOLVED, that this Legislature accepts the low bid submitted by Secor Building Solutions and authorizes the Chairman to execute an agreement with Secor Building Solutions, 13140 Route 31, Savannah, New York 13146-0248 for the Furnish and Construction of two Pole Barns at a bid cost of \$382,698 agreement effective as soon as County gives notice to proceed; to be paid out of the Capital Project Infrastructure Account H-5120.252 – Pole Barn Construction.

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

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

RESOLUTION NO. 208-615

**AUTHORIZING FILLING OF VACANCY IN BUILDINGS AND
GROUNDS DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Custodial Worker (1620.12) position in the Buildings and Grounds Department at Grade 2 of the CSEA Salary Schedule, effective June 25, 2015.

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

RESOLUTION NO. 209-615

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
4,287.34	Chemung Corp.	Pole Barn Materials
12,712.15	Hanson Aggregates	Pole Barn Materials
164.00	Barre Stone Products	Pole Barn Materials

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

RESOLUTION NO. 210-615

**APPROVING RENEWAL AGREEMENT BETWEEN OFFICE FOR
THE AGING DEPARTMENT AND PHILIPS LIFELINE**

RESOLVED, that this Legislature approves the renewal agreement between the Office for the Aging Department and Philips Lifeline, 111 Lawrence Street, Framingham, MA 01701 to provide personal emergency response systems from August 1, 2015 through October 31, 2018 at a cost of \$34,344 (1st year, August 1, 2015-July 31, 2016). County cost \$0.

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

RESOLUTION NO. 211-615

APPROVING EXTENSION OF AN AGREEMENT BETWEEN OFFICE FOR THE AGING AND PEERPLACE NETWORKS, LLC

RESOLVED, that this Legislature approves an extension of Resolution No. 154-410(monthly user fee) and Resolution 193-513(yearly HIICAP fee) agreements between the Office for the Aging and PeerPlace Networks, 300 Main Street, Rochester, NY 14445, to provide client based software as required by New York State Office for the Aging and Administration on Aging for reporting requirements at a total cost of \$1,177.41 for July 1, 2015-September 30, 2015. No County cost for this time period.

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

RESOLUTION NO. 212-615

APPROVING MULTI-JURISDICTIONAL CHIEF ELECTED OFFICIALS AGREEMENT FOR INITIAL DESIGNATION OF LOCAL WORKFORCE DEVELOPMENT AREA: GLOW

RESOLVED, that this Legislature does hereby approve the Multi-Jurisdictional Chief Elected Officials Agreement for Initial Designation of Local Workforce Development Area: GLOW, for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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; and be it

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the Agreement, subject to review by the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 213-615

APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND
LIVINGSTON COUNTY FOR GLOW WORKFORCE DEVELOPMENT
BOARD

RESOLVED, that this Legislature approves the agreement between the Job Development Department and Livingston County on behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Room 303, Geneseo, NY, 14454, to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) for Youth from July 1, 2015 to June 30, 2016 at a cost of \$93,852.94. Contract# PY2015-3. County cost \$0; 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, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 214-615

AUTHORIZING FILLING VACANCIES IN THE JOB DEVELOPMENT
AGENCY

RESOLVED, due to a resignation, that this Legislature authorizes filling a full time Senior Account Clerk Typist position (6210.05) in the Job Development Agency, at grade 10 of the CSEA Salary Schedule effective June 25, 2015; and be it

FURTHER RESOLVED, due to a retirement, that this Legislature authorizes the filling of a vacant Employee and Training Counselor position (6210.07) in the Job Development Agency, at grade 15 of the CSEA Salary Schedule, effective June 25, 2015.

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

RESOLUTION NO. 215-615

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agency:

Berkshire Farm Center, Canaan, NY for the provision of residential foster care services; to be effective July 1, 2015 through June 30, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

New Directions Youth & Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2015 through June 30, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

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

RESOLUTION NO. 216-615

AUTHORIZING FILLING OF VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services has one vacant position as the result of an internal job promotion with the department; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Sr. Account Clerk Typist position (6010.0807) in the Department of Social Services at grade 10 of the CSEA salary schedule, effective June 25, 2015.

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

RESOLUTION NO. 217-615

APPROVING AGREEMENT BETWEEN MENTAL HEALTH AND AMANDA J. LEWIS, NPP.

RESOLVED, that this Legislature approves an agreement between Mental Health and Amanda J. Lewis, NPP, 56 Beresford Road, Rochester, NY 14610, providing services as a psychiatric nurse practitioner for up to 216 hours for the duration of this contract effective July 1, 2015 through December 31, 2015 at an hourly rate of \$97.93 per hour. County cost is \$1,481.

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

RESOLUTION NO. 218-615

AUTHORIZING CREATING AND FILLING POSITIONS IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the creation of two full-time Supportive Case Managers in the Mental Health Department at Grade 18 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created positions effective June 25, 2015.

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

RESOLUTION NO. 219-615

AUTHORIZING PURCHASE FOR MENTAL HEALTH AND AMENDING RESOLUTION NO. 468-1214

RESOLVED, that this Legislature authorizes the purchase of the QuicDoc Practice Management Module for the purpose of upgrading department billing, scheduling and electronic records maintenance at an initial cost of \$13,895 and a monthly cost after the first month of \$3,100, all to be paid from Medicaid Salary Sharing dollars; and be it

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FURTHER RESOLVED, that this Legislature does hereby amend Resolution No. 468-1214 to increase cost of agreement between the Mental Health Department and DocuTrac, Inc., 20140 Scholar Drive, Suite 218, Hagerstown, MD 21742 from \$5,754 with a county cost of \$403 to reflect an additional monthly cost of \$3,100 upon implementation of the QuicDoc Practice Management Module.

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

RESOLUTION NO. 220-615

**APPROVING AGREEMENT BETWEEN HEALTH DEPARTMENT
AND AMY WOLTER**

RESOLVED, that this Legislature does hereby approve an agreement between the Health Department and Amy Wolter, 3652 Orangeport Rd, Gasport, NY 14067 to provide Municipal Representative Services for the Preschool Special Education program to ensure that each child being considered for Preschool Special Education receives appropriate services in the most normalized setting for the services effective July 1, 2015 through December 31, 2019. County Cost 100%.

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

RESOLUTION NO. 221-615

**APPROVING INTERMUNICIPAL AGREEMENT AMENDMENT FOR
THE HEALTH DEPARTMENT/ SHARED PUBLIC HEALTH
ADMINISTRATIVE STAFF**

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents; and

WHEREAS, the Genesee and Orleans County Health Departments have completed a successful two year PILOT project that has provided both programmatic and fiscal improvements to public health in both Genesee and Orleans County; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among

themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service; and

WHEREAS, the Orleans/Genesee County Public Health Director did present an amendment to the inter-municipal agreement with Genesee County and Orleans County to share a Public Health Administrative Staff, and

RESOLVED, that Resolution No. 432-1214 is hereby amended to include the position of Director – Children with Special Needs to serve Genesee and Orleans counties in a shared position, and include a \$6,000 stipend; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized to execute an amendment to the agreement with the County of Orleans to add the Director – Children with Special Needs to the current shared service agreement between Genesee and Orleans County, effective July 20, 2015 subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

Legislator Allport moved to establish the Genesee Orleans Board of Health and he wanted to commend them in this last step in this shared effort; second by Legislator DeFilipps. Chairman Callard added that this would be the first merged two county Board of Health in New York State. The following resolution was adopted:

RESOLUTION NO. 222-615

**ESTABLISHMENT OF GENESEE AND ORLEANS COUNTY
MERGED BOARD OF HEALTH/HEALTH DEPARTMENT**

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents; and

WHEREAS, the Genesee and Orleans County Health Departments have completed a successful two year PILOT project that has provided both programmatic and fiscal improvements to public health in both Genesee and Orleans County; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service; and

WHEREAS, the Genesee and Orleans County Boards of Health are desirous of combining into one governing body overseeing both Genesee and Orleans County Health Departments; and

WHEREAS, The Committees on Human Service and Ways and Means in Genesee County and the Health Committee in Orleans County did review the request and do recommend approval at this time; now be it

RESOLVED, that the current Orleans County Board of Health be abolished, effective June 30, 2015; and be it

FURTHER RESOLVED, that a combined Board of Health consisting of common members from both the counties of Genesee and Orleans be established, effective July 1, 2015, with members appointed by the County Legislatures of both counties. The combined Board of Health shall consist of seven members, with one Legislative member from each county and at least three of whom shall be physicians licensed to practice in the State of New York; and be it.

FURTHER RESOLVED, that the term of office of each appointed member of the Board of Health shall be six years but established on a rotational basis, and the term of one of the members shall expire annually on a sequential rotating basis, except for the Legislative representatives whose term coincides with that of his/her membership on the County Legislature; and be it

FURTHER RESOLVED, that the Orleans County Legislature does hereby appoint the below named to serve on this newly established joint Genesee/Orleans Board of Health with each member be paid a \$20 stipend for each meeting they attend:

<u>MEMBER</u>	<u>REPRESENTING</u>	<u>TERM EXPIRATION</u>
John DeFilipps	Orleans County Legislator	12/31/2016
Edward DeJaneiro	Genesee County Legislator	12/31/2016
Paul Grout	At-Large Rep	12/31/2018
Kelly Rose Nichols, DO	Physician	12/31/2021

Mary Obear, MD	Physician	12/31/2019
Deanna Page	At-Large Rep	12/31/2017
Satya Sahukar, MD	Physician	12/31/2020

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

RESOLUTION NO. 223-615

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

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Public Health Nurse (4010.27) in the Public Health Department at Grade 21 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Supervising Public Health Nurse in the Public Health Department at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant Supervising Public Health Nurse, effective June 25, 2015.

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

RESOLUTION NO. 224-615

**AUTHORIZING BUDGET AMENDMENT FOR MARINE PARK
BOATING ACCESS GRANT AND AUTHORIZING EXECUTION OF
AN APPENDIX X**

WHEREAS, Resolution No. 233-610 authorized an Agreement (CE10021) with New York State Office of Parks, Recreation and Historic Preservation providing \$120,000 in state funding for the Marine Park Boating Access Project; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes modification of said Agreement CE10021 via Appendix X- Modification Agreement Form to modify the budget, at no added county cost, in order to close out

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the Marine Park Boating Access Project and receive final payment from New York State; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the Legislature Chairman to sign Appendix X for the approved modification.

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

Legislator DeFilipps moved to set a public hearing for additions in the Agricultural Districts; second by Legislator Allport. Chairman Callard inquired from Jim Bensley, Director of Planning, if the state has attempted to take over the decision making for Agricultural Districts. Mr. Bensley stated he was not aware of that and explained that it is a grass roots exercise. The property owner has to request enrollment then the County Planning Board has to pass a resolution to agree to the inclusions. The state then accepts our endorsement and agrees with it. Chairman Callard stated at one of the past InterCounty meetings a NYSAC representative from Albany reported that either the Senate or Assembly is entertaining a thought of taking over the process to make the decisions for the county. Chairman Callard indicated if this happens, we would have to fight this. The State does not understand what agricultural land is to begin with much less making decisions relative to it. Legislator Allport felt like they are stepping quite a bit on Home Rule here. The following resolution was adopted:

RESOLUTION NO. 225-615

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

RESOLVED, that a public hearing will be held by this Legislature to consider requests for inclusion of additional agricultural lands in certified County Agricultural Districts on the 22nd day of July at 4:20 PM at the Legislative Chambers, 3 South Main Street, Albion, New York; and be it

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

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

RESOLUTION NO. 226-615

APPOINTING REPRESENTATIVE TO THE GENESEE FINGER LAKES REGIONAL PLANNING COUNCIL

RESOLVED, that this Legislature appoints James Bensley to fill the unexpired term of Wayne Hale, Director of Planning, as an Orleans County representative on the Genesee Finger Lakes Regional Planning Council, for a two-year term ending December 31, 2015.

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

RESOLUTION NO. 227-615

APPROVING AGREEMENT BETWEEN COMPUTER SERVICES AND TIME WARNER CABLE BUSINESS CLASS

RESOLVED, that this Legislature approves an agreement between Computer Services and Time Warner Cable Business Class, 2620 West Henrietta Rd, Rochester, NY 14623 to provide a circuit to provide a more robust solution for the entire county DMZ/Guest High Speed network to stabilize the environment and remain up in times of overburdened stress effective July 1, 2015 through June 30, 2018 at a county cost of \$74.95 per month.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve the sale of the properties from today's county In Rem Auction; second by Legislator DeRoller. Legislator DeRoller thanked Treasurer Heard and County Attorney Schubel for all of their hard work to make this a success. County Attorney David Schubel wanted the Board to be aware of a few properties. Parcel #31, 525 Eagle Street, the Treasurer received a call earlier in the day from the prior owners requesting that approval not be granted for the sale of this property. This property was subject to injunctive relief to stay the county from auctioning it off. Judge Punch ruled against this and they did not appeal Judge Punch's decision. County Attorney Schubel felt it was his obligation to inform the board. Treasurer Heard said we followed the rules and did everything we were supposed to do. Chairman Callard agreed that we would then have to make an exception after the court ruled in favor of the

County. Also parcel #33 at 525 East Avenue, Medina, next to the old SA Cook Factory, which is a big brick building, received a successful bid of \$1,000. Last year when they tried to auction it off we received no bids. Legislator DeFilipps stated that a local young man hopefully will put new life into it. Best of luck to him because it will be a colossal undertaking. The roof alone will be a huge investment expressed County Attorney Schubel. The following resolution was adopted:

RESOLUTION NO. 228-615

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 June 24, 2015; 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
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		Sold To:	Amount:
ALBION – VILLAGE			
73.5-4-24.2 PC - 311 1	MCNEIL LATONYA C West State St; 29.00 x 20.58 Land Total – 200	No Sale	
73.6-2-1 PC - 210 2	Shaw Jack 134 West Bank St; 66.00 x 85.63 Land - 6,200 Total - 26,000	Zietz, Joseph M. 14 Brookside Court Lake Katrine, NY 12449	\$500
73.6-7-77 PC - 311 3	Hunt Charles H Jr. 106 Beaver St; 50.00 x 120.12 Land Total - 6,500	Elmer, William D. 48 Heritage Estates Albion, NY 14411	\$100

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73.7-2-11	Roach Rose Marie/Roach Carl	Dixon, John	\$5,000
PC - 210 4	443 East State St; 53.00 x 157.39 Land - 7,400 Total - 34,900	132 Wintergreen Cr POB 169 Greentown, PA 18426	
BARRE			
106.-1-26 PC - 210 8	County of Orleans (formerly Moore Robert Froman Corena) 5174 Oak Orchard Rd; 1.00 acres Land - 16,000 Total - 30,000	King, Michael J. 784 Gabbey Rd Corfu, NY 14036	\$500
CARLTON			
27.-1-60.2 PC - 105 9	Hejres Aaref Ashwood Rd; 10.10 acres Land Total - 18,600	Starr, Hattie B. 2050 Angling Rd Lyndonville, NY 14098	\$16,500
28.-1-59.2 PC - 330 10	County of Orleans (formerly Marcin Venture LLC) Waterport Rd; .35 acres Land Total - 7,000	Elmer, William D. 48 Heritage Estates Albion, NY 14411	\$100
CLARENDON			
98.13-1-6 PC - 220 11	Wohlers Bruce N 4536 Holley Byron Rd; .50 acres Land - 11,200 Total - 38,000	Rex, Crystal L. 14040 State Rte 31 Albion, NY 14411	\$4,000
120.-1-68 PC - 210 12	Ciccoline Linda J/ Burns Daniel J 16572 Boots Rd; 1.20 acres Land - 14,500 Total - 25,000	Rex, Crystal L. 14040 State Rte 31 Albion, NY 14411	\$3,000
GAINES			
74.-2-21.3 PC - 311 14	Swan Robert J/Swan Dorothy A 2400 Transit Rd; 100.00 x 200.00 (.45acres) Land Total - 7,000	Payton, Eugene A. 4729 Hall Rd, Lot 10 Holley, NY 14470	\$1,000
50.-1-80 PC - 314 15	Pahura Michael/Pahura, Carol Ann Gaines Waterport Rd; 1.70 acres Land Total - 2,900	Roberts, Paul T 2637 Gaines Waterport Rd Albion, NY 14411	\$800
50.2-1-40 PC - 210 16	County of Orleans (formerly Bannan Robert Jay) 2755 Gaines Rd; 124.08 x 91.74 Land - 5,900 Total - 20,000	Rex, Crystal L. 14040 State Rte 31 Albion, NY 14411	\$1,000
60.4-1-36 PC - 210 17	County of Orleans (formerly Searls) 3328 Eagle Harbor Waterport Rd; .31 acres Land - 5,200 Total - 26,500	Piazza, Carol Ann 7369 Wheeler Rd Gasport, NY 14067	\$750
60.4-1-49.1 PC - 210 18	Condoluci Nicholas 13458 School Ln; .50 acres Land - 7,700 Total - 65,400	Tower, Douglas A 13452 School Ln Albion, NY 14411	\$4,500
60.4-1-50 PC - 312 19	Condoluci Nicholas L Eagle Harbor Waterport Rd; .89 acres Land - 10,500 Total - 15,300	Tower, Douglas A 13452 School Ln Albion, NY 14411	\$1,350
61.-1-56 PC - 210 21	Torres Martin 3211 Eagle Harbor Waterport Rd; 1.29 acres Land - 11,500 Total - 30,200	CY Properties, LLC 6465 Transit Rd Elba, NY 14058	\$7,200
KENDALL			
32.12-2-43 PC - 210 22	Duel Kurt 16744 Kenmor Rd; 90.00 x 246.51 Land - 8,500 Total - 55,700	Stone, Heather L 15207 Brice Ln Kent, NY 14477	\$19,000

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MURRAY - VILLAGE

88.21-1-50 Rodriguez Salador Jr Lavender Lisa L No Sale
(now known as Rodriguez Salvador Jr Lavender Lisa
L)
PC - 210 23 Thomas St; .12 acres
25 Land - 9,000 Total - 71,900

MURRAY - OUTSIDE

54.-2-2 Burchfield Wayne C DCF Properties, LLC \$34,000
PC - 240 2755 Kendall Rd; 18.40 acres 1061 West Kendall Road
26 Land - 31,900 Total - 93,900 Kendall, NY 14476

64.-1-36 Furnace Michael Vendetti, Ronald A. \$20,500
PC - 210 Forder Brian 26 Park Place
27 3486 Hindsburg Rd; 1.50 acres Holley, NY 14470
Land - 9,800 Total - 62,700

RIDGEWAY-VILLAGE

69.18-1-13 Tillinghast Martha L Whittier, Joan \$12,000
PC - 210 167 North St; 48.00 x 107.25 12900 Roosevelt Hwy
28 Land - 5,400 Total - 59,400 Waterport, NY 14571

79.8-1-66 Bailey Catherine M Whittier, Joan \$19,500
PC - 210 Geoff & Joan Whittier 12900 Roosevelt Hwy
29 509 Eagle St; 66.00 x 155.00 Waterport, NY 14571
Land - 10,800 Total - 57,500 Whittier, Joan

79.8-1-69 Raymondjack Louis E Orleans Community Health \$500
PC - 210 521 Eagle St; 66.00 x 155.00 200 Ohio St
30 Land - 10,800 Total - 27,100 Medina, NY 14103

79.8-1-70 Keffer, Rachel & Livingston, Shannon Orleans Community Health \$7,500
PC - 210 525 Eagle St; 61.71X155 200 Ohio St
31 Land - \$10,100 Medina, NY 14103

79.35-1-28 Fuller Jeffrey D Whittier, Joan \$18,000
PC - 210 308 Catherine St; 42.00 x 127.42 12900 Roosevelt Hwy
32 Land - 5,100 Total - 63,100 Waterport, NY 14571

80.9-1-26.1 Seed America Property 54 LLC Snyder, Michael \$1,000
PC - 449 525 East Ave; 3.80 acres 208 Mead Ave
33 Land - 25,600 Total - 80,400 Medina, NY 14103

80.10-1-23 Smith Craig Stalker, David M. \$100
PC - 311 Smith Joanne 493 E. Center St
34 506 E Center St; 46.00 x 55.00 Medina, NY 14103
Land Total - 1,800

RIDGEWAY-OUTSIDE

57.2-1-60 Schneider Edward Houseman, Daniel L. Jr \$200
PC - 311 Schneider Antoinette 10649 Maple Ridge Rd
35 11228 Ridge Rd; 152.00 x 179.52 Medina, NY 14103
Land Total - 5,500

68.-2-19 Hill Kenneth Keppler, Whitney \$6,500
PC - 210 11302 Slade Rd; 1.90 acres 709 Gweinn St
36 Land - 13,600 Total - 22,500 Medina, NY 14103

69.-1-27 Johnson Robert Zietz, Joseph M \$700
PC - 314 Johnson Tonya R 14 Brookside Court
37 Horan Rd; 100.00 x 275.25 Lake Katrine, NY 12449

	Land Total - 1,200		
69.-1-63 PC - 270 38	County of Orleans (formerly Kinney Darlene) 3605 Horan Rd; 120.00 x 155.25 Land Total - 8,600	Parfitt, Elliott R. 11320 Slade Rd Medina, NY 14103	\$900
70.2-3-35 PC - 210 39	Groves James A 3652 Knowlesville Rd; 82.50 x 231.00 Land - 7,300 Total - 15,000	Quackenbush, Kathleen 3648 Knowlesville Rd Knowlesville, NY 14479	\$100
SHELBY - VILLAGE			
80.17-1-19.12 PC - 311 40	Robinson Carrie Brown Ave; 50.00 x 141.00 Land Total - 4,800	Quintern, Steven F 3 Brown Ave Medina, NY 14103	\$200
80.45-3-48 PC - 210 41	MVP Superfund 710 Church St; 24.50 x 165.00 Land - 2,500 Total - 4,400	Mundion, Matthew C. 536 Orient St Medina, NY 14103	\$50
80.45-3-49 PC - 210 42	Gekoski Eric J 712 Church St; 35.00 x 214.00 Land - 3,800 Total - 29,400	Mundion, Matthew C. 536 Orient St Medina, NY 14103	\$1000
80.45-3-57 PC - 210 43	Barhite Gregory R 732 Church St; 45.25 x 115.50 Land - 3,700 Total - 27,300	Schultz, Lyle E. 10497 W. Shelby Rd Middleport, NY 14105	\$4000
	TOTAL:		\$192,050

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to authorize a grant to obtain a 24/7 drug drop off box to be placed at the Public Safety Building; second by Legislator Johnson. Legislator DeRoller summarized that over the last six collection events, they have collected over 2,000 pounds. This will allow residents to drop off medications keeping them off the streets and out of our water supply. Chairman Callard thanked the Jail Superintendent and Sheriff staff for providing that service. Legislator Allport stated that an earlier regulation, an officer needed to be present to accept the medications, now this is a big advantage that people don't need to hold them till the next scheduled event and can drop them off at their convenience. The following resolution was adopted:

RESOLUTION NO. 229-615

AUTHORIZING SHERIFF TO APPLY FOR GRANT TO CVS PHARMACY FOR MED RETURN DRUG COLLECTION UNIT

RESOLVED, that this Legislature authorizes the Orleans County Sheriff to apply for a grant through CVS Pharmacy Inc who is teaming up with The Partnership at Drugfree.org to create an innovative community

donation program through our local Sheriff's Office to obtain a Med Return Drug Collection Unit to help safely dispose of unwanted medications, including controlled substances which will be available at all times for disposing of these medications at the Sheriff's Office. The Sheriff's Office will be responsible for weighing all of the collected medications and the disposal will be completed through local collection events. County Cost \$0.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 230-615

AUTHORIZING CREATION AND FILLING OF TEMPORARY FULL TIME POSITION AT THE ORLEANS COUNTY SHERIFFS OFFICE.

WHEREAS, a Corrections Officer employed at the Orleans County Jail has requested and has been placed on FMLA, and

WHEREAS, to help keep the cost of overtime at a minimum, it is requested that a temporary Correction Officer position be created until such time the full-time employee returns to full duty; now be it

RESOLVED, that this Legislature creates one (1) temporary full-time Correctional Officer position in the Sheriff's Office at grade 5 of the Orleans County Sheriff's Employees Association contract effective June 25, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created temporary position until such time as the fulltime Corrections Officer returns full-time at the Orleans County Jail.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 231-615

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY DISTRICT ATTORNEY'S OFFICE AND KEVIN ALLEN

RESOLVED, that this Legislature authorizes the District Attorney's Office to enter into an agreement with Kevin R. Allen, 19 Hutchins St., Batavia, NY to provide legal services particularly with respect to research and drafting of appeal briefs effective January 1, 2015 through December

31, 2015 with rate of payment to be commensurate with assigned counsel rates.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 232-615

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2014 Grant Funds for purchase of IT equipment, at a cost not to exceed \$7,000, said equipment to be used at the Emergency Management Office; and be it

RESOLVED, that this Legislature authorizes the Director of Emergency Management to Expend SHSP FY2013 Grant Funds in the amount of \$3,803.00 for Harris accessory equipment; and be it

FURTHER RESOLVED, that this Legislature approves setting up Homeland Security Grant Funds as follows:

Revenue:

A4309.2014	State Homeland Security Grant Program FY2014	\$ 7,000
A4309.2013	State Homeland Security Grant Program FY2013	\$ 3,803

Appropriation:

3640.486.2014	Special Grants	\$ 7,000
3640.486.2013	Special Grants	\$ 3,803

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 233-615

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT RADIO ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H3097.250, Capital Project – Radio Account:

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<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$81,443.20	Harris Corporation PSPC	Inv. #P000001316

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 234-615

ENDORISING THE 2014 AVIATION CAPITAL GRANT PROGRAM APPLICATION

WHEREAS, the County of Orleans has received a request from applicant of the Vintage Aircraft Group, Inc., as Lessee and Operator of Pine Hill Airport, Town of Barre, County of Orleans, concerning the applicant's request for State grant funds under the 2013 Aviation Capital Grant Program for a project for the 2014 Aviation Capital Grant Program to purchase a lightweight utility tractor with a snowblower and flail mower; and

WHEREAS, the Vintage Aircraft Group desires to improve the airport to enhance aviation services for the citizens of Orleans County and the surrounding area and that the Vintage Aircraft Group, Inc. has committed all of the matching share of funds for the project; and

WHEREAS, the project, if awarded by the New York State Commissioner of Transportation shall have no immediate or long-term financial obligation to the County; and

WHEREAS, the New York State Department of Transportation, under Section 14-1 of the State Transportation Law requires that project applications made by privately-owned airports be accompanied by a resolution from the governing body of the county in which the airport is located; be it

RESOLVED, that the County of Orleans endorses the project identified above at the Pine Hill Airport for the purpose of making the project eligible for State funding; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

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

RESOLUTION NO. 235-615

CALLING FOR A PUBLIC HEARING REGARDING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

RESOLVED, that this Legislature hereby calls for a public hearing to allow citizen input regarding the community development and housing needs in the County and to comment on the County's potential submission of a microenterprise program grant application to the New York State Office of Community Renewal, such public hearing to be held at 4:15 p.m. on July 22, 2015 at 3 South Main Street, Suite 2, Courthouse Square, Albion, New York in the Legislative Chambers.

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

RESOLUTION NO. 236-615

AUTHORIZING PAYMENT OF CLAIMS FOR JULY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 8, 2015:

Fund/Department	Check Number (s):	Amount:
General	277-429	\$220,472.34
Highway	569-581; 1387-1398	\$262,257.02
Nursing Home	No Claims	
Job Development	1823-1828	\$1,011.73
Self Insurance	No Claims	

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 22, 2015:

Fund/Department	Check Number (s):	Amount:
General	447-590	\$670,365.19
Highway	582-590; 1399-1418	\$100,568.25
Nursing Home	27725-27726	\$54,458.67
Job Development	1831-1836	\$10,154.68
Self Insurance	1092-1093; 55495-55497; 55554-55555	\$11,972.70

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 237-615

AUTHORIZING PURCHASE AND INSTALL OF AIR CONDITIONING SYSTEM IN THE JAIL FROM THE ENERGY PERFORMANCE CAPITAL PROJECT ACCOUNT

RESOLVED, that this Legislature authorizes the purchase and installation of an air conditioning system in the Jail control room from Turnbull Heating and Air Conditioning, 50 Franklin St, Batavia, NY 14020 in the amount of \$7,226 (PO 56307) to be paid from the Energy Performance Capitol Project Account H1620.403.222.

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

RESOLUTION NO. 238-615

AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO REVIEW AND EXECUTE ANY NECESSARY CHANGE ORDERS CONCERNING CAPITAL INFRASTRUCTURE PROJECTS

WHEREAS, Resolution No. 350-1014 authorized five Capital Infrastructure Projects to upgrade our County infrastructure; and

WHEREAS, many of these projects may require changes due to unforeseen circumstances as progression is made through each project; now be it

RESOLVED, that this Legislature authorizes the Chief Administrative Officer to review and execute change orders not to exceed \$25,000 nor the budgeted amount for a specific bond funding category

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

Chairman Callard announced that the New York State Broadband Program Office recognized Lynne Johnson for her participation in 2015 for the Most Collaborative Broadband Program. Chairman Callard expressed that this is a real honor for Orleans County because he believes the broadband issue began here on a town level. Our affiliation with Niagara County helped in this collaborative effort and has been noticed across the state for this project. Legislator Johnson was applauded for her recognition.

Chairman Callard opened the floor for questions. Paul Lauricella, Yates, stated that Supervisor Brian Napoli from Ridgeway started this broadband push nearly five years ago. Mr. Lauricella stated that more questions need to be answered such like who is going to get it first, the cost to the individual, who is going to control the content, what kind of line are they going to run, and/or what are the speeds going to be. Chairman Callard indicated that this is still in the development stage. It could be a few more years before all the details are worked out. Legislator Johnson replied to his questions. As to the cost to the resident, we asked for a vendor to be competitive if not cheaper than what is being offered now. The vendor has stipulated to that. The speed that the State is requiring is 25 megabits up and 3 megabits down but to have the ability of going 100 megabits up. She indicated we just want coverage – providing a minimum of what a resident would expect to move into a home and hook up to the internet. We want 100%

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accessibility stated Chairman Callard. CAO Nesbitt said we are not far enough along to determine what type of technology will service each house. Legislator Johnson said we are not going to own this. Legislator Allport said we will not have regulatory methods as to what people can see or not see.

Legislator Eick moved to enter into executive session at 5:22 p.m. per Open Meetings Law §105 (f) to discuss Salary Review; second by Legislator Allport. Motion Carried.

Legislator Eick moved to exit out of executive session and reconvene the regular meeting at 5:43 p.m.; second by Legislator Allport. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:44 p.m.

LEGISLATURE MEETING

July 22, 2015

Chairman Callard called the meeting to order at 4:37 PM. After the pledge to the flag and invocation, the Clerk called the roll. All Legislators were present, with the exception of Legislator DeRoller.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Gaines	Urging State Representatives to Amend the New York State Electronic Equipment Recycling and Reuse Act.
T/Carlton	Requesting Legislature to modify sales tax distribution to Villages
T/Kendall T/Yates T/Carlton	Support Grant Application to update the KYC Local Waterfront Revitalization Program
T/Sommerset	Requesting State Elected Representatives to formally oppose the massive commercial wind generation project in their Town.

Legislator DeRoller forwarded a Memo supporting the Resolution authorizing a grant application to update the KYC Local Waterfront Revitalization Program on today's agenda. The Board approved the following three requests: 1) The Albion Merchants Association is requesting the use of the Courthouse lawn to place a banner August 3rd through August 15th to advertise their Albion Wine Walk – Sip & Stroll through History scheduled for August 15th in the Village of Albion. 2) The Albion Running Club is requesting use of the Courthouse lawn to place a banner August 8th through August 22nd to announce their Metro 10 Buffalo vs. Rochester Race in Albion on August 22nd. 3) The Department of Social Services is requesting use of the Courthouse lawn to place a banner August 17th through August 28th to recognize Child Support Awareness Month in Orleans County. The 4-H Fair Senior Luncheon will be held on Wednesday, July 29th from 10 a.m. - 1:30 p.m. at the 4-H Fairgrounds. Pot Roast Dinner, Music by Denny and her Escorts. Suggested price is \$3 over 60; under 60 \$6. The Town of Kendall held a Public Hearing on July 21, 2015 on their proposed Local Law to Rectify the Zoning Ordinance of the Town of Kendall. Susan Heard, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$341.30, that has been reviewed and authorized by her office. Traffic Diversion Program has reported their Distribution of Revenue for the period of April 1, 2015 through June 1, 2015.

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Chairman Callard requested Legislator Miller present a Proclamation for Child Support Awareness Month, as designated in the month of August, to the Commissioner of the Department of Social Services Tom Kuryla.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Yates, in Resolution No. 262 with the Emergency Management Office in applying for the Critical Infrastructure Grant questioned when is enough, enough? Every year the county applies for more such like in the Homeland Security Grants expressed Mr. Lauricella. Chairman Callard indicated that this is a non renewable one time grant. Mr. Lauricella inquired about a Spanish interpreter under a Public Defender agreement which indicates there is no county cost but it comes out of a grant which comes out of our tax payer funds through the State level. Mr. Lauricella stated that we have non violent offenders in the county jail, why can't we use a Spanish speaking person in the jail as an interpreter. Mr. Nesbitt indicated that if someone goes through a case and does not win, then this will be used for the basis of the appeal which would cost us five-times more for that appeal if we pulled that person out of the jail with no translation experience. Mr. Lauricella figured there was some legal ease from the State in that but wanted to think out of the box to save money. Mr. Nesbitt indicated this is a federal regulation to have a certified interpreter. Chairman Callard stated that an interpreter is used on an as needed basis.

The Orleans County Legislature presented Legislator Bill Eick a birthday card and wished him a Happy Birthday today.

Legislator Eick moved to add one resolution to the agenda; second by Legislator DeFilipps. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 239-715

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND NYS DOT CONCERNING THE WATERPORT BRIDGE OVER OAK ORCHARD CREEK IN THE TOWN OF CARLTON

RESOLVED, that this Legislature approves a Supplemental Agreement #2 Contract #D033788 with the Orleans County Highway Department and NYS DOT, 1530 Jefferson Road, Rochester, NY 14623-3161. This supplemental agreement amends the previous Resolution No. 159-414 to add additional State Marchiselli funding for Waterport Road Bridge over West Branch of Sandy Creek Preventative Maintenance – Pin 475529, BIN: 1044370; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to sign the Supplemental #2 Agreement for Waterport Bridge over Oak Orchard Creek; total cost of \$1,927,000; reimbursement \$1,830,600; and County cost of \$96,400; effective through February 23, 2021.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 240-715

AMENDING RESOLUTION NO. 31-114 CONCERNING ACCOUNTING OF THE PURCHASE OF THE HIGHWAY PAVER

WHEREAS, Resolution No. 31-114 approves an agreement with the Highway Department and Caterpillar Financial Services Corporation to purchase a paver for \$390,309.10 to be paid in five annual payment installments of \$78,061.82; and

WHEREAS, the Highway Department was audited by EPF Rotenberg in June 2015 and was informed that the lease payments need to be considered an outstanding debt in the Highway budget; therefore be it

RESOLVED, that the accounts for the debt will be expensed out of the DM9785.601 -outstanding principal debt and DM9785.701 — outstanding interest debt starting 2015; and be it

FURTHER RESOLVED, that the Treasurer is authorized to Transfer Funds within the Highway Department budget as to follow through with the auditor's recommendation:

<u>From</u>		
DM5130.270	Capital Equipment	\$78,061.62
<u>To:</u>		
DM9785.601	Outstanding Principal	\$72,116.85
DM9785.701	Outstanding Interest	\$5,944.77

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 241-715

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$38,416.90	LaBella Associates P.C.	Professional Services Oak Orchard Rd Bridge Replacement – Inv #64110
\$32,567.28	LaBella Associates P.C.	Professional Services Waterport Carlton Rd Bridge Replacement – Inv #64109

and be it

FURTHER 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>
\$4,653.00	LaBella Associates P.C.	Professional Services Knowlesville Culvert Replacements – Inv #64108

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$11,042.20	Barre Stone Products	Pole Barn Materials
\$ 156.89	Barre Stone Products	Pole Barn Materials

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 242-715

APPROVING AMENDED RENEWAL AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 355-1014 approved an agreement in the amount of \$128,570 for the county to clean and maintain the Court Facility; now be it

RESOLVED, that this Legislature approves a one (1) year amended renewal agreement between the Buildings and Grounds Department and the Unified Court System, which provides for the county to clean and maintain the Court Facility, Contract #C300357, at a cost of \$143,312 for the period of April 1, 2014 through March 31, 2015, with 100% reimbursement to be made to the county by the state; and be it

FURTHER RESOLVED, that the Unified Court system is requesting an amendment in the amount of \$76,706 to the County of Orleans's five-year contract, as approved by Resolution No. 465-1213; to more closely reflect expenditures for the remainder of the five-year contract period totaling \$746,299.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 243-715

APPROVING APPOINTMENT TO THE AGING ADVISORY COUNCIL

RESOLVED, that this Legislature approves the following appointment to the Office for the Aging Advisory Council for a three year term, effective April 1, 2015 through March 31, 2018.

David Gaudioso 2287 Petersmith Road Kent, NY 14477

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 244-715

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Baker Victory Services, Lackawanna, NY for the provision of residential foster care services; to be effective July 1, 2015 through June 30, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Orleans County Sheriff's Department, Albion, NY for safe transportation of youth to out-of-county detention facilities; to be effective September 1, 2015 through August 31, 2016 at a cost of \$15,000. County cost is \$7,650.

Orleans County Office for the Aging, Albion, NY for the provision of outreach activities for Low Income Home Energy Assistance Program (HEAP) recipients; to be effective August 28, 2015 through August 27, 2016 at a cost of \$17,500. County cost is \$0.

Moved Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 245-715

AUTHORIZING CREATING TEMPORARY POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature authorizes the creation of temporary positions in the Department of Social Services for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% federal funds, as follows:

Full time Social Welfare Examiner effective August 17, 2015 – March 31, 2016 at Grade 13 of the CSEA Salary Schedule;

Full time Social Welfare Examiner effective November 2, 2015 – April 30, 2016 at Grade 13 of the CSEA Salary Schedule;

Full time Clerk effective November 2, 2015 – May 31, 2016 at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created temporary vacant positions.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 246-715

AUTHORIZING THE CREATION AND FILLING OF POSITION IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the creation of a Clinic Therapist position in the Mental Health Department at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created position, effective July 23, 2015.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 247-715

AUTHORIZING TRANSFER OF FUNDS IN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes a transfer of funds within the Mental Health budget for the purchase of computers, as follows:

<u>From</u>		
A4310.452	Personnel Service Contracts	\$5,340.46
<u>To:</u>		
A4310.220	Office Equipment	\$5,340.46

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 248-715

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND OPALECKY PHYSICAL THERAPY SERVICES

RESOLVED, that this Legislature approves agreements between the Health Department and Opalecky Physical Therapy Services, PLLC Contract to provide 'Related Services' in the form of Physical Therapy for the eligible children of Orleans County at a rate of \$54/ ½ hour. Services provided through the 3-5 pre-school program. Reimbursement from NYS Dept of Health Medicaid and some third party Insurances. To run from July 1, 2015 through June 30, 2018. No cost to county.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 249-715

AMENDING RESOLUTION NO. 193-515 WHICH APPROVED AN AGREEMENT BETWEEN COUNTY OF ORLEANS AND NEW YORK STATE DEPARTMENT OF STATE FOR PHASE TWO OF COUNTY MARINE BOATING ACCESS

WHEREAS, Resolution No. 193-515 approved an agreement between the County of Orleans and the New York State Department of State effective May 1, 2015 to April 30, 2018 in the amount of \$163,000 for capital improvements to the County Marine Park including replacement of north stairway/walkway, shore power for 36 docks, and playground at 50% County cost; now be it

RESOLVED, that this Legislative does hereby amend the agreement changing the contract period to be effective September 1, 2015 to August 30, 2018; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute this amended agreement upon the review and approval by the Orleans County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 250-715

ADOPTING ADDITIONS TO CERTIFIED AGRICULTURAL DISTRICTS

WHEREAS, Article 25AA of State Agricultural and Markets Law provides for the addition of predominantly viable agricultural land into existing, certified agricultural districts following an annual thirty day enrollment period and public hearing; and

WHEREAS, said enrollment period occurred in June 2015 and proper notice was provided and a public hearing was held on July 22, 2015 following the report and recommendation of the Orleans County Agricultural and Farmland Protection Board;

THEREFORE, BE IT RESOLVED, that additions to Agricultural Districts No. 2 and 3 of five (5) whole tax parcels of predominantly viable farmland be adopted as identified by numbers 62.00-1-6.1, 107.00-1-11.12, 120.00-1-65.3, 120.00-1-66.2, 120.00-1-67; and be it

FURTHER RESOLVED, that a Notice of Determination of Non-Significance - Negative Declaration shall be filed in the absence of a significant effect of this action on the environment, pursuant to Article 8 of Environmental Conservation Law.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 251-715

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE PLANNING AND DEVELOPMENT BUDGET

RESOLVED, that the Treasurer is authorized to transfer monies within the Planning and Development Department budget due to a temporary professional staff vacancy to fund grant application for update of Local Waterfront Revitalization Plan as follows:

<u>From:</u>		
A8020.100	Personal Services	\$1,500

<u>To:</u>		
A8020.418	Other Contractual	\$ 1,500

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 252-715

SUPPORTING GRANT APPLICATION TO UPDATE THE LOCAL WATERFRONT REVITALIZATION PROGRAM

WHEREAS, Orleans County is situated on the south shore of Lake Ontario and is interested in maintaining and improving its waterfront assets in order to increase its quality of life, promote tourism, and preserve its resources and character; and

WHEREAS, in the 1990s the Towns of Kendall, Carlton and Yates partnered with each other along with Orleans County to create the Kendall-Yates-Carlton Local Waterfront Revitalization Program (LWRP); that plan was finally approved by the New York State Department of State in 2002; and

WHEREAS, over the past thirteen-plus years the LWRP has helped to advance coastal development projects and policies identified therein with varying degrees of success; and

WHEREAS, local leaders feel that given the completion of certain LWRP objectives, the passage of time, and the rise of new issues to address, the Towns of Kendall, Carlton and Yates along with Orleans County stand to benefit greatly from undertaking an update to the LWRP so it can best plan and prepare its waterfront for the future; and

WHEREAS, Orleans County, as it overarches the 24-mile length of Lake Ontario shoreline in the three towns, is leading an effort to update the LWRP; the County intends to submit a Consolidated Funding Application in Round V (2015) of New York State's Regional Economic Development Councils to secure grant dollars for that purpose; now therefore be it

RESOLVED, that the County of Orleans hereby expresses its general support for an LWRP update; and be it

FURTHER RESOLVED, that Orleans County wishes to act on its behalf to apply for a grant to perform an LWRP update from the New York State Department of State Local Waterfront Revitalization Program in Round V of the Regional Economic Development Councils.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 253-715

APPROVING AN AGREEMENT ADDENDUM BETWEEN THE SHERIFF'S OFFICE AND ERNST'S LAKE BREEZE MARINA

RESOLVED, that this Legislature does hereby approve an agreement addendum between Orleans County Sheriff and Lake Breeze Marina, 990 Point Breeze Road, Kent, NY 14477, for an additional pre-purchase of gasoline in the amount of \$5,000, for use by the navigation patrol, paid from account 3110.430 - Navigation Expenses; reimbursed by Stonegarden FY12 & FY 13. The cost of the fuel will be reduced by 5 % of the price at the pump; and be it

FURTHER RESOLVED, that this Legislature approves the addendum to also extend out the initial contract as approved in Resolution No. 167-515 through November 30, 2015

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 254-715

AUTHORIZING THE SHERIFF TO PARTICIPATE IN AND ACCEPT GRANT FUNDING THROUGH THE NEW YORK STATE CANAL CORPORATION

RESOLVED, that the Sheriff is authorize to participate in and accept grant funding from the New York State Canal Corporation in an amount not to exceed \$8,018 for the purpose of funding marine patrols on the Erie Canal providing a 75% county reimbursement for expenses - County Cost 25%; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with New York State Canal Corporation

subject to County Attorney and Chief Administrative Officer approval; and be it.

FURTHER RESOLVED, the Legislature authorizes the Treasurer to set up new money in the Sheriff's 2015 budget to cover this vehicle purchases follows:

<u>Revenue:</u>		
A4308	NYS Canal Corporation Marine Patrol Grant	\$8,018

<u>Appropriation:</u>		
A3110.486	Special Grants	\$8,018

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 255-715

AUTHORIZING SETTING UP NEW MONEY IN THE SHERIFF'S BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Sheriff's Budget to increase patrols and investigation to combat burglaries, as follows:

<u>Revenue:</u>		
A3323.4614	NYS DCJS Operation Impact Tools Grant FY14	\$23,900

<u>Appropriation:</u>		
A3110.486.4614	Special Grants – Operation Impact Tools	\$23,900

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 256-715

AMENDING RESOLUTION NO. 306-814 AS AMENDED BY RESOLUTION NO. 168-515 REGARDING PURCHASE OF A MARINE PATROL VESSEL FOR THE SHERIFF MARINE PATROL AND AUTHORIZING INTERDEPARTMENTAL INSTALLMENT OBLIGATION

WHEREAS, Resolution No. 306-814 as amended by Resolution No. 168-515 authorized the purchase of a marine Patrol Vessel and to obtain funding through First Niagara Leasing, Inc.; and

WHEREAS, this Legislature now desires to obtain funding by means of an Interdepartmental Installment Obligation whereby the Orleans County Treasurer will finance \$115,000 of the purchase price of the Marine Patrol Vessel and related accessories by means of an Interdepartmental Installment Obligation in the principal amount of \$115,000 payable in annual installments of principal and interest in the amount of \$17,765.29 commencing on May 13, 2016 and with interest at the rate of 2.690% on the unpaid principal balance with the unpaid balance being due in full on May 13, 2022; now therefore be it

RESOLVED that this Legislature amends Resolution No. 168-515 to change funding in the amount of \$115,000 from the leasing provider of First Niagara Leasing, Inc. to an Interdepartmental Installment Obligation payable, commencing on May 13, 2016, in annual principal and interest installments of \$17,765.29 with interest at the rate of 2.690%, the final payment to be due on May 13, 2022 which payments shall be paid out of the Orleans County Sheriff's Department budget; and be it further

RESOLVED that the acquisition of the 27' Walk Around Cabin SAFE Boat, Hull Type Deep V, Model 27' FC, Dual 250 HP Mercury 250CXXL B Outboards and EZ Loader, Model TIEZSB 27 11500 Trailer (hereinafter the "Property") is hereby authorized and the County is hereby authorized to finance the acquisition of the Property by an Interdepartmental Installment Obligation, and that any action taken by the County in connection therewith is hereby ratified and confirmed; and be it further

RESOLVED that either the Chairman or the Vice-Chairman acting on behalf of the County is hereby authorized to enter into, execute, and deliver an Interdepartmental Installment Obligation in substantially the form set forth in the document presently before this Legislature; and be it further

RESOLVED that the County's obligations under the Interdepartmental Installment Obligation shall be subject to annual appropriation or renewal by this Legislature and the County's obligations under the Interdepartmental Installment Obligation shall not constitute

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general obligations of the County or indebtedness under the Local Finance Law or Constitution of New York State; and be it further

RESOLVED that it is hereby determined that the purpose of the acquisition of the Property is an object or purpose described in subdivision 26 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probably usefulness of said purpose is ten years; and be it further

RESOLVED that the Chairman or Vice-Chairman and the County Treasurer are authorized to take such actions and execute such documents as may be necessary to effectuate this Resolution; and be it further

RESOLVED that this Resolution is not subject to any mandatory or permissive referendum pursuant to the Local Finance Law or General Municipal Law.

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Legislator Johnson moved a resolution to voice non support for Legislation on an Assembly Bill concerning the treatment of pregnant incarcerated women and requesting to amend the bill so it would not cause another unfunded mandate; second by Legislator Miller. Legislator Johnson reviewed all of the requirements the Sheriff would be responsible for in the treatment of pregnant incarcerated women. She wanted this resolution also to be sent to Steve Acquario, Executive Director of NYSAC. The following resolution was adopted:

RESOLUTION NO. 257-715

URGING NON SUPPORT OF ASSEMBLY BILL A6430
CONCERNING PREGNANT INCARCERATED WOMEN AND
REQUESTING TO AMEND THE BILL TO AVOID AN UNFUNDED
MANDATE

WHEREAS, in the waning days of the legislative session NYS Assembly Bill A6430 was discharged expeditiously through committees of both houses and various entities were never given an opportunity to make comments; and

WHEREAS, it makes amendments to the current law on security restraints for female pregnant prisoners on how and when they may be

used, as well as "no restraint" provisions, and that a sheriff must find extraordinary circumstances exist, must seek medical consultation, must justify use in writing, must not have correction staff present during birth yet be responsible for security, must give written notice to any female incarcerated and again if pregnant, must provide annual training for all correctional transport staff, and must report in writing annually to the (1) Governor, (2) the temporary president of the senate, (3) the minority leader of the senate, (4) the speaker of the assembly, (5) the minority leader of the assembly, (6) the chairperson of the senate crime victims, (7) crime and correction committee and (8) the chairperson of the assembly correction committee every time the use of restraints on a woman under this bill; and

WHEREAS, everyone involved in the custody of a pregnant female needs to understand the different medical issues involved and that she be dealt with accordingly and safely, however the language in this bill is excessive, overstated, and extraordinary burdensome in many ways resulting in an unfunded mandate, and an increase in the overtime of corrections costs to the counties, and in some circumstances will jeopardize safety, create escape possibilities, and security concerns of all involved, and this is not the time for such issues; now therefore be it

RESOLVED, that the Orleans County Legislature urges the nonsupport of this legislation, and that the extreme provisions be amended to avoid the unfunded mandate to counties while maintaining the safety of the female and the security of the incarceration for everyone; and

RESOLVED, that a copy of this resolution be sent to Governor Cuomo, Senator Robert Ortt, Assemblyman Steve Hawley, Assemblywomen Jane Corwin, The State Commission of Corrections, the NYS Association of Counties, the NYS Sheriffs' Association, and Sheriff Scott Hess.

Moved, Johnson; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 258-715

APPROVING AGREEMENT BETWEEN THE PUBLIC DEFENDER AND SEAN BEMONT

RESOLVED, that this Legislature does hereby approve an agreement between the Public Defender and Sean Bemont, 28 S. Main St,

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Holley, NY 14470 to provide as needed Spanish Interpreting services effective May 1, 2015 through April 30, 2016 in the amount not to exceed \$5,000; to be paid from the Indigent Legal Services Grant FY12-15. County cost \$0.

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 259-715

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

WHEREAS, Resolution No. 134-313 approved an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capital Rm. 128, Albany, NY 12224 to provide funds in the amount of \$78,219 to assist the County in improving the quality of indigent legal services, initially effective June 1, 2012 through May 31, 2015; now be it

RESOLVED, that this Legislature approves extending the agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services to continue to provide funds in the amount of \$78,219 through November 30, 2015.

Moved, DeRoller; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 260-715

MODIFYING RESOLUTION NO. 273-814 TO ACCEPT ADDITIONAL FUNDING WITH THE NEW YORK STATE CRIME VICTIMS BOARD

WHEREAS, Resolution No. 273-814 approved an agreement for the New York State Crime Victims Board for the 2015-2016 contract year in the amount of \$63,560.03; now be it

RESOLVED, that this Legislature authorizes modification of Resolution No. 273-814 to accept a 15% increase for the 2015-2016 contract year award in the amount of \$11,216.48 which provides for our new annual award for this 2015-2016 funding period of \$74,776.51; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute necessary paperwork to accept this grant award subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 261-715

AUTHORIZING DISTRICT ATTORNEY TO ACCEPT THE STATE AID TO PROSECUTION GRANT RENEWAL WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the District Attorney has previously obtained several grants for State Aid to Prosecution with the Division of Criminal Justice Services; and

WHEREAS, an application has been submitted to renew said State Aid to Prosecution grant for the year April 1, 2015 through September 30, 2016; be it

RESOLVED, that the District Attorney is authorized to accept the renewal of the State Aid to Prosecution Grant (e-grant #AP15-1036-D00) in the amount of \$43,800, with the Division of Criminal Justice Services to provide for an experienced 1st Assistant District Attorney.

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 262-715

AUTHORIZING EMERGENCY MANAGEMENT OFFICE TO APPLY FOR THE CRITICAL INFRASTRUCTURE GRANT FOR FY2015

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for a new Critical Infrastructure Grant for up to \$50,000, for critical infrastructure protection; said grant, if approved, will run from October 1, 2015 through August 31, 2018.

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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, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 263-715

AUTHORIZING CONTINUED PARTICIPATION AND ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, a new matching funds opportunity has become available in the amount of \$21,135 to continue participation in the Emergency Management Performance Grant (EMPG) for FY2015; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant EM15-1032-D00; contract #T838755 in the amount of \$21,135 for the Emergency Management Office to use towards the replacement of the backup radio dispatch work station at the EMO, the continued lease of the multi-function copier and funding towards replacement of the EMO CBRNE vehicle under the FY2015 SHSP guidelines effective October 1, 2015 through September 30, 2016.

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 264-715

APPROVING PAYMENT OF POSTAGE COSTS FOR ANNUAL POSTCARD MAILING TO REGISTERED VOTERS OF ORLEANS COUNTY

RESOLVED, that this Legislature approves the payment of postage costs in the amount of \$5,425 to be paid from Elections Account A1450.461- Postage for the mailing of the annual mail check postcards by NTS Data Services, 2079 Sawyer Dr, Niagara Falls, NY 14304 to all active registered voters of Orleans County advising them of the 2015 Primary and

General Election dates and other relevant voter information, as pursuant to New York State Election Law.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 265-715

CONFIRMING THE AMERICANS WITH DISABILITIES COORDINATOR FOR ORLEANS COUNTY; APPROVING THE NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT AND APPROVING THE GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

RESOLVED, that this Legislature confirms that the Chief Administrative Officer will act as the Americans with Disabilities Act Coordinator for Orleans County; and be it

FURTHER RESOLVED, that this Legislature approves the following Notice under the Americans with Disabilities Act:

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the County of Orleans will not discriminate against qualified individuals with disabilities on the basis of disability in its services, program, or activities.

Employment: The County of Orleans does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The County of Orleans will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County of Orleans programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The County of Orleans will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the County of Orleans offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the County Orleans, should contact the office of the Chief Administrative Officer/ADA Coordinator, Charles H. Nesbitt, Jr.; 3 South Main Street, Suite 2, Albion, NY 14411 at 585-589-7053 or e-mail at cnesbitt@orleansny.com as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the County of Orleans to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the County of Orleans is not accessible to persons with disabilities should be directed to Charles H. Nesbitt, Jr, Chief Administrative Officer/ADA Coordinator at 3 South Main Street, Suite 2, Albion, NY 14411; 585-589-7053 or at cnesbitt@orleansny.com.

The County of Orleans will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

and be it

FURTHER RESOLVED, that this Legislature approves the following Grievance Procedure under the Americans with Disabilities Act:

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County of Orleans. Employment related complaints of disability discrimination are covered elsewhere, in policies available from the human resources office of the County of Orleans.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Charles H. Nesbitt, Jr
ADA Coordinator and Chief Administrative Officer
County of Orleans
3 South Main Street, Suite 2, Albion, NY 14411

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County of Orleans and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her

designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the County of Orleans for at least three (3) years.

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 266-715

SUPPORTING A GRANT FOR THE BULLARD PARK PHASE I PROJECT THROUGH THE NEW YORK STATE OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION.

WHEREAS, the Orleans County Legislature supports the efforts of the Village of Albion to submit a grant application to the New York State Office Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located on the corner of East Avenue and Clarendon Street in the Village of Albion;

NOW, THEREFORE, be it resolved that the Orleans County Legislature hereby support the efforts of the Village of Albion, and be it further,

RESOLVED, that the Orleans County Legislature will review any request made by the Village of Albion on a need by need basis, beginning on the date of this resolution; and be it,

FURTHER RESOLVED that the Orleans County Legislature does hereby approve and endorse the application for a grant under the

Environmental Protection Fund for a park project known as Bullard Park Phase I.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 267-715

AUTHORIZING PAYMENT OF CLAIMS FOR AUGUST AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 August 12, 2015:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	606-802	\$320,447.58
Highway	591-605; 1419-1446	\$152,704.64
Nursing Home	No Claims	
Job Development	1839-1851	\$4,281.63
Self Insurance	55608-55609; 1094	\$3,938.70

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 August 26, 2015:

Fund/Department	Check Number (s):	Amount:
General	813-948	\$358,674.69
Highway	606-618; 1447-1455	\$143,261.16
Nursing Home	27727-27728	\$20,208.29
Job Development	1854-1861	\$10,239.45
Self Insurance	55662-55665; 1095	\$15,722.15

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

The following add on resolution was presented, discussed and adopted:

Legislator Johnson authorized a loan from the General Fund to the Capital Project Radio Account. She reported that she was at a Fire Advisory Board meeting on Monday and it was said very well from a Chief from the back of the room in that “we are in the cusp of total completeness with a radio project that has cost us a lot of money”. She said that the Chiefs are very happy. A very long term costly project but with the interest of public safety, stated Legislator Johnson. The following resolution was adopted:

RESOLUTION NO. 268-715

AUTHORIZING TREASURER TO LOAN FUNDS TO THE CAPITAL PROJECT RADIO ACCOUNT FROM THE GENERAL FUND

WHEREAS, Resolution 233-615 authorized payment to Harris Corporation PSPC in the amount of \$81,443.20; and

WHEREAS, the Capital Project Radio Account is awaiting revenue from Sprint/Nextel Rebanding which will be returned to the Capital Project Radio Account; and

WHEREAS, the Capital Project Radio account needs a loan from the General Fund to make the payment as authorized in Resolution No. 233-615 and that the General Fund will be repaid from the revenue received; now be it

RESOLVED, that this Legislature authorizes the Treasurer to loan funds from the General Fund to the Capital Project Radio Account in an amount not to exceed \$17,000 to pay Harris Corporation as authorized in Resolution No. 233-615, and be it

FURTHER RESOLVED, that said loan will be repaid upon receipt of the Sprint/Nextel reimbursement.

Moved, Johnson; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

With there being no old business, Chairman Callard opened the floor for public comment. Bruce Schmidt, Town of Gaines, shared his appreciation with the Board in allowing him to make a presentation at the last meeting on behalf of the Historical Association. He stated at the last meeting, he heard something that should have been addressed by the board but heard no reply. The comment that was made at the last meeting was that the Department of Homeland Security was an unconstitutional agency. Mr. Schmidt further expressed in length his view on the importance and historical significance of the Department of Homeland Security. In 2001, on September 11th, a person from Orleans County responded to a federally de-mort volunteer unit spending nearly 20 days in New York City with eight days at the Ground Zero Morgue near the smoldering mess. Many days after 9-11 President Bush created the Office of Homeland Security. Governor Tom Ridge, from Pennsylvania, took office as the Director of this agency 30 days after 9-11. During those eight days, this person from Orleans County dealt with pathologists, anthropologists, priests and body remains. Congressman Thomas Reynolds memorialized these volunteers, one from Orleans County and two from Genesee County, in the congressional record for the type of services they performed and the volunteerism that they exhibited. About eleven months after 9-11, the Homeland Security Act was signed into law on November 25th, 2002 in a very unanimous style vote by congress. It was the greatest governmental re-organization in fifty years. It encompassed twenty-two different agencies such as Secret Service, US Customs, FEHMA and the Coast Guard amongst others. On or about January 20th, 2003, by a vote of 88 to 0, Tom Ridge was appointed a Secretary of the Homeland Security Department. On March 1st this department was placed in full effect and one of the first acts he did was to recognize many of those de-mort individuals who responded to major death disaster times and considered them by resolution and certificates to the Homeland Security Founders. Mr. Schmidt stated this man from Orleans County who was recognized is here today and when he mentioned that someone spoke that Homeland Security Department or Agency was an unconstitutional agency, Mr. Schmidt indicated you could imagine his state of mind in hearing this. Mr. Schmidt summarized that those that served at Ground Zero it is hard to say, with them valiantly responding, that their service was an unconstitutional

act or an illegal act. Their volunteer actions should be recognized as the highest degree of a humanitarian act. Mr. Schmidt encouraged the Board that if another false statement is made that this Legislative Board will use the civility of voice to note to the objections to wrong statements that have been made. Mr. Schmidt thanked the Board.

Paul Lauricella, Yates, stated that he knew that what Mr. Schmidt was speaking of was directed to him as to what he stated at a previous meeting. Mr. Lauricella agreed that the actions of 9-11 were horrible but believes what the Department of Homeland Security has become since that day is unconstitutional. He said much of what the Federal Government does is unconstitutional. There are only eighteen duties that they should be performing. He said the FBI could very well handle what Homeland Security does. He stated that he understands Mr. Schmidt's passion and he will not retract his statement because that is what he believes. Mr. Lauricella referenced how people are treated at checkpoints at airports and that the government is tracking phone calls and e-mails. This is not the country he was brought up in.

Mr. Lauricella commented on the IDA audit that was released and available for public review. He read a prepared statement. In summary, he felt that the IDA is mismanaged. He stated that there is no accountability with handling our tax payer money. He referenced the lack of recapture clauses of taxpayers' money should businesses not be performing or lacking of meeting their goals. He referenced no verification with job creation numbers or salaries of those jobs retained because only thing that needed to be reported was full time employees. He indicated that the Comptroller reviewed annual job reports from twenty-two businesses and they did not meet the requirements for jobs created or retained. He referenced the dollars lost to taxpayers based on companies pulling out of our area. He stated that since the audit, the IDA remains to insult the taxpayers by giving away taxpayers money without recapture clauses. He referenced many businesses that the IDA had provided tax abatements. He felt that the employees at the IDA should be replaced as a result of this humiliating audit. In summary, Mr. Lauricella felt that the Board has overlooked the problems of this agency. He asked Chairman Callard what is going to be done to resolve this. Chairman Callard thanked him for his statement.

Mr. Lauricella asked if the county is prepared for an EMP (Electro Magnetic Pulse) attack. Legislator DeFilipps indicated that he believes that Homeland Security is involved in this.

Legislator Johnson requested to respond to Mr. Lauricella's statements. She advised him, based on her opinion, that she will not allow him to come into the Orleans County Legislative Chambers and disrespect the Legislators, these chambers, or any Orleans County Employee and that is what he has done. She indicated that he has lied, and he has not done his homework. She requested that he respect the place that he stands in and should dress accordingly therefore not be wearing campaign t-shirts in the chambers.

Scott Schmidt, a Shelby resident and is a public servant serving as Chief Coroner for Orleans County for the past twenty-five years, stated that growing up in a household with a father being an attorney was not an easy thing to do. He stated his father commanded respect. He grew up to respect his elders, co-workers and people he works for, lawmakers, community members, friends, and family. To grow up in a profession that he is constantly dealing with people in their worst times of their lives, he also has to give them respect because sometimes their minds are not in it or are loose cannons, he explained. Scott stated today that he is humbled on many levels that he was able to go to 9-11. That currently he is a training officer for the Federal Mortuary Team. He is honored that his father, who taught him respect, has stood before you to express respect for his son. He said he can't put that into words; or can he put into words about the statement that the gentleman made as to how much is too much when it comes to the security of everyone in our country. He said to ask Sheriff Officer Papponetti here today or Officer DeFilipps how much is too much to secure their safety in performing in their line of duty. He thanked the board for listening and giving the floor to his dad, who continually at the age of 76, makes him proud every day.

Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:20 p.m.

SPECIAL LEGISLATURE MEETING

July 28, 2015

Chairman Callard called the meeting to order at 9:00 AM. After the pledge to the flag, the Clerk called the roll. All Legislators were present, with the exception of Legislators Allport and DeRoller.

The following resolution was presented for adoption:

RESOLUTION NO. 269-715

AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR FUNDING TO IMPLEMENT A MICROENTERPRISE ASSISTANCE PROGRAM

WHEREAS, The New York State Office of Community Renewal (the “OCR”) has invited applications for Community Development Block Grant funding for the implementation of a Microenterprise Program (the “Program”), through the Consolidated Funding Application (CFA) process, and

WHEREAS, the Program will include financial assistance to existing and prospective small businesses throughout Orleans County in the form of deferred loans to be administered by the Orleans County Local Development Corporation, and a continuation of the Downtown Commercial Rent Subsidy Program currently that was jointly administered by the Orleans County Local Development Corporation and the Orleans County Chamber of Commerce, and

WHEREAS, the County has held a public hearing to obtain citizen input regarding the community and economic development needs of Orleans County and to obtain the views of citizens regarding the Program; now be it

RESOLVED, that the County Chairman is hereby authorized to submit a Microenterprise grant application in the amount of \$200,000 to the OCR to fund the Program, and be it

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

Moved, DeFilipps; second, Eick.

Adopted. 5 ayes; 0 nays; 2 absent, Allport and DeRoller.

With there being no further business at 9:02 a.m., Legislator Eick moved to adjourn; second by Legislator DeFilipps.

SPECIAL LEGISLATURE MEETING

July 31, 2015

Chairman Callard called the meeting to order at 9:00 AM. After the pledge to the flag, the Clerk called the roll. All Legislators were present, with the exception of Legislators Allport, DeRoller and Eick.

The following resolution was presented for adoption:

Legislator Johnson moved to approve a Memorandum of Understanding for the NORA Rural Broadband Initiative. She explained that this is signing a Memorandum of Understanding that we are going to work with Seneca Telecommunications for them to own, design, install, operate, and maintain a rural broadband network for both Niagara and Orleans Counties. She expressed that this has been a long time in fruition. They have risen to the occasion to own it and came in across both counties with a competitive rate. Legislator Miller seconded the motion. Chairman Callard stated we are in our sixth year with it being initiated - starting at a town level nearly six years ago. We are finally closing in on an initiative that we hope will do very well and will be on its way next year. Chairman Callard explained that broadband monies are becoming available through the State. NORA and Legislator Johnson's activity toward this initiative has helped make this near fruition. It may take a year or two for completion if we are able to push ahead but we are closer now than we have ever been before expressed Chairman Callard. Legislator Johnson stated that we are waiting for the New York State Broadband Office to clarify on the application process to apply for the funding. Legislator Johnson stated that this would never have happened if it wasn't for Chairman Ross (Niagara County) and Chairman Callard in pushing this joint effort forward. The following resolution was adopted:

RESOLUTION NO. 270-715

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN ORLEANS COUNTY, NIAGARA COUNTY, SENECA TELECOMMUNICATIONS LLC AND RESOLUTE PARTNERS LLC FOR THE NORA RURAL BROADBAND INITIATIVE

RESOLVED, that this Legislature approves a Memorandum of Understanding between Orleans County, Niagara County, Seneca Telecommunications LLC, d/b/a Seneca Solutions, Salamanca, New York and Resolute Partners, LLC, Southington, Connecticut as a NORA Broadband Initiative to work together to obtain funding for, design, install

and operate and maintain a Rural Broadband network for both Niagara and Orleans Counties with the term of this Memorandum to be effective for 180 days of signed agreement by all parties and all parties may extend the relationship upon mutual consent as more particularly provided in the MOU.

Moved, Johnson; second, Miller.

Adopted. 4 ayes; 0 nays; 3 absent: Allport, DeRoller and Eick.

With there being no further business at 9:08 a.m., Legislator DeFilipps moved to adjourn; second by Legislator Miller.

LEGISLATURE MEETING
August 26, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present, with the exception of Legislator Eick.

The Clerk presented the following communications: NYS State Department of Taxation and Finance - Office of Real Property Tax Services has informed Orleans County of the establishment of the final equalization rates to be used in the apportionment of the 2016 county tax levy pursuant to Title 2 of Article 8 of the Real Property Tax Law. Jack Welch, Director of Personnel and Self Insurance has provided notice that the New York State Civil Service Commission took action on two resolutions amending the appendices of the Orleans County Civil Service Rules to include adding the job title of Investigator of the Major Felony Crime Task Force (5) to Appendix X – Exempt Class; and adding the job title of Coroner’s Physician to Appendix B – Non Competitive Class. The American Legion will hold their 14th annual 911 Memorial Service on Friday, September 11th at the Albion Elks Lodge at 10:00 a.m. A candlelight vigil is also planned for 6 p.m. that same day at the courthouse square flag pole and memorial stone. A request to hang a banner on the courthouse lawn has been made for August 28th through September 11th. A request to use the courthouse grounds has also been made for the 6:00 p.m. to hold the candlelight vigil. The Board approved this request. Our Drug Take Back day has been announced for Saturday, September 26th from 10 a.m. until 2 p.m. at three drop of locations at the Holley Fire Department, Medina Fire Department and also the Orleans County Public Safety Building.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through July of 2015. She advised that June looks better because state and federal aid did not come in well for the month of July. Also there were three payrolls in the month of July.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Yates, inquired of Resolution No. 282 which appoints the Interim Director of Planning and Development. He asked if this is a new position. Chairman Callard stated that our Director retired and this is for his replacement appointment. He asked if the salary of \$64,326 is the outgoing salary that the last director had. The board indicated it is less.

CAO Nesbitt indicated that it is about \$7,000 to \$8,000 less. Mr. Nesbitt also added that our appointee is not new to the county; he is a 26 year veteran of the county. We went down from step 9 to step 3, stated CAO Nesbitt.

Mr. Lauricella also inquired of the E-waste collection with Sunnking. He asked why \$14,782 is being paid to Sunnking? Mr. Nesbitt stated that payment will be made to prevent these items from ending up in the ditches all over our county. Currently some of the Town Highway Superintendents (Gaines, Murray, Yates) have been collecting these items and the stock pile now has to be removed and disposed of. He asked if this is a onetime cost for the stockpile and if we will have other agencies taking this over. Mr. Nesbitt advised that there is no mechanism in NYS at this time under the new regulations passed by DEC as of January 1st that will allow free market collection of these items. We are creating a plan to eliminate this waste in the interim until the state gets their act together in the next year or two and we have to step up and take care of it or allow these be left in the ditches all over the county. CAO Nesbitt said we are taking responsibility for this issue. Chairman Callard stated that over 500 televisions have accumulated in the ditches, roadsides, creeks and in various other places since the beginning of the year. He said this is a very exciting plan and it has been a joint effort with our adjoining county to develop this system and it will be paid for out of our solid waste so the cost will be minimal on a parcel basis. We are excited to get this under control and televisions off people's front lawns.

Mr. Lauricella asked about Resolution No. 288 and said he is not in favor of free services that look to be offered through the modifications of the county Employee Handbook concerning the counseling services. CAO Nesbitt advised that we are a large employer who has an Employee Assistance Program and pay a contractor to provide counseling services for our employees so they have less problems in the workplace. This reduces the time of the CAO, County Attorney, Personnel Director and Department Heads that have to deal with situations. We provide this preventive measure that reduces expenses and we are in compliance of the law, stated Chairman Callard. Mr. Lauricella thinks that this could encourage poor behavior. Jack Welch, Personnel Director stated that we subsidize these programs through the revenue made in the vending machines that the county employees purchase soda and snacks from. Mr. Welch stated that employees get three sessions; it is not an unlimited program. These programs are to help with confidential issues such with family, work and

other counseling needs to continue for employees to be productive in the workplace.

Mr. Lauricella questioned the sales tax extender in Resolution No. 289. Mr. Schubel stated that this resolution allows continuing with the additional one percent sales tax by state statute which expires every two years. In order for it to continue, we need to amend the resolution of 1967. It currently recites that it will expire December 1, 2015 and the state has allowed us to extend it through November 30, 2017. This resolution is reviewed by the Office of Counsel at the State Department of Tax and Finance and this is what they want. They want all of the prior resolutions listed. Mr. Lauricella then summarized that we will remain at 8% sales tax with 4% each going to the state and county and the board affirmed this summary.

Legislator DeFilipps moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 271-815

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A NEW HYDRAULIC ANGLE BROOM AND BRACKET

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) SWL BA30 Hydraulic Angle Broom and Bracket from Southworth-Milton Inc, PO Box 3851 Boston, MA 02241-3851 for a total of \$13,345.70 to be purchased off the National Joint Powers Alliance Bid Number #060311 CAT; to be paid from account #DM5130.270. County cost \$0

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 272-815

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$592.36	Barton & Loguidice, D.P.C	Engineering Services - East Scott Road Bridge Replacement Invoice #78437

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$258.80	Chemung Supply Corp.	Drainage pipe – Inv #7647292
\$5,441.13	Barre Stone Products	Crush and Run – Inv #4133
\$1,712.00	Kistner Concrete	Catch Basins – Inv. #125575
191,349.00	GUDABRI, Inc	Installation – 50% Progress – Inv #727-5680

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 273 -815

APPROVING AGREEMENTS BETWEEN ORLEANS COUNTY AND
UGI ENERGY SERVICES, INC.

RESOLVED, that this Legislature does hereby approve agreements between Orleans County and UGI Energy Services, Inc, 1100 Berkshire Blvd, Suite 205, Wyomissing, PA 19610 for the purchases of natural gas supplies for all Orleans County Buildings: COB, MH, Highway Garage, Highway Dept. and Jail at the discounted fixed city gate quote of \$2.983 per DTH effective November 1, 2015, through October 31, 2016. New rate is a budgetary savings of \$11,326.96 for all buildings over previous contract. Ref# 00019801-1-KO39A/00019806-1-KO36W, confirmation agreement.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 274-815

AUTHORIZING OFFICE FOR THE AGING TO PURCHASE LIFELINE UNITS

RESOLVED, that this Legislature authorizes the Orleans County Office for the Aging to purchase ten (10) 7000C emergency response system units from our current provider Philips Lifeline, 111 Lawrence Street, Framingham, MA 01701 at a discounted price of \$593 for each unit for a total of \$5,930. County cost \$0.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 275-815

AUTHORIZING FILLING POSITION IN THE OFFICE FOR THE AGING

RESOLVED, that this Legislature authorizes the filling of a vacant part-time clerk position (6772.26) in the Office for the Aging at Grade 7 of the CSEA Salary Schedule effective August 27, 2015.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 276-815

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agency:

Hillside Children's Center, Rochester, NY for the provision of residential foster care services; to be effective July 1, 2015 through June 30, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Snell Farm Children's Center, Bath, NY for the provision of residential foster care services; to be effective July 1, 2015 through June 30, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

L. Woerner Inc. dba HCR, Rochester, NY for the provision of certified nursing assessments and nursing supervision for DSS Medicaid Personal Care Aide clients; to be effective September 1, 2015 through August 31, 2016.

Job Development Agency, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2015 through December 31, 2015 at a cost of \$292,721. County cost is \$90,744.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2015 through June 30, 2016 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 Attorney, Medina, NY for the provision of 2 part-time attorneys assigned to Social Services; to be effective January 1, 2015 through December 31, 2015 at a cost of \$88,770. County cost is \$29,294.

Moved, Miller; second, DeFilippis.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 277-815

AUTHORIZING FILLING OF VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that due to a transfer to another department, this Legislature does hereby authorize the filling of a vacant full-time Senior Account Clerk Typist position (6010.0131) in the Department of Social Services at Grade 10 of the CSEA salary schedule effective August 10, 2015; and be it

FURTHER RESOLVED, as a result of a resignation, that this Legislature does hereby authorize the filling of a vacant full-time Social

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Welfare Examiner position (6010.0249) at the Department of Social Services at Grade 13 of the CSEA Salary schedule effective August 27, 2015.

Moved Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Allport moved to approve an agreement between Mental Health Association in Genesee County and Orleans County Mental Health to combine our mental health associations; second by Legislator DeFilipps. Legislator Allport stated that this is a great opportunity to provide more services in combining with Genesee County and will provide more collaboration. County Attorney Schubel added that the Orleans County Association will be dissolved and there is a Memorandum of Understanding to provide an equal board so it will be very similar as to what we are doing with Public Health. The following resolution was adopted:

RESOLUTION NO. 278-815

APPROVING AGREEMENT BETWEEN MENTAL HEALTH AND MENTAL HEALTH ASSOCIATION IN GENESEE COUNTY

RESOLVED, that this Legislature approves an agreement between Mental Health and Mental Health Association in Genesee County, 25 Liberty Street, Batavia, NY 14020 providing mental health support services and Drop-In Center for residents of Orleans County from September 1, 2015 to December 31, 2015 at a cost of \$21,220. County cost \$0.

Moved, Allport; second, DeFilipps.
Adopted. 5 ayes; 0 nays; 1 abstention, Johnson; 1 absent, Eick.

RESOLUTION NO. 279-815

AMENDING RESOLUTION NO. 468-1214 BETWEEN MENTAL HEALTH AND THE ARC OF ORLEANS COUNTY (FOR SUPPORTIVE EMPLOYMENT SERVICES)

WHEREAS, Resolution No. 468-1214 approved an agreement between Mental Health and the Arc of Orleans County, 122 Caroline Street, Albion, NY 14411 providing supportive employment services at a cost of \$49,420 with no County cost; and

WHEREAS, there has been a COLA increase of \$392; be it

RESOLVED, that this Legislature authorizes the addition of the \$392 COLA increase to this agreement, now totaling \$49,812 at no County cost.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 280-815

AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget to set up revenue and expenses for Federal Medicaid Salary Sharing monies received as follows:

Revenue:

A4490	Mental Health Federal	\$31,494.00
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Appropriation:

A4310.411	Supplies	\$4,171.54
A4310.418	Other Contractual	\$8,244.00
A4310.452	Personal Service Contracts	\$9,490.46
A4310.466	Consultant Fees	\$9,588.00

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 281-815

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Venesky and Company, 6114 Rte 31, Cicero, NY 13039 to prepare the required Medicaid Cost Report associated with the Preschool/School Supportive Health Services Program for the service periods of July 1, 2014

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through June 30, 2015 as required by New York State. Contract Period August July 1, 2015 – December 31, 2015. Contract amount \$4,500. County cost 100%.

Music Therapy Pathways, 80 South Main St, Oakfield, NY 14125 to provide music therapy services for children with disabilities placed under Section 4410 of the NYS Education Law as determined by the board. Music therapy shall be for one 30 minute session a month at the rate of \$51.50 per half hour. Contract period is September 1, 2015 – August 31, 2018. County cost 100%.

P2 Collaborative of WNY, 355 Harlem Road BLDG C 2nd Floor, West Seneca, NY 14224 is a five county collaborative to promote health in Western New York. The goal is to build marketing capacity to expand the reach of prevention activities outlined in the Community Health Improvement Plan. County will be reimbursed based on hours worked. Contract period is from June 1, 2015 through December 31, 2015. County cost \$0.

SUNY Brockport, 350 New Campus Drive Office of Career Services, Brockport, NY 14420 to provide an association for the purpose of carrying out an Intern program for qualified students to intern within the Orleans County Public Health Department in the area Of Health Science. Contract period is June 1, 2015 through December 31, 2019. County cost \$0.

Oxford Immunotec, Inc., 700 Nickerson Road, Suite 200, Marlborough, MA 01752 to provide laboratory testing of specimens provided by the Orleans County Department Of Health. There is a \$20 DPH introductory price for 365 days for each specimen: thereafter the DPH price will be \$50 per specimen. Contract period is June 22, 2015 to December 31, 2020. County cost 100%.

National Association of County and City Health Officials, Modification to Agreement as approved under Resolution No. 52-215 (Original Contract #MRC15-2237C); This Modification of Agreement amends the funding source to the following: Department of Health and Human Services, GRANT# 1 HITEP150026-01-00, CFDA#93.008; entitled "Promote, Support and Build Capacity in the Medical Reserve Corp. All terms and conditions will remain unchanged.

Stacey Aliasso to provide Municipal Representative Services for the Preschool Special Education program to ensure that each child being

considered for Preschool Special Education receives appropriate services in the most normalized setting for the services. Contract to commence on August 1, 2015 and terminate December 31, 2016. County cost 100%.

Inter-Municipal Agreement, Counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming: Contract/agreement to provide for services in the event of a public health problem. If the Orleans County Health Department (receiving county) determines that it is unable to respond to the problem, they may request mutual aid from one or more of the other Western New York Counties (sending counties). In such an event all costs associated with the aid are at the expense of the “receiving county”. Agreement effective July 1, 2015 through June 30, 2020. County cost 100%.

Monroe County Public Health, 111 Westfall Rd, Rochester, NY 14620 for an Inter-Municipal Agreement to provide lab services when testing is needed for lead level investigations, contract amount not to exceed \$8,000 effective September 28, 2015 through September 27, 2016. County Cost \$0.

Genesee Community College, 1 College Road, Batavia NY 14020 to secure Genesee Community College to assist Orleans County Health Department in opening a POD (Point of Distribution), to administer treatment should an accident occur. Also to allow for staff training/and preparation should an incident occur. Agreement effective September 1, 2015 through December 31, 2019. County cost \$0.

New York State Department of Health, Bureau of Early Intervention, ESP Corning Tower Room 287, Albany NY 12237 to provide monies for Early Intervention Administration. Contract Period from October 1, 2015 through September 30, 2016. Contract #C027498. Contract amount \$29,985. Contract amount paid in full by NYS Department of Health. County cost \$0.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeFilipps moved to appoint James Bensley as Director of Planning and Development; second by Legislator Allport. Legislator DeRoller stated that with almost thirty years of being a county employee, he is pleased to support this resolution and his performance and is looking forward to working with the new director of planning. The following

resolution was adopted and Mr. Bensley was applauded for his appointment.

RESOLUTION NO. 282-815

APPOINTING DIRECTOR OF PLANNING AND DEVELOPMENT

WHEREAS, Resolution 23-115 authorized the appointment of an Interim Director of Planning and Development effective January 15, 2015; and

WHEREAS, the Director is essential in achieving the Department's work program, including, among others, community planning, training of land use officials, farmland protection, grant administration, Marine Park management and the implementation of the Geographic Information System; now be it

RESOLVED, that this Legislature appoints James R. Bensley of Medina, NY as Director of Planning and Development at Grade 10, Step 3 of the Management Compensation Schedule at 35 hours per week effective August 27, 2015; and be it

FURTHER RESOLVED, that the salary will be \$64,326.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeFilipps moved to approve an e-waste agreement with Sunnking at an estimated yearly cost of \$14,782 with a tentative start date of September 15th; second by Legislator Allport. Legislator DeRoller advised that the state changed the ground rules and no longer can it go through our solid waste system. This is a work in progress and the details need to be worked out. In getting things started there are going to be three drop off points in the county which will include the Town of Murray, Town of Shelby and also the Orleans County Highway Department. Legislator DeRoller also explained that Sunnking also offers an "E-scrap for Camp" opportunity in April. They have organized this for four consecutive years and have collected over 1,500,000 pounds of e-waste and have donated over \$42,000 of profits to Camp Good Days. He hopes to incorporate our Towns in this program and it is a work in progress. Chairman Callard stated that the Town of Kendall did take advantage of this program. Legislator DeRoller did report that in April they collected

eleven pallets were collected and Sunnking covers the cost of that program. Chairman Callard asked that when we took hold of this project, back in January through April, how many pallets of e-waste we sent off. Legislator DeRoller reported that 180 pallets were collected throughout the county involving e-waste that was sitting around since the state changed the ground rules. He said that CAO Nesbitt was instrumental in getting some contracts and getting that waste moved out. The following resolution was adopted:

RESOLUTION NO. 283-815

APPROVING E-WASTE COLLECTION AND RECYCLING AGREEMENT WITH SUNNKING, INC

WHEREAS, effective January 1, 2015 New York State prohibited the disposal of electronic waste through curbside trash pickup; and

WHEREAS, this Legislature is aware of the subsequent lack of opportunities within the County for its residents to properly dispose of cathode ray tube televisions, monitors, computers, peripheral devices, and other household electronics, and

WHEREAS, this Legislature desires to establish a convenient and reliable drop-off program so that said electronics do not accumulate in locations that are a detriment to the environment and public safety; now be it

RESOLVED, this Legislature approves an agreement with Sunnking, Incorporated of 4 Owens Rd, Brockport, NY 14420 for the collection and recycling of electronic waste dropped off by residents at multiple sites within the County with such agreement effective August 26, 2015 and shall be reviewed yearly. The yearly estimated county cost is \$14,782. Agreement is subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Chairman Callard reviewed that the program will be begin September 15th and the drop off sites will be in the Town of Shelby (west end), County Highway Department (center), and Town of Murray (east end) but all sites are open for county residents to drop off their e-waste. The Chairman

further stated that Legislator DeRoller would like to establish the volunteer program that Sunnking offers across the northern part of the county incorporating the assistance of the Towns of Kendall, Yates, and Carlton to help make that program happen.

Chairman Callard stated that the state methodology is a mess and even getting worse. That they only allow so much to be picked up each year but the quantity of e-waste has been growing so there is a shorter span to have things picked up. Orleans County has been cleaned up and we can keep it under control.

Legislator DeRoller explained that the sale of televisions has been calculated and they only allow so much poundage to go into the waste stream. We have been cut off in the months of April, then June of this year. They offer a solution to go to the DEC website and look up the make and model and try to ship that from your home address, but that process just breaks down stated Legislator DeRoller. Chairman Callard further explained that they are suppose to pick up the TV's free through UPS or FedEx but if it is of a certain weight or dollar amount, they won't pick it up. So they have made it such that they won't get collected but they are complying with the law. Chairman Callard stated this is what the State needs to work on.

RESOLUTION NO. 284-815

AUTHORIZING TRANSFER OF FUNDS INTO THE PLANNING AND DEVELOPMENT BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Planning and Development Budget for the county Rural Broadband Study by BP Greene & Associates as approved in Resolution No. 91-214:

From:	Miscellaneous Reserve	\$11,192
Appropriation:		
A8020.418	Other Contractual Expenses	\$11,192

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 285-815

**AUTHORIZING TRANSFER OF FUNDS IN AND PURCHASE FROM
THE PLANNING AND DEVELOPMENT BUDGET**

RESOLVED, that this Legislature authorizes a transfer of funds within the Planning and Development budget to purchase the replacement of a specialized desktop computer optimized for Geographic Information System software, as follows:

From:		
A8020.100	Personal Services	\$1,493.90
Appropriation:		
A8020.411	Office Supplies and Materials	\$1,493.90

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 286-815

**AMENDING RESOLUTION NO. 430-1213 CONCERNING
AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA
BUSINESS SOLUTIONS**

WHEREAS, Resolution No. 430-1213 approved a lease agreement for the County Clerk's office to obtain a leased e-Studio 2505F B&W copier to be housed at the DMV which has not been operating properly and Toshiba Business Solutions would like to do an equipment exchange amendment to the current lease agreement with no changes to the monthly lease cost; now be it

RESOLVED, that this Legislature authorizes the Chairman to execute an Equipment Exchange Amendment to agreement #500-0386528-000 to remove the Toshiba e-STUDIO 2505 (Serial #SC8 JC34040) and replace with a Lexmark XS463DE (Serial # 35P75G0) in the DMV with the \$43.31 monthly lease payment to remain and a bill per copy of \$.0194, which includes the yearly 2.5% bill per copy increase up to the current billing year.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 287-815

AUTHORIZING PURCHASE AND APPROVING BUSINESS AGREEMENT WITH LA DELL MARKETING LP

RESOLVED, that this Legislature authorizes the purchase and installment from LA Dell Marketing of Microsoft Exchange 2013 in a virtualized environment which will include 250 Client Access Licenses for use by Orleans County Employees to manage and administer their email at a cost of \$12,492.08 to be paid from Computer Services Account A1680.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Business Agreement (#8124850) with LA Dell Marketing LP, One Dell Way, Round Rock, TX 78682 effective November 1, 2015 through the end of its extended service life of April 11, 2023.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 288-815

APPROVING MODIFICATIONS TO THE EMPLOYEE HANDBOOK

WHEREAS from time to time it becomes necessary to update the Orleans County Employee Handbook; now be it

RESOLVED, that this Legislature approves the following changes to the Orleans County Employee Handbook effective August 25, 2015:

CREDIT UNION

Cobblestone Country Federal Credit Union, 299 West Avenue, Albion, NY 14411 (585) 589-5286.

EMPLOYEE ASSISTANCE PROGRAM

In an effort to promote the health and welfare of our employees, Orleans County offers a program to those who could use some help in solving personal problems, which in many cases affect their on-the-job performance. The Employee Assistance Program is designed primarily to assist employees or their family members troubled by alcoholism, drug dependency, emotional stress, family or financial problems. Assessment, referral services and counseling is available for employees or their family

members - free of charge. The County strongly encourages those who feel they need to seek this assistance to do so through the County's Employee Assistance Program. Employees can seek assistance voluntarily, but where indicated by performance or attendance problems, may be referred by their immediate supervisor. Confidentiality will be strictly adhered to.

To maintain the confidentiality, Orleans County has contracted these services with Royal Employer Services which is a company of GCASA. All services through Royal Employer Services are confidential, your privacy is their priority. Employee Assistance counseling services are available to Orleans County employees and the families of Orleans County employees at no cost to the employee.

In addition to the counseling services, the E.A.P. seeks to promote many other activities throughout the year on behalf of county employees. Ticket discounts, group outings, Employee of the Year, Employee of the Month Recognition program, and annual Employee Picnic. The E.A.P. manages the vending machines located in the county buildings. The commissions generated provide the funds to promote these services.

You may contact Royal Employer Services at (888) 244-0680 to schedule an initial evaluation, counseling and referral for any variety of problems which may be affecting you and your family.

To assist Orleans County employees with an understanding of these services Royal Employer Services offers, Orleans County will provide an orientation to each employee upon the employee's initial employment. Then to ensure that employees maintain an awareness of these services, Orleans County will offer a refresher orientation every five years for employees.

PROBATIONARY PERIOD

The probationary term is per the Orleans County Civil Service Rules.

PROMOTION

During this probationary period which is per the Orleans County Civil Service Rules,

TRANSFERS

Transfers are subject to a probationary period which is per the Orleans County Civil Service Rules.

AMERICANS WITH DISABILITIES ACT (A.D.A.)

This Federal Law prohibits discrimination against people with disabilities. Two sections of the law apply to local governments. The first (Title I) section prohibits discrimination against people with disabilities in regard to any employment practices or terms, conditions, and privileges of employment. This prohibition covers all aspects of the employment process.

An employer must make a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless it can show that the accommodation would cause an undue hardship on the operation of its business.

The second (Title II) section of the act requires that County programs, services and activities are accessible to handicapped individuals.

The provisions of the A.D.A. are extensive and complex. Anyone with questions or concerns about this Act should contact the Chief Administrative Officer, who is the County's A.D.A. Compliance Officer.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the County of Orleans will not discriminate against qualified individuals with disabilities on the basis of disability in its services, program, or activities.

Employment: The County of Orleans does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The County of Orleans will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County of Orleans programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The County of Orleans will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of

its programs, services, and activities. For example, individuals with service animals are welcomed in the County of Orleans offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the County Orleans, should contact the office of the Chief Administrative Officer/ADA Coordinator; 3 South Main Street, Suite 2, Albion, NY 14411 at 585-589-7053 or e-mail to the Chief Administrative Officer as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the County of Orleans to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the County of Orleans is not accessible to persons with disabilities should be directed to the Chief Administrative Officer/ ADA Coordinator at 3 South Main Street, Suite 2, Albion, NY 14411; 585-589-7053 or by e-mail to the Chief Administrative Officer.

The County of Orleans will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County of Orleans. Employment related complaints of disability discrimination are covered elsewhere, in policies available from the human resources office of the County of Orleans.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of

filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

ADA Coordinator and Chief Administrative Officer
County of Orleans
3 South Main Street, Suite 2, Albion, NY 14411

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County of Orleans and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the County of Orleans for at least three (3) years.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 289-815

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

REPEALED/RE-ADOPTED – SEE RESOLUTION NO. 322-915 & 323-915

RESOLUTION NO. 290-815

APPROVING AGREEMENTS BETWEEN SHERIFF'S OFFICE AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves renewal agreements between the Sheriff's Office and the following agencies:

EM Systems, Inc., 4043 Maple Rd, Ste 211, Amherst, NY 14226 and the Sheriff's Office for the 2015/16 Software Maintenance agreement covering CAD, AVL and Mobile Data Systems in Dispatch, effective July 1, 2015 through June 30, 2016, at a cost of \$15,000 to be paid from account A3020.486, Public Safety Communications Special Grants.

Wyoming County Sheriff, 151 N Main St, Warsaw, NY 14569 for the housing of Orleans County inmates in the Wyoming County Jail at a cost of \$85 per inmate/per day, effective upon signature through December 31, 2015.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 291-815

APPROVING A RENEWAL AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 125-310 approved a five-year agreement between the Sheriff's Office and the New York State Unified Court System to reimburse the county for security personnel in the courthouse; now, therefore be it

RESOLVED, that this Legislature approves a one year renewal with the New York State Unified Court System and the Orleans County Sheriff's Office for Contract No. C200493; with a maximum reimbursement of \$328,900 for the term of April 1, 2015 through March 31, 2016, an increase of \$5,900.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeRoller moved to accept a Marine Patrol Vessel from the NYS Office of Parks, Recreation and Historic Preservation; second by Legislator Johnson. Legislator DeRoller stated that due to this being a smaller vessel it will be used to patrol Lake Alice and the Canal corridor. This is a long term loan agreement with no cost to the county. The following resolution was adopted:

RESOLUTION NO. 292-815

AUTHORIZING THE SHERIFF TO ACCEPT A MARINE PATROL VESSEL FROM THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

RESOLVED, that the Sheriff's Office is authorized to accept a 2015 Boston Whaler vessel on long term loan from the New York State Office of Parks, Recreation, and Historic Preservation; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an Intergovernmental Agreement with New York State Office of Parks, Recreation, and Historic Preservation, 625 Broadway, Albany, NY 12207 for a long term loan of a 2015 Boston Whaler Vessel, Mercury Outboard Engine and a BoatMaster Trailer. County Cost \$0.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 293-815

APPROVING AGREEMENT WITH THE SHERIFF'S OFFICE AND NEW YORK DEPARTMENT OF CRIMINAL JUSTICE SERVICES

WHEREAS, New York Senator Robert Ortz has secured funding in the amount of \$10,000 for the Orleans County Sheriffs' Office for the enhancement of Anti-Crime Initiatives; now be it

RESOLVED, that this Legislature approves an agreement with the New York State Department of Criminal Justice Services for the acceptance of this grant money.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 294-815

APPROVING AGREEMENT EXTENSION BETWEEN SHERIFFS OFFICE AND NYS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, Resolution No. 196-514 authorized participation and acceptance FY2013/14 Operation Impact Tools Grant, through July 1, 2015; now be it

RESOLVED, that this Legislature does hereby approve an agreement extension between Orleans County Sheriff's Office and NYS Division of Criminal Justice Services, providing extension on the drawdown of funds in the amount of \$23,900 to increase law enforcement patrols, effective through October 31, 2015; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute the Appendix X for Contract No. T464231 approving this agreement extension.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 295-815

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET

RESOLVED, that the County Treasurer is authorized to set-up new monies in the Sheriff's budget:

August 26, 2015
Resolutions 271-298

Revenue:

A4308.7412	Homeland Security/Operation Stonegarden (FY2012)	\$6,782.38
A4308.7411	Homeland Security/Operation Stonegarden (FY2011)	\$3,186.93

Appropriations:

A3110.486.7412	Special Grants	\$6,782.38
A3110.486.7411	Special Grants	\$3,186.93

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Johnson moved to authorize an inspection of the non-gas fired fire training tower at the Emergency Management Training Facility which was brought to our attention by Dale Banker, Director of Emergency Management, which needed to be addressed swiftly to protect our volunteer firemen who practice in this building. Legislator DeRoller seconded the motion and the following resolution was adopted:

RESOLUTION NO. 296-815

AUTHORIZING AN INSPECTION OF NON-GAS-FIRED FIRE TRAINING TOWER AT THE EMERGENCY MANAGEMENT TRAINING FACILITY

WHEREAS, NFPA 1403 requires that the structural integrity of a live fire training structure be evaluated, including the removal and reinstallation of a representative area of thermal linings; now be it

RESOLVED, that this Legislature accepts the proposal for inspection services by LaBella Associates, D.P.C., 300 State Street, Rochester, NY 14614 at a cost not to exceed \$6,500, to be paid from account Emergency Management account A3640.418 Other Contractual; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the Notice-To-Proceed.

Moved, Johnson; second, DeRoller
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 297-815

AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 9, 2015:

Fund/Department	Check Number (s):	Amount:
General	950-1101	\$307,608.58
Highway	619-627; 1456-1474	\$203,665.95
Nursing Home	27729	\$11,246.76
Job Development	1866-1884	\$4,909.30
Self Insurance	55725-55728	\$8,718.28

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 23, 2015:

Fund/Department	Check Number (s):	Amount:
General	1124-1280	\$317,405.61
Highway	628-632; 1475-1483	\$26,235.64
Nursing Home	27730	\$15,152.00
Job Development	1885-1890	\$606.95
Self Insurance	55783-55784; 1096	\$44,661.91

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

The following add on resolution was presented and adopted:

RESOLUTION NO. 298-815

AUTHORIZING RESCHEDULING THE SEPTEMBER ORLEANS COUNTY LEGISLATURE MEETING

WHEREAS, the New York State Association of Counties Fall Seminar is scheduled Monday, September 21st through Wednesday, September 23rd in Lake Placid and four of our Legislators and the Chief Administrative Officer plan to attend; now, be it

RESOLVED, that this Legislature authorizes rescheduling the regular 4:30 p.m. Wednesday, September 23rd Legislature Meeting to Monday, September 28th at 9:00 a.m. to resolve any conflicts of timing in the return from the NYSAC Conference and Training School in Lake Placid.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Chairman Callard opened the floor for public comment, limiting the statements to three minutes each relative to any subject related to the County. Anne Smith, Lyndonville, stated her opposition to the Lighthouse Wind Project proposed for the Town of Yates. She asked the board to stand in solidarity with the Niagara County Legislature in their opposition to the Industrial Wind Turbine Project. She also stated that she was against Governor Cuomo's Article 10 that takes away Home Rule not allowing her town or county to vote on these large energy projects that affect their towns. She hopes, as a majority of republicans, that this board will stand ground and send a loud message to Governor Cuomo, that along with Niagara County, that they oppose these Industrial Wind Turbines.

Paul Laricella, Yates, stated at the last meeting he spoke concerning the IDA and at that time it wasn't the time to discuss the audit. He asked it has been a month now and that this board had time to think about the recapture clauses, job requirements, and other things in the audit that were not followed per the Comptroller's office. Chairman Callard stated that the IDA has an independent board. Those types of discussions occur within the IDA itself, which their meetings are open to the public. It is up to the IDA Board as to what actions will be taken. Mr. Lauricella stated that the County does give the IDA money. Chairman Callard stated that the policy

direction is established by the Board of Directors. Chairman Callard stated that any issue he has with the IDA that he should work with the IDA.

Mr. Lauricella stated he felt that his 1st amendment rights were violated by Legislator Johnson at the last meeting. Chairman Callard stated that he was not going to allow this personal discussion and felt it was inappropriate on his part at the last meeting. Chairman Callard asked Mr. Lauricella to take his seat.

Deb Holt, Murray, stated her opposition to the Industrial Wind project proposed by APEX. She stated it is a poorly sited area for the wind project. It is on the Southern shore of Lake Ontario which has a major migratory bird group of the Atlantic Flyway. Secondly, she stated, that there is documented health effects to humans and to any wildlife that live in the area due to the flicker and the low frequency turbulence sound that emanates from the wind turbines. She also hopes that this board votes against this wind project if the opportunity arises.

Cynthia Hellert, Yates, advised the Board that she is a supporting member of Save Ontario Shores and stands adamantly opposed to APEX's Lighthouse Wind project. She has attended most Yates Town Board meetings since this project was brought to the attention of residents and they have implored our board to take a stand against the project, as has the Town of Somerset and the Niagara County Legislature. She has researched thoroughly the devastating health effects that are consistent worldwide with industrial wind turbines being sited too close to residents, and have concluded that a project such as this would be far more detrimental to our health and safety than any financial gain could possibly justify. She asked county legislature to please stand in solidarity with the Niagara County Legislature and say NO to APEX and Lighthouse Wind.

Allen Lofthouse, Kendall, inquired how the County is making out with the lobbying firm that we are paying \$5,000 per month for. Chairman Callard stated he feels that it has been a very valuable asset. At this time we have not published results from some of the funding requests but a number of them have initially been approved. We will continue to move forward as they are keeping us well informed and they are helping us to lobby for what we have requested from the State entities. Mr. Lofthouse asked when they will publish the results. Chairman Callard advised that awards are not announced until December. He believes there maybe public discussion before then or as the Regional Economic Development Council meetings

take place, there are two in September, but right now they are in review sessions.

Agnes LaPorte, Somerset, stated that they are bombarded by this windmill project. She felt it was going to destroy our area. She said if you go to the SOS website, they are fighting for these windmills all over the world. She indicated she is originally from Germany where it is devastating over there. They are stopping these projects all over the world due to the health effects. She said we don't need them, with Niagara Falls being so close and not at full capacity. Any of the little bit of power not being used around here will go to New York City. The farmland will be forever destroyed and the Medina stone that will be left when they are probably decommissioned and just standing there will be will be ruins forever. She does not have any grandchildren but knows many here do so she begged them to persevere the world for the next generation.

Chairman Callard stated that APEX was brought into the picture by the Town of Sommerset and that board was actively promoting it and we are just a small piece of it to the right. Now the Town Board of Sommerset has done a "180" having done a survey realizing that their people are against it. He stated it is a learning process and appreciates the mailings so we can understand the issues. He thinks Niagara County didn't really do things in a proper manner to deal with this and he thinks it is ironic that we have to deal with it now because a proper format was not followed. Again, ironically, they brought this topic to the area to being with and now it has become a contentious issue.

Chris Crafts, Ridgeway, (also owns property in Hartland and Yates) stated that he grew up in this area and believes it could be one of the finest places in the world to grow crops and for people to live. He feels it is ironic at times that it looks like that this part of the world would be sold away to energy production. When looking into the problems with wind projects, it is financed at very high levels through legislative initiatives and there is an accelerated appreciation cycle that will allow "these folks" to come in and build these wind towers and be gone within a few years. He wishes a condition could be placed on them, thinking their wind towers are so great, if they are willing to live her among the towers, they would be welcome to build them. Mr. Crafts hopes upon the completion of the Town of Yates survey, hoping it reports negative results, that this body would also put out a message similar to Niagara County that we don't want these wind towers here.

Jim Bransbach, Yates, echoes what everyone else has said to this point. He further said that in April at the Medina GCC APEX presentation, Taylor Corals (an APEX representative) said during one of their closing statements that building this wind turbine complex would help preserve the rural agricultural characteristics of the towns of Somerset and Yates. Mr. Bransbach said the reply was, “huh”? Then he went on to say, that no developer would want to build anything near them. Mr. Bransbach said this is our argument today and he opposes this project. Chairman Callard stated he would have shook his head to that also.

Erik Sinkora, Yates, agrees with all of the statements made here today. He is concerned not only for the health effects of humans but also what documented effects in livestock are. He is also concerned with the major migratory path for our birds, for the Bald Eagles that he sees in his yard and concerned for the bats that eat the insects in our yards. Mr. Sinkora is concerned with his property values which he pays an absorbent amount of property taxes as a lake front property owner; or if he will receive any benefit for this project which no one has explained. He encourages this Legislature to visit the SOS website and research for themselves the impacts. He asked to join with the Niagara County Legislature opposing this project.

Chairman Callard expressed that the Niagara County situation is different than Orleans County because they conducted a formal survey and determined that the people were against the project. The County does not make decisions here and we would not want to tell the Town of Yates what it has to do or should do, just like we would not want the State of New York tell Orleans County what to do, stated Chairman Callard. He stated that we have a record for having opposed legislation for the inclusion of the siting of windmills, per Article X of the Public Service Law. We do not want home rule replaced by State directives. We are patiently waiting for a bonafid survey that represents the people of the Town of Yates. Chairman Callard stated that we can have more discussion once we know of those survey results. He has spoken with Assemblyman Hawley, Assemblywoman Corwin and Senator Ortt who indicate that they have written letters to the Governor for review of Article X. Orleans County has no decision making capabilities in this, it is the Town that has that.

Chairman Callard stated that APEX has requested to come to a conference session and also to meet individually with our Legislators and he has not allowed that to happen. He said he will continue to work with our State representatives and continue the Article X fight. He appreciated them

visiting today and stated that he will never give up the fight for our rights. Chairman Callard was applauded.

Peg Schwable, Somerset, thanked the Chairman for his comments. She stated that this project goes right through the center of their town, dividing village from Lake Front. This company has an outer boundary along the lakeshore, in fact right through her living room, she explained. This project considers 145 properties in the Town of Somerset and more through the Town of Yates. American Wind Energy companies spend millions of dollars lobbying their point. She thanked the board for fighting the Home Rule issue.

Chairman Callard also reminded many that for two years we have been fighting the war on lake levels. Legislator Johnson, through a NORA initiative, has been fighting the Canadians and the Federal Government; and even the Governor of New York State who can elect not to raise the levels if he wished to take a stand on it. This could be devastating to our lakeshore property owners. We have fought successfully against the 2014 IJC Plan and were following due process. But now due process is not being followed and this Legislature sent a representative from here, and also a representative went from Niagara County, to Washington D.C. to meet with representatives from the Department of State. Chairman Callard stated that we constantly fight battles behind the scenes and they are not used to representatives from our county, and Niagara, meeting face to face on the issues. Chairman Callard expressed that we have more than one concern here to protect our county's future. This Legislature is willing to do what it takes to fight the battle.

Legislator Allport reported that at last weeks ARC of Orleans Board of Directors meeting an unanimous vote took place to join with the Genesee County ARC. We have already been sharing services for years. With the Affordable Health Care Act and Managed Care having forced smaller ARC's to combine. Legislator Allport believes that this will be a trend in pulling services together. NYSARC and OPWDD are enthusiastic that more ARC's will be combining services. He said that the ARC of Orleans will continue to provide great services in Orleans County and they continue to look for a bright future.

Legislator DeFilipps moved to enter into executive session at 5:29 p.m. per Open Meetings Law §105 (d) to discuss potential litigation on an assessment matter; second by Legislator Allport. Motion Carried. After a brief recess, the executive session began at 5:36 p.m.

Legislator Johnson moved to exit out of executive session and reconvene the regular meeting at 5:58 p.m.; second by Legislator Allport. Motion Carried.

Legislator DeRoller moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:59 p.m.

LEGISLATURE MEETING
September 28, 2015

Chairman Callard called the meeting to order at 9:00 AM. After the pledge to the flag and invocation led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Making Strides against Breast Cancer Orchard Walk will take place at Watt Farms on October 24th. A request has been made to place a 3x10 banner on the courthouse lawn from October 10th through October 24th to advertise this event. The Board approved this request. Our third annual Family Game Night in Orleans County has been scheduled and plans are underway. This event is sponsored by the Orleans County Youth Bureau and Orleans County Legislature. The event will take place on Thursday, October 15th from 5:30-7:30 pm at the Trolley Building, Cornell Cooperative Extension 4-H Fairgrounds, 12690 Route 31, Albion. This event will feature dinner, games to play, displays to visit and a FREE board game to every family. The booths will provide information on a wide array of services for youth and families that are available in Orleans County. Cost, including dinner, is \$5 for a family of four or \$3 for individuals. We will also have prizes, promotions and activities throughout the night. To register or for more information you can contact the Legislative Office at 589-7053.

Legislator Johnson recognized the Orleans/Genesee Community Action by reading a proclamation in celebration of their 50th Anniversary. Ed Fancher, Executive Director and Annette Finch, Director of Community Services were present to accept the proclamation. Mr. Fancher thanked the Board for their continuous involvement by them for the whole fifty years, including their predecessors the Board of Supervisors who started this agency. He stated that a Supervisor, and now a Legislator, has always served on their board and thanked Legislator Johnson for her current service on their board.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through August, 2015. Treasurer Heard indicated that it looks better this year than where we were at this time last year.

Chairman Callard announced that David Kusmierczak attended Assemblyman Hawley's 8th Annual Patriot Trip and had the honor of being a part of the Honor Guard at the Tomb of the Unknown Soldier. Mr. Kusmierczak stated that there were four attendees that were picked to lay

the wreath on the Tomb of the Unknown Soldier. This year the wreath was dedicated to the Vietnam Veterans. He indicated it was a great honor. Chairman Callard thanked Mr. Kusmierczak for his continuous presence at our meetings in providing our invocation.

Chairman Callard called for open discussion as it related to the resolutions and advised to keep it to two individual resolutions. Paul Lauricella, Yates, questioned Resolution No. 321 concerning setting the salary for the Chief Administrative Officer. Chairman Callard indicated it is part of his annual review and the additional duties for the e-waste program were also considered. Chairman Callard again reviewed the e-waste program. Mr. Lauricella said he was concerned that he already gets a salary for the county to run smoothly now why more for this. Chairman Callard reviewed the salary terms and conditions as requested.

Mr. Lauricella inquired as to the scope of the purchase of the Live Scan upgrade in Resolution No. 316. Mr. Nesbitt explained that it is an upgrade of the existing Live Scan System which has become outdated. This is the fingerprinting system at the jail. This system will be of the quality that we can generate revenue from in performing background checks and obtaining fingerprint services at the Jail, therefore there will be no need to locate these services elsewhere for pistol permits, job applications, etc.. Mr. Lauricella stated he has researched this system and asked if they will be doing facial scans or retinal identifications with this system. Mr. Nesbitt indicated that there are no plans for that.

Chairman Callard reviewed the privilege of the open comment portion of the Legislature meeting in response to Mr. Lauricella comment that his speech was being limited. Chairman Callard also stated that many counties do not offer a time for the public to interact with the Board.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Johnson. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 299-915

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES, P.C.**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Services

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for the design and construction phase of the Carton Road Bridge over Sandy Creek in the Town of Kendall; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$120,000 and to be paid out of the Capital Project Infrastructure for Bridge Replacements Account #H-5120.250.

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

RESOLUTION NO. 300-915

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Services for the design and construction phase of the Platten Road Culverts over Oak Orchard Creek Tributaries in the Town of Yates; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$40,000 and to be paid out of the Capital Project Infrastructure for Culvert Improvements Account #H-5120.251.

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

RESOLUTION NO. 301-915

APPROVING CELLULAR PHONE USE AGREEMENT FOR THE HIGHWAY DEPARTMENT

RESOLVED, that this Legislature approves the Cellular Phone Use Agreement for the Highway Department for data charges due to a need for online traffic sign software for the National Sign Retroreflectivity Policy required by the Federal Government that was approved by the Orleans County Legislature by passage of Resolution #70-213.

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

RESOLUTION NO. 302-915

**AUTHORIZING PURCHASE OF CAMERA UPGRADES AND
SETTING UP OF NEW MONIES IN THE FUEL FARM BUDGET**

RESOLVED, that this Legislature authorizes the Orleans County Fuel Farm to purchase camera upgrades located at 225 West Academy St, Albion, NY 14411 from SI Technologies, Inc. d/b/a Security Integrations, 81 Benbro Dr, Ste 100, Cheektowaga, NY 14225 at a cost of \$5,147.68, to be paid from the Account of DM5140.250 – Fuel Farm; Project #Y3905, NYS Contract #PT63302, Award #20191; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Fuel Farm Budget as follows:

<u>Revenue:</u>		
	Fuel Farm Capital Reserve Account	\$ 5,147.68
<u>Appropriations:</u>		
DM5140.250	Other Equipment	\$ 5,147.68

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

RESOLUTION NO. 303-915

**AUTHORIZING TRANSFER OF FUNDS WITHIN THE
HIGHWAY/FUEL FARM BUDGET**

RESOLVED, that the Treasurer is authorized to transfer monies within the Highway/Fuel Farm Budget to cover the cost of personal services and benefits as follows:

<u>From:</u>		
DM5140.449	Fuel Oil	\$8,082
<u>To:</u>		
DM5140.100	Personal Services	\$7,600
DM5140.820	Medicare	\$92
DM5140.830	Social Security	\$390

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

RESOLUTION NO. 304-915

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$5,946.50	Labella Associates	Prof. Services:6/20/15-7/24/15 for Waterport Carlton Bridge-Inv#64852
\$5,169.50	Labella Associates	Prof. Services: 6/20/15-7/24/15 for Oak Orchard Bridge-Inv#64850
\$80,475.60	CP Ward	Construction for Waterport Carlton Bridge – Payment #1
\$13,716.76	Labella Associates	Prof. Services: 7/25/15-8/21/15 for Waterport Carlton Bridge-Inv #65300

FURTHER 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>
\$1,326.50	Labella Associates	Prof. Services:6/20/15-7/24/15 for Knowlesville Culverts- Inv #64854
\$1,512.00	Labella Associates	Prof. Services:7/25/15-8/21/15 for Knowlesville Culvert –Inv #65299

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$248.54	Barre Stone Products	Crush and Run- Inv #4356
\$191,349.00	Secor Building Solutions	Construction of Pole Barns

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.253, Capital Project – Infrastructure Project – County Building Roof Replacement:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$3,712.73	Houseman Refrigeration	PSB Roofing Project – Inv #0003783
\$462,185.20	Garland/DBS Inc.	PSB Roofing Project Draw 1 (Inv #2511027820) and 2 (Inv #2511027846)
\$479,007.00	Garland/DBS Inc.	COB Roofing Project Draw 1 (Inv #2511027822) and 2 (Inv #2511027843)

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

RESOLUTION NO. 305-915

APPROVING GLOW WORKFORCE DEVELOPMENT BOARD CERTIFICATION AND MEMBERSHIP ROSTER

RESOLVED, that this Legislature does hereby approve the Board Certification and Membership Roster for the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Board, for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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. County Cost \$0.

FURTHER RESOLVED, that the Chairman is hereby authorized to execute the Agreement, this also approves the Board Certification and approves the following Membership Roster of the GLOW Workforce Development Board:

Name	Represents:
Norb Fuest	Appletree HR & Safety Consultant
Michael Sawyer	Western New York Energy (Private Sector)
Mary Williams	Medina Memorial Health Care System (Private Sector)
Tony Manucso	Mancuso Real Estate (Private Sector)
Merle “Skip” Draper	Employment & Training Resources
Paul Fricano	Oxbo International Corp (Private Sector)

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Geoffrey Buell	Lapp Insulator (Private Sector)
Janet Olivieri	FTT Manufacturing (Private Sector)
Tim Anderson	Don Allen Insurance Agency (Private Sector)
Tammy Underhill	Coastal Staffing
Gene Tonucci	Allen Bailey Tag and Label (Private Sector)
Karl Drasgow	Drasgow, Inc (Private Sector)
Anthony DiPerna	Brick Layers & Allied Contractors – Labor Org./Apprenticeship
Dennis Burke	Liberty Pump (Private Sector)

At Large seats:

Name	Represents:
Joseph Hamm	NYS Department of Labor
Christine Luly	ACCESS-VR
Kellie Kennedy	ARC of Livingston/Wyoming
RZ Lampley	Organized Labor
David Rumsey	Department of Social Services (Wyoming Co.)
Reid Smalley	Genesee Community College (Education)
Nathan Varland	Community Action of Orleans/Genesee
John Cima	Genesee Valley BOCES
Jim Pierce	Wyoming County Business Center

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

RESOLUTION NO. 306-915

AUTHORIZING FILLING VACANCY IN THE JOB DEVELOPMENT AGENCY

WHEREAS, an employee has resigned from the position of Employee and Training Counselor effective October 1, 2015; now be it

RESOLVED, that this Legislature authorizes the filling of a vacant Employee and Training Counselor position (6210.07) in the Job Development Agency, at grade 15 of the CSEA Salary Schedule, effective October 2, 2015.

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

RESOLUTION NO. 307-915

**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 operations of county business; and

WHEREAS, one employee has recently retired, while others have vacated positions as the result of possible promotions; now be it

RESOLVED, that this Legislature does hereby abolish a full-time Principal Social Welfare Examiner (6010.0103) position in the Department of Social Services effective September 29, 2015; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full time Supervisory Social Welfare Examiner position in the Department of Social Services at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes filling this newly created full time position effective September 29, 2015.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 308-915

**AUTHORIZING FILLING POSITION IN THE MENTAL HEALTH
DEPARTMENT**

RESOLVED, that this Legislature authorizes the filling of a part-time Receptionist position (4310.40) in the Mental Health Department at Grade 7 of the CSEA Salary Schedule, effective September 29, 2015.

Moved Allport; second, DeFilippis.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 309-915

AUTHORIZING SETTING UP NEW MONEY IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget to set up revenue and expenses for Federal Medicaid Salary Sharing monies received as follows:

Revenue:

A4490	Mental Health Federal	\$11,827.00
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Appropriation:

A4310.220	Office Equipment	\$2,752.09
A4310.411	Office Supplies	\$9,074.91

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

RESOLUTION NO. 310-915

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

ACM Medical Lab at 160 Elmgrove Park, Rochester, NY 14624. Contract to provide for performing ALT and AST lab work for our TB Program. The cost will be \$5.00 per test. Contract period is July 1, 2015 through December 31, 2018. County cost 100%.

Genesee ARC, 64 Walnut St, Batavia, NY 14020 to provide busing for eligible children who reside in Orleans and Genesee Counties. Group 1 is approx 100 children at \$40.25 per child within Genesee /Orleans at a base price of \$4,025. Group 2 is approx 3 Genesee County Children at \$181.76 at a base price of \$545.28 and 10 Orleans County Children at \$222.43 at a base price of \$2,224.30 per round trip, with \$5.29 for each additional child – total base price is \$6,799.87 as per fee schedule. Reimbursement is 59.5% from State education. Cost to county is 40.5%.

Stericycle, 4010 Commercial Ave, Northbrook, IL 60062 to provide for the collection, transportation, and treatment of regulated medical waste.

Stericycle will not increase the monthly service fee by more than 6% annually for the duration of this contract which is effective September 1, 2015 through August 31, 2020. County cost is \$76 monthly (this represents a 27% decrease from 2014).

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

RESOLUTION NO. 311-915

**AUTHORIZING PURCHASE FROM HEALTH DEPARTMENT
BUDGET**

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department to purchase from Dival Safety, 1721 Niagara St, Buffalo, NY 14207 (6) Portable Air Purifying Respirator (PAPR) kits with accessories in the amount of \$8,236.02 from Public Health account A4010.250 - Other Equipment as approved in the Health Research Inc, contract for readiness to the Ebola Virus. County cost \$0.

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

RESOLUTION NO. 312-915

**AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH
DEPARTMENT EMPLOYEE**

RESOLVED, that this Legislature does hereby authorize out of state travel by Doris Delano to attend the 2015 East Coast Migrant Forum in Memphis, Tennessee from October 14 to October 17, 2015. All costs are budgeted and will be covered by the Migrant Health Services Grant. County Cost \$0.

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

RESOLUTION NO. 313-915

APPROVING ADVERTISING FOR ORLEANS COUNTY TOURISM

RESOLVED, that this Legislature approves advertising in the 2016 CONY Directory through Campground Owners of NY, Inc., 1 Grove St, Ste 200, Pittsford, NY 14534 for the purpose of placing a 3 page add in this directory for Orleans County Campgrounds in the amount of \$5,200 to be paid from Tourism Account A6410.468 – I Love New York. 50% Reimbursement from I Love NY Matching Funds.

Moved, Allport; second, Eick.

Adopted. 6 ayes; 0 nays; 0 absent.

Legislator DeFilippis recused himself from deliberations and vote.

RESOLUTION NO. 314-915

ESTABLISHING A POLICY SETTING MINIMUM STANDARDS FOR COUNTY PARTICIPATION IN LITIGATION INVOLVING CHALLENGES TO REAL PROPERTY ASSESSMENTS.

RESOLVED, that this Legislature adopts a Policy Establishing Standards for County Participation in Litigation Involving Challenges to Real Property Assessments (Article 7) as written by the members of the Administration and Finance Committee, attached hereto; and be it further

RESOLVED, the Director of Real Property Tax Services will forward a copy of this resolution to all of the Towns, Villages, and School Districts within Orleans County.

POLICY ESTABLISHING MINIMUM STANDARDS FOR COUNTY PARTICIPATION IN LITIGATION INVOLVING CHALLENGES TO REAL PROPERTY ASSESSMENTS (ARTICLE 7)

The County of Orleans may participate in providing financial assistance for litigation challenges to real property assessments provided the following Standards are met and the Process is adhered to:

STANDARDS

- The real property in question has a minimum assessed value of \$3,000,000 and the petitioner is desirous either of a change in assessment of ten (10) percent or a change of at least \$300,000 less than the assessed value.

- The Town, School District and, when applicable, Village in which the property resides have, by Resolution, agreed to share the cost of litigation, proportionate to their respective taxes due on the parcel in question, with the County.
- The County will share costs of Town Counsel or outside Counsel secured by the Town. (not both)
- Prior to the effective date of participation established by the Orleans County Legislature any accrued litigation charges will be the sole responsibility of the Town in which the property resides.
- The County Attorney and Real Property Tax Services Director will be consulted regarding appraisals or settlement strategies.
- The County reserves the right to decline to participate if the Town Assessor has not met the full NYS requirements for training and experience to be a qualified assessor.

PROCESS

- The Town will present a written request with a Town Resolution to the County Attorney and the Real Property Tax Services Director. The request will be accompanied by a Resolution from the relevant School District and, when applicable, the relevant Village.
- The request will be reviewed by the Director of Real Property Tax Services and the County Attorney for recommendation to the Administration and Finance Committee.
- A recommendation will be presented by the Real Property Tax Services Director, in Resolution transmittal form, to the Finance Committee.
- After the Resolution is approved and an effective participation date established by the County Legislature, the Attorney or the Town can then begin to submit litigation cost charges to the County Attorney seeking an apportioned payment from Orleans County.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 315-915

**APPROVING SOFTWARE SUBSCRIPTION SERVICE BETWEEN
THE TREASURER’S OFFICE AND KVS INFORMATION SYSTEMS**

RESOLVED, that this Legislature approves the annual software subscription service between the Treasurer’s Office and KVS Information Systems, 821 Maple Rd, Williamsville, NY 14221 covering all programs relating to the Treasurer’s Office, Personnel Office, and Budget Officer at a cost of \$9,698; effective August 1, 2015 through July 31, 2016, to be paid from the respective budgets, as applicable.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 316-915

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
SHERIFFS BUDGET AND AUTHORIZING PURCHASE OF
LIVESCAN SYSTEM FROM GRANT FUNDS**

RESOLVED, that this Legislature authorizes the Treasurer to set up Homeland Security/SLETPP (LE15) grant funds as follows:

REVENUE:

A4308.5315	Homeland Security/SLETPP (15)	\$26,250
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APPROPRIATION:

A3110.486.5315	Special Grants/LE15-1009-D00	\$26,250
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and be it

FURTHER RESOLVED, that this Legislature authorizes the purchase of Livescan System from Morpho Trust USA, 5705 Old Shakopee Rd, Ste 100, Bloomington, MN 55437-3107 in the amount of \$22,609 – Quote #12488-J6R7K9 (P O 56569) to be paid from Sheriff’s Budget account A3110.486.5315 Special Grants/LE15-1009-D00. County Cost \$0.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 317-915

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE SHERIFF'S BUDGET

RESOLVED, the Treasurer is authorized to transfer funds within the Sheriff's Budget for reimbursement of overtime wages from Operation Stonegarden FY12 and FY13 as follows:

From:

A3110.486.7412	Special Grant/SG12-1004-D01	\$1,47056
A3110.486.7413	Special Grant/SG13-1004-D00	\$11,148.42

To:

A3110.101	Overtime	\$12,618.98
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Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 318-915

AUTHORIZING PAYMENTS FROM THE CAPITAL PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from the Capital Project Public Safety Building Account H3110.250:

<u>Amount</u>	<u>Vendor</u>	<u>Description</u>
\$372.20	Barre Stone Products	Blacktop parking lot

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to set up a public hearing for Local Law 2-Intro of 2015 concerning regulating the transfer of secondhand articles; second by Legislator Johnson. Attorney Schubel explained that this Local Law was requested by the District Attorney's Office. This would allow them to request information from second hand dealers concerning their sales. Unlike many counties that require licensure of second hand dealers, this does not. The District Attorney informs us that they will distribute this to applicable dealers which will help with law enforcement issues. Attorney

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Schubel informed the board that this is a similar law that Steuben County enacted which we will continue to keep track of. The following resolution was adopted:

RESOLUTION NO. 319-915

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 2-INTRO OF 2015

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A Local Law Regulating the Transfer of Secondhand Articles”; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now, therefore be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 28th day of October 2015 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Suite 2, Albion, New York.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 320-915

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds for purchase of Personal Protective Equipment (PPE) for the Director, (3) Deputy Coordinators, and (3) Fire Investigators at a cost not to exceed \$7,791, according to the grant guidelines of DHSES; and be it

FURTHER RESOLVED, that this Legislature approves setting up 2015 Homeland Security Grant Funds as follows:

Revenue:

A4309.2015 State Homeland Security Grant Program \$7,791
FY15

Appropriation:

3640.486.2015 Special Grants – SHSP FY15 \$ 7,791

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson said we lost a hero, Deputy Erin Fuller, this month who served Orleans County for many years and his passing was a terrific loss. A moment of silence was observed to remember Orleans County Sheriff's Deputy Erin Fuller.

Legislator Johnson moved to set the salary for the CAO; second by Legislator DeRoller. Legislator DeRoller expressed that this is one example of many that the Chief Administrative Officer is stepping up for us. The following resolution was adopted:

RESOLUTION NO. 321-915

**AUTHORIZING SETTING SALARY FOR THE CHIEF
ADMINISTRATIVE OFFICER**

WHEREAS, Section 3 part (b) of the Chief Administrative Officer's Employment Agreement calls for a good faith review of the employee's compensation and adjustment to the employee's base salary based on performance and the assignment of additional duties not in the current scope; and

WHEREAS, the employee's performance has been excellent and he has recently been assigned additional duties related to the E-Waste program; now be it

RESOLVED, that this Legislature places the new base for the Chief Administrative Officer at grade E12 step 8, of the Management Compensation Schedule effective September 1, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to make the following budget adjustments within the CAO's budget:

<u>FROM</u>		
1020.460	Training and Educational	\$1,694
 <u>TO</u>		
1020.100	Personal Services	\$1,343
1020.810	State Retirement	\$249
1020.820	Medicare	\$19
1020.830	Social Security	\$83

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 322-915

REPEALING RESOLUTION NO. 289-815 CONCERNING THE SALES AND COMPENSATING USE TAX

WHEREAS, the New York State Department of Taxation and Finance has requested that several minor revisions be made to Legislature Resolution No. 289-815 concerning the Sales and Compensating Use Tax as adopted by this Legislature on August 26, 2015, thereby necessitating its repeal and the subsequent re-adoption of a resolution as revised and clarified, now therefore be it

RESOLVED, that Legislature Resolution no. 289-815 be, and the same hereby is, repealed.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 323-915

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 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, 2017, 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, 2017, 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 tax 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, 2017, the tax shall be at the rate of four percent, and on and after December 1, 2017, 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, 2017, the tax shall be at the rate of four percent, and on and after December 1, 2017, 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, 2017, the tax shall be at the rate of four percent, and on and after December 1, 2017, 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, 2017, the tax shall be at the rate of four percent, and on and after December 1, 2017, 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, 2017, the tax shall be at the rate of four percent, and on and after December 1, 2017, 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, 2017, 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, 2017, are set aside for County purposes and shall be available for any County purpose.

SECTION 6. This resolution shall take effect on December 1, 2015.

Moved, Johnson; second, DeRoller.

Roll Call: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 324-915

APPROVING CONTRACT AGREEMENT BETWEEN THE ORLEANS COUNTY BOARD OF ELECTIONS AND DOMINION VOTING SYSTEMS CORPORATION

RESOLVED, that this Legislature approves the contract between Orleans County Board of Elections and Dominion Voting Systems Corporation, 215 Spadina Ave, Toronto, Ontario, Canada. The contract, with total cost of \$25,852.50, will provide for Software Maintenance for the Election Maintenance System (EMS), and also Firmware Maintenance and Extended Hardware Warranty for the county board's seven ICP Scanners. The Software Maintenance Term and Extended Hardware Warranty periods are September 1, 2015 through August 31, 2018.

Moved, DeFilipps; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 325-915

AUTHORIZING PAYMENT OF CLAIMS FOR OCTOBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 October 14, 2015:

Fund/Department	Check Number (s):	Amount:
General	1291-1505	\$472,812.35
Highway	633-642; 1484-1504	\$273,667.44
Nursing Home	27731	\$249,238.56
Job Development	1895-1911	\$11,736.13
Self Insurance	55846-55849; 1097	\$4,982.47

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 October 28, 2015:

Fund/Department	Check Number (s):	Amount:
General	1522-1671	\$520,813.19
Highway	643-649; 1505-1516	\$47,807.36
Nursing Home	27732-27733	\$17,551.63
Job Development	1915-1924	\$9,880.71
Self Insurance	55964-55966; 1098	\$4,039.82

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

Chairman Callard opened the floor for comments. Ken Schaal, Shelby Councilman, wanted to recognize and commend the Legislature for resolving the e-waste problem that the State created. He also wanted to commend CAO Nesbitt for doing an excellent job in creating a system that works. He also commended Jim Bensley for his efforts and cooperation and Sid Lovell's crew for their hard work. Councilman Schaal explained that a problem arose in the first day, after contact was made with CAO Nesbitt, it was corrected almost instantly. This was becoming a major issue with computers and televisions landing in our ditches. He said with the coordination with Niagara County it has saved our taxpayers a lot of money and he appreciates that.

Councilman Schaal also indicated that they need microphones in the chambers because it is very hard to hear people speak at times.

Councilman Schaal also referenced the assessing issue and thanked them for taking a stand on this. He said this has become a big problem because of the litigation involved in assessing. The Towns have the least to lose so at a financial point the towns would back out. Then these people will continue to sue, knowing that the Towns would fold. Now with the cooperation of our Schools, County and Villages hopefully we can curtail what is happening with litigation concerning assessments.

Chairman Callard thanked Councilman Schaal for his comments. On the E-waste the request originally came from Senator Ortt to NORA and asked us to find a solution to the problem for both counties. Now this is one of the best examples of shared service discussions. Legislators Godfrey and Johnson, along with CAO Nesbitt and this Legislature were all a part of moving this forward.

Chairman Callard also stated that the counties participation in assessment challenges is also a first for our county and it serves everyone well to meet the challenge together. It is also very important for the Villages and Schools to participate on a proportionate share. We all need to work together because the collective assessment evaluations for the county impact us all.

Chairman Callard asked Councilman Schaal how the e-waste collection efforts were going in the Town of Shelby. Mr. Schaal indicated that they had a huge amount collected and stored before the program began and he said CAO Nesbitt resolved this by bringing their e-waste to the county. Legislator DeRoller added that we were backed up 180 pallets of e-waste when this program began to take hold. Now we are 35 pallets into this new program and still going strong. We are using the Welfare Work Crew under the leadership of Sid Lovell for stacking, sorting and packing this e-waste.

Chairman Callard introduced Niagara County Legislator David Godfrey reviewed the many collaborations NORA has done including broadband and e-waste. He is here today to thank Chairman Callard, and many other Legislators, who took the time to meet with Congressman Collins on the 15th of this month at Fort Niagara concerning the Lake Levels. He was

also appreciative that Wayne and Monroe Counties also attended this event.

Chairman Callard stated that they fought the lake level plan back in 2012 through their due process and we were successful in not getting them to change the lake levels. IJC went back to repass their thoughts and make the changes now without due process. Our Congressman stated that this could be stopped through the funding process. Chairman Callard learned that President Obama changed the appointees of the committee whom now have changed their thinking and our NYS Governor has refused to make public comment either for or against our lake levels. It affects six counties on the south shore of Lake Ontario and one storm could make it very devastating for the owners along our Lake. Chairman Callard assured everyone that they will continue to fight these battles by traveling to Albany or Washington to meet with our Legislators that could make a difference.

Chris Crafts, Ridgeway, is a member of the SOS group and again spoke in opposition to the wind project. He is very glad to live in this area but has concerns when he looks around as to what is going on in Barker and Lyndonville, along with in and out of state organizations with these energy projects. He questions how an organization can come in through a seemingly benign and green process could put a facility up and make it look good. Then we are stuck with them when they leave that will damage our wildlife and human populations. This just came up last October, he does not feel safe anymore because anyone can come in with a process like this and he is totally defenseless.

Legislator Godfrey stated that the Niagara County Health Department has been engaged in looking into the health perspective with these wind turbines and Commissioner Dan Stapleton has made preliminary statements that there are some health issues. He also stated that our fight is with Albany and these are unjustified Article X issues.

Cindy Hellert, Yates, said a month ago she stood before this Board asking to stand in solidarity with the Niagara County Legislature in opposing APEX and Lighthouse Wind. She came again to plead for this and not wait for the complacent town board to take action. She continued on in discussions of the lack of a Yates Town Board issuance of a survey. She indicated that at the last Town of Yates board meeting they could not agree on the term "resident". Thus, the survey has been stalled Mrs. Hellert said, which is unacceptable. She expressed that the survey should be sent to

every tax payer in the town of Yates. Mrs. Hellert then pointed out that there has been initiatives that the Orleans County Legislature has presented town boards to support, which she shared many examples such as Opposing the SAFE ACT and STAR exemptions, to only list a few she presented. In presenting these examples, she respectively requested to at least take a stand and declare a moratorium on this project moving forward.

Mrs. Hellert continued in saying that while the issues drag on, there are many underhanded events happening in their community by the Apex Project Manager Taylor Quarles that this board should be aware of. He has been seen placing Fear Not the Wind and Harvest the Wind signs on property without authorization in their area and they are only in the public information phase of this project. She also said that APEX has blocked and deleted public comments if they dispute their views. In closing, again she asked the Orleans County Legislature to take a stance against their violation of rights as residents of the Town of Yates and she begged the Board to do so for their protection. She was not asking for this Legislature to go against the Yates Town Board but to protect them as citizens of Orleans County.

Chairman Callard said that this is a very difficult situation, because you are asking us as a county to do what we are fighting the State and what it is doing and that is Home Rule. He said we could be all against the wind turbines and it would not make any difference in the final determination, the state will. Chairman Callard said we will fight to protect all of the residents of this county in fighting for Home Rule. We have done that by resolution as it related to wind turbines in the past. We will continue, and step up the fight for Home Rule. But, to ask us now to do what we are fighting the State on what's it doing is wrong and we can't do it. It would be hypocritical because we can not tell the town what to do nor do we intend to, stated Chairman Callard. The determination has to be made at the lowest level, and that is with the people in the Town of Yates. He expressed to Mrs. Hellert that she has a very organized and strong group to fight the fight but it is wrong to ask this board to join in that fight to do what we are fighting the State of New York not to do.

Glen Maid, Yates, who addressed a few points regarding the proposed industrial wind turbine project. He stated back on July 25, 2014 the Yates Town Board was advised of the Lighthouse Wind project during a meeting with APEX representatives at the Town Hall. Through the end of the year the board failed to advise anyone about this including the community and from all indications the Legislature. Mr. Maid said that in December the

Town hired a prominent wind industry lawyer to advise them. It was not until neighbors began speaking to neighbors that the Yates community found out about this proposed project. Beginning in January of 2015 members of the community have spoken at board meetings, have met with them in person; and communicated by phone and e-mail to voice their opposition of this project. No response has been given to their community by the Yates Town Board. Since July 2014 until now, Mr. Maid indicated that the community has no idea where their leaders stand on this project, either for or against. They have stated that it is up to the state and it is out of our hands, which Mr. Maid said it is not completely true. Mr. Maid stated that he was aware of the reluctance of the Orleans County Legislature to act on this until the Town of Yates Board does. Mr. Maid said that from the history that he just described, this project, in theory, could be built and operational before the town does anything. Mr. Maid made his second and final point in that under the present circumstances, without intervention, this large developer from Virginia by way of private contracts with incorporation and private citizens will in essence dictate to this county and to the Town of Yates where its industrial development and industrial zones will be and this should never happen. The Town of Yates has had fourteen months to act and they have not. In the absence of any direction from the Town of Yates Mr. Maid requested the Legislature act in opposition of the Lighthouse Wind Project. Mr. Maid stated he is not requesting that the Legislature tell the Town of Yates what to do but as their own entity to take a stance and tell Albany that they are opposing this project because it is not good for our residents.

Ken Schaal, Shelby, stated that he sympathizes with these people in the wake of this energy issue. To provide some history, Councilman Schaal stated that about seven years ago the Towns of Shelby, Ridgeway, and Yates were approached by a different wind energy company. At this point, none of the three towns had any zoning regulations for or against, or how to regulate wind energy companies. The three towns collaborated and spent thousands of dollars in legal fees creating zoning laws to help control how these things were placed and allow the ability to prevent it if the populace so pleased. Councilman Schaal stated, to say that the town has not done anything is not totally correct. They have spent a lot of time and effort and then along came Article X. Councilman Schaal advised that the Orleans County Legislature passed a resolution against Article X and all ten towns, if he recollects correctly, also passed the same resolution against Article X and the loss of Home Rule. The Town Board has created zoning laws that would allow the town to control how these are sited and what would happen but Article X took this ability away. As Chairman Callard

has said, Councilman Schaal restated that the fight should be with Albany. He said there are a lot of negative issues with the Orleans County Legislature and local town boards but we all try to protect the majority of the people and the state and its wisdom has taken that ability away from local officials. The Orleans County Legislature should concentrate its efforts in collaboration with the Town Board against the State and ask our local elected state officials, Hawley, Ortt and Corwin, to sit and listen to these issues.

Paul Lauricella, Yates, stated he agrees with everything that has been said today but is concerned that we will be subsidizing this project forever. He also agrees with Mr. Schaal but in attending some of the board meetings eyes were rolling when people tried to talk to them. This is a dyer issue and there has been some disrespect seen. He is concerned with the tax issue and also the potential health issue. He does not support this project.

Sandy Lauricella, Yates, stated as far as she knows there is not a program in place in Orleans County for spaying or neutering animals. CAO Nesbitt indicated that every animal that comes into the county shelter is spayed or neutered. She stated she is concerned about feral cats. She indicated that Niagara County has a program in place to offer this for a lower cost to people. Chairman Callard stated there are some not for profits that help in facilitating this and he has asked for this to be discussed and program to be developed. Chairman Callard stated that Legislator DeRoller is the Chairman of Public Safety and for him to take the lead on this. Legislator DeRoller added that there has been a discussion with the Animal Control Officer who has attended educational opportunities in Genesee County on how to manage feral cats.

Legislator Eick moved to enter into executive session at 10:10 a.m. per Open Meetings Law §105 (d) to discuss pending litigation and (h) proposed sale or lease of real property second by Legislator Allport. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 10:49 a.m.; second by Legislator DeFilipps. Motion Carried.

Legislator Eick moved to add one additional resolution to the agenda; second by Legislator Allport. Motion carried. The following add on resolutions were presented for adoption:

RESOLUTION NO. 326-915

AUTHORIZING LEGISLATURE CHAIRMAN TO ACT AS SIGNATORY ON BEHALF OF LEGISLATURE WITH RESPECT TO LEGISLATURE RESOLUTION NO. 55-186 AS AMENDED BY RESOLUTION NO. 224-500

WHEREAS, this Legislature adopted a Defense and Indemnification Policy by Legislature Resolution No. 55-186 as amended by Legislature Resolution No. 224-500; and

WHEREAS, this Legislature wishes to authorize and designate the Legislature Chairman as a signatory for purposes of execution of the said Policy; now therefore, be it

RESOLVED, that the Chairman of this Legislature is authorized and designated as a signatory on behalf of the Legislature to act in furtherance of the Defense and Indemnification Policy, and the Legislature Chairman be, and hereby is, authorized to execute pleadings, agreements, releases, and stipulations in connection therewith subject to the approval of the County Attorney and the Chief Administrative Officer. In the event of the absence or inability of the Chairman to act, the Vice-Chairman may act in the stead of the Chairman.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve purchase and sale contract for the sale of 46 State Street in the Village of Holley; seconded by Legislator DeRoller. Attorney Schubel advised that this was an in rem property from several years ago. It is a challenged property and the Village of Holley would like to see this be moved forward stated Attorney Schubel. Legislator DeRoller stated that this goes back to 2003. The following resolution was adopted:

RESOLUTION NO. 327-915

APPROVING PURCHASE AND SALE CONTRACT FOR THE SALE OF 46 STATE STREET (88.5-2-45), VILLAGE OF HOLLEY

WHEREAS, the parcel commonly referred to as 46 State Street (88.5-2-45), Village of Holley, was subject to an In Rem Tax Foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, the parcel is zoned as a commercial property; and

WHEREAS, the County of Orleans is authorized to sell commercial property via private treaty; and

WHEREAS, the County Legislature wishes to find a suitable and productive reuse of the property; now, therefore, be it

RESOLVED, that this Legislature approves a Real Estate Purchase and Sale Agreement with One Mechanic Street, LLC, with a sale price of \$5,000.00, subject to the approval of the County Attorney.

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to adjourn; second by Legislator Allport.
Meeting adjourned at 10:54 a.m.

LEGISLATURE MEETING
October 28, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Jack Welch, Director of Personnel and Self Insurance has provided notice that the New York State Civil Service Commission took action on one resolution amending the appendices of the Orleans County Civil Service Rules to include adding the job title of Personal Care Aide (5) to Appendix B – Non-Competitive Class. Susan Heard, Orleans County Treasurer has filed fourteen (14) Disclosure of Interest Statements from various County Employees who receive funds in addition to wages from Orleans County. These have been filed in our office and are officially on record in accordance with General Municipal Law Section 803(1). The Orleans County Treasurer has provided the annual examination of Petty Cash Accounts report which has been filed in our office. Traffic Diversion Program has reported their Distribution of Revenue for the period of July 1, 2015 through September 30, 2015. United Way of Orleans County is requesting a 6' x 2' banner be hung on the courthouse square lawn to kick off their fundraising campaign to support over 20 nonprofit agencies in Orleans County. The banner is being requested for any two weeks between November 2, 2015 through November 15, 2015. The Board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through September, 2015. She indicated with us being nine months into the year, there is still cash on hand. She explained the Loans to Funds which is the money that has had to be transferred to WIA for the Summer Youth Program. This has to be loaned and then they pay it back, which she indicated has been working well.

Chairman Callard also stated that a Local Law is also present on our desks today that will change the expiration date of our occupancy tax. Clerk Hanlon indicated that a resolution is on today to introduce that Local Law.

Chairman Callard called for open discussion from the Legislators and then from the public as it relates to the resolutions. Legislator Allport stated that he contacted the Attorney General's office several weeks ago regarding the price differences in the sale of gasoline in surrounding counties. The Attorney General's Office did speak with Legislator Allport and also

supplied a report that they did in 2011 regarding the huge price differences between Orleans County and Monroe County. The day he contacted the Attorney General's office the price in Orleans County was \$2.36 and in Monroe County it was \$2.08, and only \$2.00 with a car wash. The Attorney General's Office assured him that no laws were being violated and the issue was with zone pricing which they have no authority over. They also advised that a law was passed in Albany that mentions zone pricing but it never gave the Attorney General any authority to address it. Legislator Allport then called Assemblyman Hawley who stated that he has requested a review of the Attorney General's report of past prices in Genesee and Orleans County. Assemblyman Hawley also mentioned a bill that was presented by representatives out of Long Island to address zone pricing because it is a big issue in their area. Since then, Legislator DeRoller researched that it has passed the Assembly. Senator Ortt also contacted Legislator Allport to obtain a copy of the 2011 Attorney General report and also a copy of the Assembly bill.

Chairman Callard wanted to understand that the Assembly bill was passed but is being held in the Senate. Chairman Callard encouraged that outreach be made by everyone to Senator Ortt and ask for action on this issue. He said we could go to Elba or Oakfield and pay \$.20 less per gallon. This causes negative ramifications on our sales tax income so we need to speak up and ask our representative to support legislation. Legislator DeRoller stated that the Assembly Bill is A00103 and Clerk Hanlon was requested to obtain the Senate's companion bill.

Legislator Allport expressed that every New Yorker should be outraged over Albany stepping on Home Rule. In the New York Constitution, we are considered a Home Rule State which gives authority to the local towns and villages which is the closest to the citizens, the right to use the property as they see fit. Legislator Allport stated that in 1963 Article 9 was updated because prior to that not every prior town or village has authority to Home Rule. People should be outraged that Albany can dictate what can go into a town or village that they see fit with no authority of our towns and villages to say no, which is against the New York State Constitution. The Judicial system in New York State has consistently sided with Albany with violating the New York Constitution. Legislator Allport used, as an example, the issue with the Town of Albion with the Landfill. If Home Rule was not been in place to allow that decision at the town board level and placed in Albany's hands, we may have had a different outcome.

Chairman Callard stated that the board has had discussions in great length and have determined to take on the fight for our rights. We might be the first county, in years, to bring this attention back to Albany. Chairman Callard stated it is our intent to speak with the municipalities - towns, villages and our county, and stand together with resolutions across the board fighting for our rights. We will call upon our elected representatives; Ortt, Hawley, and Corwin, to assist us and we will pass a resolution to send to Albany within the next meeting or two.

Chairman Callard asked for public comment on only two resolutions. Paul Lauricella, Yates, in Resolution No. 344, questioned the agreement between the County Clerk and ACS Enterprise Solutions in what do they do for \$4,010 a month and why for so long. County Clerk Karen Lake Maynard explained that all documents that are scanned digitally and recorded in the Clerk's Office which include: deeds, mortgages, judgments, UCC, etc and is a cashing system that allows for checks and balances for filing fees. Clerk Maynard stated that records have been scanned in back to 1988 and will continue to go back further when time and money allows. Clerk Maynard also said that this current five year contract has not increased over the last five year contract. She has shopped around with three other companies and could not find one cheaper. This land contract software has been used in the office the twenty-eight years she has been there.

Mr. Lauricella questioned the cost of \$24,942.29 to replace the carpet in the Sheriff's Office. (Resolution No. 360-1015) It was explained that the large area of carpet is in rough shape and Chief Deputy Drennan indicated that it has been there since they moved in back in 1998.

Allen Lofthouse, Kendall, requested that the Energy Performance Lease payment could be explained as presented in Resolution No. 354. Treasurer Susan Heard stated that all of the money saved in 2014 from energy performance measures at the jail and all other county buildings is set aside to make the debt service payment. All project upgrades generated money from savings. The savings then paid for the debt which is how the program was designed.

Mr. Lofthouse questioned Resolution No. 355 as to what the Enterprise Fund is and how much is in it. CAO Nesbitt explained that the Nursing Home was run through the Enterprise Fund. Currently the county has dedicated funds including the General Fund, the Road Fund, the Machinery Fund, the Garbage and Refuge Fund and the Enterprise Fund. We are no

longer running the Nursing Home therefore we are closing down the Enterprise Fund. Those monies left in this fund will be transferred to the General Fund. Mr. Lofthouse asked how much money remains in that fund? CAO Nesbitt stated at the end of 2014 there was about \$3.3 million. Mr. Lofthouse asked how much is in there now? CAO Nesbitt stated that we probably have more than that because of taking in additional money and our expenditures that happened early on in the year to reconcile employee benefits and payouts have been paid so he can provide exact numbers at this time. Mr. Lofthouse asked what they will do now with the money. CAO Nesbitt stated that we are running below Comptroller's estimates on what we should have for fund balance. Part of this money that is in there now, referencing the Treasurer's Report, we put in \$1.5 million this year that was unbudgeted that needs to go back into General Fund. To answer the question, we do not have enough fund balance to manage cash flow for the expenditures we have in general fund at this point and will rectify this situation, expressed CAO Nesbitt.

The following resolutions were presented for adoption:

RESOLUTION NO. 328-1015

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES, D.P.C.**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Services for the East Scott Road over Fish Creek Bridge in the Town of Ridgeway which includes design review, material testing, part-time construction management and construction inspection services; and be it

FURTHER RESOLVED, this agreement is effective as soon as County gives notice to proceed through December 31, 2016. Bin #3318920, at a cost not to exceed \$62,400; to be paid from Capital Infrastructure Project Account H-5120.250.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 329-1015

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$9,941.42	Labella Associates	Prof. Serv: 8/22/15-9/18/15 for Waterport Carlton Bridge – Inv #65797
\$281,863.20	C P Ward	Construction for Waterport Carlton Bridge – Payment #2 – 9/1/15-10/18/15
\$54,314.80	Redman Construction	Construction for Oak Orchard River Bridge – Payment #1 – 7/15/15-10/18/15
\$10,977.00	Barton & Loguidice, DPC	Prof. Services: through 9/26/2015– E. Scott Road Bridge - Inv #79396

FURTHER 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>
\$4,569.71	Labella Associates	Prof. Serv:8/22/15-9/18/15 for Knowlesville Culvert Repl.- Inv#65796
\$305,986.92	Keeler Construction	Construction Knowlesville Culverts – Payment #1 – 8/31/15-10/8/15

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$84.20	Barre Stone Products	Invoice #4523 – Run of Crusher
\$20,595.08	Barre Stone Products	Invoice #454 – Black Top/Hot Mix

\$262.39	Barre Stone Products	Invoice #4600- Run of Crusher
\$2,009.01	Chemung Supply Corp	Invoice #7650814 RI –Drainage supplies

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.253, Capital Project – Infrastructure Project – County Building Roof Replacement:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$ 27,767.80	Garland/DBS, Inc.	PSB Roofing Project Draw 3 (Inv #2511028042)
\$ 21,688.00	Garland/DBS, Inc.	COB Roofing Project Draw 3 (Inv #2511028041)

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

RESOLUTION NO. 330-1015

APPROVING AMENDED RENEWAL AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 355-1014 approved an agreement for the county to clean and maintain the Court Facility; now be it

RESOLVED, that this Legislature approves a one (1) year amended renewal agreement between the Buildings and Grounds Department and the Unified Court System, which provides for the county to clean and maintain the Court Facility, Contract #C300357, at a cost of \$148,365 for the period of April 1, 2015 through March 31, 2016, with 100% reimbursement to be made to the county by the state.

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

RESOLUTION NO. 331-1015

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

The William George Agency, Freeville, NY for the provision of residential foster care services; to be effective September 1, 2015 through August 31, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Kendall Central School, Kendall, NY for the provision of preventive services to children and families through the assignment of one(1) Social Services Caseworker to the School District; to be effective August 30, 2015 through August 29, 2016. Said services are to be funded 50% Federal, 31% State, and 19% School.

Villa of Hope Youth and Family Services, Rochester, NY for the provision of residential foster care services; to be effective March 13, 2015 through March 12, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

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

RESOLUTION NO. 332-1015

ESTABLISHING COUNTY INDIGENT BURIAL RATES

WHEREAS, the Department of Social Services, pursuant to Section 141 of the Social Services law is required to pay for the burial of certain indigent persons (including indigent veterans); and

WHEREAS, the County wishes to establish specified rates that will be paid to funeral homes and cemeteries for such services; now, be it

RESOLVED, that this Legislature hereby establishes indigent burial rates paid by the Department of Social Services and the Veteran's

Department, for the period January 1, 2016 through December 31, 2016, with no increase from 2015 rates, as follows:

COUNTY BURIAL RATES – 2016

SERVICE	FEE SCHEDULE
Cremation – no services	\$1200
Cremation with Memorial Service	Additional \$400
Crematory Fee	\$265
Burial – No Services:	
Infant	\$600
6 months – 5 years	\$1000
6 years – adult	\$1900
Burial with Memorial Service	Additional \$400
Concrete Vault	\$500
Oversized Casket if needed	\$128
Transportation (when a cemetery plot is owned out of county)	\$1.77/mile (up to cost of a cemetery plot in County)
Cemetery Plot	
Child	\$350
Adult	\$500
Cremation grave if available	\$281
Internment of Casket*	
Child	\$225
Adult	\$480
Internment of Remains	\$200
Lowering Device if not owned by cemetery	\$94

*If client already owns a plot, additional internment costs may be paid, up to the cemetery’s published internment rate, but additional costs cannot exceed the county cemetery plot allowance.

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

RESOLUTION NO. 333-1015

APPROVING AN INTER-MUNICIPAL AGREEMENT BETWEEN ORLEANS COUNTY AND GENESEE COUNTY FOR STOP-DWI PUBLIC INFORMATION AND EDUCATION

WHEREAS, the Youth Bureau Director did present an agreement with Genesee County that for the operation of the STOP-DWI Public Information and Education Component for 2016; and

WHEREAS, the Committee of Economic Assistance and Opportunity did review the agreement and do recommend approval at this time; now, therefore be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the STOP-DWI Public Information and Education Program by Genesee County at a cost not to exceed \$10,755 to the Orleans County STOP-DWI Program effective January 1, 2016 through December 31, 2016.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 334-1015

APPROVING INTER-MUNICIPAL AGREEMENT BETWEEN ORLEANS COUNTY AND GENESEE COUNTY FOR YOUTH BUREAU OPERATION

WHEREAS, the Youth Bureau Director did present an agreement with Genesee County that for the operation of the Youth Bureau for 2016; and

WHEREAS, the Committee of Economic Assistance and Opportunity did review the agreement and do recommend approval at this time; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for

the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$3,787.50 per quarter effective January 1, 2016 through December 31, 2016 for a total of \$16,310.

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

RESOLUTION NO. 335-1015

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND GREATER ROCHESTER HEALTH HOME NETWORK

RESOLVED, that this Legislature approves an agreement between Mental Health and Greater Rochester Health Home Network, 259 Monroe Ave, Level B, Ste 300, Rochester, NY 14607, providing health care and barrier reduction services needed for Health Home Participants, including but not limited to the care coordination that recognizes the unique needs of children and their families. Prior to January 1, 2016, The department shall provide Health Home with a monthly invoice reflecting monies billed and amounts received for Health Home Services, and department shall pay three percent of such amount received to Health Home monthly with such invoice for Health Home's administrative expenses. The department will accept the ninety-seven percent as payment in full.

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

RESOLUTION NO. 336-1015

AMENDING RESOLUTION NO. 279-815 BETWEEN MENTAL HEALTH AND THE ARC OF ORLEANS COUNTY

WHEREAS, Resolution No. 279-815 approved an amended agreement between Mental Health and the Arc of Orleans County, 122 Caroline St, Albion, NY 14411 providing supportive employment services at a cost of \$49,812 with no County cost; and

WHEREAS, there has been a COLA increase of \$926; be it

October 28, 2015
Resolutions 328-365

RESOLVED, that this Legislature authorizes the addition of the \$926 COLA increase to this agreement, now totaling \$50,738. County cost \$0.

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

RESOLUTION NO. 337-1015

AMENDING RESOLUTION NO. 468-1214 BETWEEN MENTAL HEALTH AND LIVING OPPORTUNITIES OF DEPAUL

WHEREAS, Resolution No. 468-1214 approved an agreement between Mental Health and Living Opportunities of DePaul, 2240 Old Union Rd, Cheektowaga, NY 14227 providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services at a cost of \$165,204 with no County cost; and

WHEREAS, there has been a COLA increase of \$793; be it

RESOLVED, that this Legislature authorizes the addition of the \$793 COLA increase to this agreement now totaling \$165,997. County cost \$0.

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

RESOLUTION NO. 338-1015

AUTHORIZING THE TREASURER TO INCREASE PETTY CASH ACCOUNT IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, two new Supportive Case Managers need access to funds to assist clients in developing and maintaining conditions for living and working; be it

RESOLVED, that this Legislature authorizes the treasurer to increase the petty cash account by \$150.

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

RESOLUTION NO. 339-1015

ACCEPTING PERFORMANCE AWARD FUNDING FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, the Orleans County Health Department improved the timeliness and completeness of disease reports and investigations; be it

RESOLVED, that this Legislature approves the acceptance and allocate funds by the Orleans County Health Department from the New York State Department in the amount of \$13,000 to support costs associated with Article 6 programs; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department as a result of this award from the New York State Department of Health:

<u>Revenue:</u>		
A3401	State Aid	\$13,000
 <u>Appropriations:</u>		
4010.220	Office Equipment	\$ 3,000
4010.411	Office Supplies	\$ 500
4010.434	Advertising	\$ 3,000
4010.478	Health Promotional Supplies	\$ 3,000
4010.489	Nursing Supplies	\$ 3,500

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

RESOLUTION NO. 340-1015

AUTHORIZING TRANSFER OF FUNDS IN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes a transfer of funds within the Mental Health budget to cover Suicide Coalition expenses, as follows:

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<u>From</u>		
A4310.101	Personnel Service – Overtime	\$5,000
<u>To:</u>		
A4310.418	Other Contractual	\$5,000

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

RESOLUTION NO. 341-1015

AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH EMPLOYEE

RESOLVED, that this Legislature authorizes Out of State Travel for Brenden Bedard, Director of Community Health Services in the Public Health Department to participate on an expert panel for development of national STD electronic case reporting at The Task Force for Global Health in Decatur, Georgia from December 2, 2015 through December 4, 2015. All costs covered by Public Health Informatics Institute. County cost \$0.

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

RESOLUTION NO. 342-1015

SETTING DATE OF PUBLIC HEARING FOR LOCAL LAW NO. 3-INTRO OF 2015 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 November 18, 2015 at 4:25 p.m. at which time all interested parties will be heard.

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

Legislator DeFilipps moved to authorize out of state travel for tourism promotion shows; second by Legislator Allport. Legislator DeRoller stated that this looks like a great schedule. Legislator Allport stated that they change up the shows depending on how successful the outreach is at each of the shows they attend. The following resolution was adopted:

RESOLUTION NO. 343-1015

AUTHORIZING ATTENDANCE AT OUT OF STATE TRAVEL SHOWS FOR TOURISM PROMOTIONS

RESOLVED: that this legislature hereby authorizes attendance at the following trade and travel shows, to be paid from account A6410.468-Tourism, I Love New York except as noted:

West Virginia Trophy Hunters Sports Show, Charleston, West Virginia, January 14-18, 2016 to be attended by Mike Waterhouse

New Jersey Fly Fishing Show, Somerset, New Jersey, January 28 -31, 2016 to be attended by Mike Waterhouse. Total cost paid for by Lake Ontario Sportfishing Promotions Council.

Great American Outdoor Show, Harrisburg Pennsylvania, February 4-16, 2016 to be attended by Mike Waterhouse. Total cost to be paid for by Lake Ontario Sportfishing Promotions Council.

Indianapolis Boat, Sport & Travel Show February 17-29, 2016 to be attended by Mike Waterhouse.

Lancaster Fly Fishing Show, Lancaster, Pennsylvania, March 4-6, 2016 to be attended by Mike Waterhouse.

Virginia Fly Show, Doswell, Va., April 8-11, 2016 to be attended by Mike Waterhouse.

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

Legislator Johnson moved to approve an agreement with the ACS Enterprise Solutions and the County Clerk. Karen Lake-Maynard, County Clerk, explained earlier during public questioning that it is software that she uses to manage all the records that need to be filed in

her office. CAO Nesbitt also added that this software facilities revenue which is about \$537,000 per year. The following resolution was adopted:

RESOLUTION NO. 344-1015

APPROVING AGREEMENT BETWEEN COUNTY CLERK AND ACS ENTERPRISE SOLUTIONS INC.

WHEREAS, the County Clerk has an existing agreement with ACS Enterprise Solutions, Inc. for the provision of Records Management Service for the Office of the Orleans County Clerk at a Cost of \$4,010.00 per month which is set to expire November 11, 2015;

WHEREAS, the renewal agreement will have the same provisions and the same monthly cost, \$4,010, as the expiring agreement with one addition, Internet Hosting Services. This service will be a one year trial period at an additional cost of \$250 per month. The revenue generated from this service will be split between Orleans County and ACS, 80% for the County and 20% for ACS. At the end of the trial period, the County has the option to amend the agreement pertaining to the Internet Hosting Service, either continuing with the service if it is cost effective or discontinuing the service if it is not.

RESOLVED, that this Legislature authorizes the Orleans County Clerk to enter into a new five (5) year Information Technology Agreement with ACS Enterprise Solutions, LLC, 8260 Willow Oaks Corporate Dr, Fairfax, VA 22031, starting November 2015 through November 2020 for the continued provision of Records Management Services at a cost of \$4,260 per month.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 345-1015

AUTHORIZING FILLING VACANCY IN THE COUNTY CLERK'S OFFICE

RESOLVED, due to a retirement, that this Legislature authorizes the County Clerk to fill a vacant Keyboard Specialist position (1410.11) in

the County Clerk’s Office at grade 7 of the CSEA Salary Schedule effective November 9th, 2015.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 346-1015

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending September 30, 2015; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

Mortgage Tax Apportionment
April 1, 2015 through September 30, 2015

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	210,216,635	420,433,270	116,197,027	27.64%	21,029.90	5,812.13	15,217.77
Barre	96,733,087				7,812.06		7,812.06
Carlton	192,067,292				18,733.53		18,733.53
Clarendon	154,831,527				15,460.65		15,460.65
Gaines	116,551,683	233,103,366	22,294,919	9.56%	9,713.3	929.03	8,784.34
Kendall	150,529,707				17,881.58		17,881.58
Murray	177,340,639	354,681,278	52,875,440	14.91%	16,784.38	2,502.19	14,282.19
Ridgeway	220,369,844	440,739,688	91,126,630	20.68%	21,622.65	4,470.66	17,151.99
Shelby	182,173,553	364,347,106	73,313,450	20.12%	20,278.50	4,080.41	16,198.09
Yates	<u>151,946,656</u>	303,893,312	<u>28,321,731</u>	9.32%	10,242.22	954.54	9,287.68
Total	1,652,760,623				159,558.84	18,748.96	140,809.88

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 347-1015

APPROVING A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH GENESEE COUNTY FOR MAINTENANCE OF TAX MAPS.

RESOLVED, that this Legislature approves a Memorandum of Understanding agreement between Orleans County and Genesee County, Old County Courthouse, 7 Main St, Batavia, NY, for Maintenance of the Orleans County tax maps at a cost of \$6,500 for the term January 1, 2016 through December 31, 2016.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 348-1015

AUTHORIZING PAYMENT FROM THE REAL PROPERTY TAX SERVICES BUDGET

RESOLVED, that this Legislature authorizes payment to the Office of Real Property Tax Services NYS Department of Taxation and Finance, W.A. Harriman State Campus, Albany, NY 1227 in the amount of \$9,500 (PO 55704) for the Annual Real Property System Licensing Fee (RPS) which will be charged back to the Towns in the 2016 Tax Bills.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 349-1015

APPROVING APPOINTMENT TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

WHEREAS the Employee Assistance Program Committee has a vacancy due to the resignation of a management committee member; now be it

RESOLVED, that this Legislature authorizes the following appointment to the Employee Assistance Program Committee Katie Harvey from the Personnel and Self Insurance Department to the unexpired term of the management vacancy which ends December 31, 2015.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 350-1015

ACCEPTING PROPOSAL FROM VENESKY & COMPANY FOR COUNTYWIDE COST ALLOCATION AND SPACE OCCUPANCY REPORT

RESOLVED, that this Legislature accepts the proposal from Venesky & Company, which will provide for the preparation of the 2014, 2015 and 2016 consolidated County-wide Cost Allocation Plan, a Department of Social Services Indirect Cost Proposal, and the determination of County-wide allocated indirect costs; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to sign said proposal, which shall be in effect during the calendar years 2015, 2016 and 2017 at a cost of \$10,500 each year. Cost of the Plan will be billed departmentally in order to maximize reimbursement to the Department of Social Services, Public Health and County Treasurer.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 351-1015

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2015-2016 SCHOOL TAXES TO THE 2016 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid school taxes, adding a 7% penalty, to be added to the 2016 tax rolls, for the respective towns as of November 1, 2015.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 352-1015

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2015 SOLID WASTE/RECYCLING FEES TO THE 2016 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid 2015 Solid

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Waste/Recycling fees, to be added to the 2016 tax rolls for the respective towns as of November 1, 2015.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 353-1015

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2015-2016 VILLAGE TAXES TO THE 2016 COUNTY/TOWN TAX BILLS

WHEREAS, Local Law No. 4 of 1997 provides for the collection of certain delinquent Village taxes by the County of Orleans in accordance with Section 1442 of the Real Property Tax Law of the State of New York, be it

RESOLVED, that the County Treasurer is authorized to relevy the unpaid 2015-2016 village taxes, adding a 5% penalty, to be added to the 2016 tax rolls for the respective towns as of November 1, 2015.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 354-1015

AUTHORIZING SETTING UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT

WHEREAS, the energy savings realized in 2014 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the Treasurer has made the Lease payment, and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

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

<u>From:</u>		
Reserve for Debt		\$42,774.50
<u>To:</u>		
A9901.556	Transfer to Debt Service	\$42,774.50

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies in the Debt Service Fund, as follows:

From:

V5031	Revenue	\$42,774.50
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To:

V9710.610	Principal	\$20,000.00
V9710.701	Interest	\$22,774.50

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 355-1015

AUTHORIZING FINAL CLOSEOUT OF THE VILLAGES OF ORLEANS HEALTH AND REHABILITATION CENTER ENTERPRISE FUND

WHEREAS, the sale of the Villages of Orleans Health and Rehabilitation Center was completed on December 31, 2014 (closing date January 2, 2015); and

WHEREAS, the County Treasurer is requesting approval to close out all existing Enterprise Fund accounts and transfer existing revenues and expenses to the General Fund; with the exception of the final bond payment due in 2016; now, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized to close out the Enterprise Fund for the former Villages of Orleans Health and Rehabilitation Center and to transfer any balance of revenues and expenses to the General Fund; and be it further

RESOLVED, that certified copies of the Resolution shall be forwarded and filed with the County Treasurer, Budget Officer/Chief Administrative Officer and Clerk of the Board.

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 356-1015

AUTHORIZING COUNTY TREASURER TO CLOSE OUT THE PETTY CASH ACCOUNT AT THE VILLAGES OF ORLEANS HEALTH AND REHABILITATION CENTER

WHEREAS, Resolution No. 281 of 1979 established and authorized a Petty Cash account at the Orleans County Nursing Home (now known as the Villages of Orleans) in the amount of \$600, and an additional \$35 for the Dietary Department; and

WHEREAS, Resolution No 381-1110 decreased the total amount needed for Petty Cash to \$500; and

WHEREAS, the Petty Cash account is no longer needed and the County Treasurer requires authorization to close said account; be it

RESOLVED, this Legislature authorizes the County Treasurer to close Petty Cash account at the Villages of Orleans Health and Rehabilitation Center.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 357-1015

APPROVING GRANT AGREEMENT BETWEEN THE SHERIFF'S OFFICE/JAIL AND BUREAU OF JUSTICE ASSISTANCE

WHEREAS, Resolution No. 84-315 authorized the Orleans County Jail Superintendent to apply for the State Criminal Alien Assistance Program grant; be it

RESOLVED, that this Legislature approves a grant agreement for the FY 2015 in the amount of \$14,900 between the Sheriff's Office/Jail and the Bureau of Justice Assistance 810 Seventh St NW, Washington D.C., 20531 for the State Criminal Alien Assistance Program grant which will provide federal payments to stated and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days between July 1, 2013 and June 30, 2014.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTON NO. 358-1015

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND
NEW YORK STATE TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature approves the 2016 STOP-DWI PLAN with the New York State Department of Motor Vehicles-Governor's Traffic Safety Committee, at cost of \$99,216, effective January 1, 2016 through December 31, 2016.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 359-1015

AUTHORIZING PAYMENTS FROM THE CAPITAL PROJECTS
ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from the H3110.250 account, Capital Project, Public Safety Building:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$11,286.05	Barre Stone Products	Invoice #4492 - Blacktop parking lot (Dispatch)

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 360-1015

AUTHORIZATION TO PURCHASE AND INSTALL NEW
CARPETING IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature authorize the Sheriff to purchase and install new carpeting from GP Land & Carpet Corporation, 5905 Lake Rd South, Brockport, NY, 14420, NJPA Contract #022712-MC, at a cost of \$24,942.29, to be paid from Capital Plan – 3110.470.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 361-1015

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENTS OF PROBATION AND DISTRICT ATTORNEY'S CRIME VICTIM'S UNIT FOR CRIME VICTIM SERVICES.

RESOLVED, that Probation Department will enter into an agreement with the District Attorney's Crime Victim Services Office for the delivery of Crime Victim Services from October 1, 2015 through September 30, 2016. County Cost is \$5,090.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 362-1015

APPROVING AGREEMENT BETWEEN CRIME VICTIMS ASSISTANCE PROGRAM AND SHEILA MCWETHY

RESOLVED, that this Legislature does hereby approve an agreement between the Orleans County Crime Victim's Assistance Program and Sheila McWethy of 4008 South Main Street Rd, Batavia, NY to provide night court advocate services on a per diem basis at a rate of \$16.00 per hour, not to exceed \$3,500 a year effective October 1, 2015 through September 30, 2016 unless sooner terminated as hereinafter; and be it

FURTHER RESOLVED, that this agreement will terminate when no further grant funds are available to maintain no county cost for these services.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 363-1015

AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO PURSUE AN AGREEMENT WITH TIM WARTH, DBA RADIO TECHNOLOGIES

RESOLVED, that this Legislature authorizes the Director of Emergency Management Department to pursue an agreement with Tim Warth, dba Radio Technologies at 15 Pamda Dr, Rochester, NY 14617; as

a third party communications consultant to provide professional services as required under the Communications Governance Structure of the Statewide Interoperable Communications Grant at a cost not to exceed \$60,000; said services to be paid from the FY12 Statewide Interoperable Communications Grant, 3640.486.SI12, and be it

FURTHER RESOLVED, that the Chairman is authorized to sign said agreement once reviewed and approved by the County Attorney.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 364-1015

AUTHORIZING THE PURCHASE OF A VEHICLE IN THE EMERGENCY MANAGEMENT OFFICE AND AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, this Legislature authorizes the purchase of a 2016 Tahoe with Empire Emergency Up-fitt and VSP Lettering from Joe Basil Chevrolet, Inc., 5111 Transit Rd, Depew, NY 14043 at a cost of \$48,038.09, said purchase to be made with FY15 Emergency Management Planning Grant Funds of \$20,076 and matching County funds of \$20,076, minus monies from the sale or trade in [at a minimum of \$7,200] of the 2010 Ford Explorer; any remaining balance to be paid from 3640.418 Other Contractual; and be it

FURTHER RESOLVED, that the Chief Administrative Officer is authorized to liquidate the 2010 Ford Explorer for no less than \$7,200; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up FY2015 EMPG Funds as follows:

<u>Revenue</u>		
A4305.0015	FY2015 EMPG	\$20,076
<u>Appropriation</u>		
3640.486.0015	Special Grants	\$20,076

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 365-1015

AUTHORIZING PAYMENT OF CLAIMS FOR NOVEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 November 11, 2015:

Fund/Department	Check Number (s):	Amount:
General	1672-1891	\$190,491.81
Highway	650-656;1518-1539	\$38,862.75
Nursing Home	27734-27735	\$10,492.56
Job Development	1928-1937	\$2,658.00
Self Insurance	56032	\$16,649.52

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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 November 25, 2015:

Fund/Department	Check Number (s):	Amount:
General	1925-2044	\$251,547.40
Highway	657-661; 1540-1551	\$71,118.31
Nursing Home	No Claims	
Job Development	1940-1946	\$8,346.40
Self Insurance	1099, 1100	\$58.21

Moved, Miller; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard asked for any other old business. Chairman Callard commented about the timely article in the Orleans HUB about how the county has stepped up their efforts to combat welfare fraud. Chairman Callard called upon Commissioner Kuryla to highlight some of these efforts and commended him and his department in the initiatives taken in his tenure and their accomplishments have been driven. Commissioner Kuryla thanked the Chairman for the attention and recognition. He stated that his department cannot take all of the credit. They have been assisted by the District Attorney's Office, local law enforcement agencies, Chief Deputy Thomas Drennan and full support of the Legislature. Commissioner Kuryla believes that the community is feeling good about their fraud efforts. He likes to look at the long range benefits of what they have been doing in the last six years by comparing the statistics and the fact that public assistance caseloads are down between 15% to 20%. A year and a half ago we had 758 public assistance cases down to about 592 cases which saves Orleans County Taxpayers about \$200,000. He believes the efforts made and the cooperation they have received has resulted in a complete deterrent in the normal applicant for public assistance. Commissioner Kuryla states that they try to give assistance to those that are worthy to receive it and need it; but those that don't need it for sure, they will find out about it because of the resources they have. Commissioner Kuryla is thankful for the board that supports the efforts of many to get this done.

Chairman Callard referenced the HUB article which stated that the Orleans fraud numbers have doubled in the past five years. So far this year, our fraud recovery has been \$52,013 but our cost avoidance is \$1,401,658. This record exceeds what Wyoming and Genesee counties have avoided. Chairman Callard also stated it is outstanding that we have reduced our public assistance cases from 758 to 592. A coincidence to this, we have had a legal raid on the Murray Superette, which uncovered other Social Service Welfare Fraud that could involve a minimum of 50 people. If these people break the law, they are not entitled to benefits. Chairman Callard stated that our collaborative efforts have been outstanding. We are bound and determined to help those that need help but also bound and determined to prevent this fraud, which is wrong and we will deal with it the best we can.

Chairman Callard asked if Chief Deputy Drennan wanted to give an overview of the raid. Chief Drennan reported that a tremendous amount of work went into this from the Welfare Fraud Unit and the Major Felony

Crime Task Force over the last fifteen months. It ended up with only a few arrests being made; but several individuals were found making suspicious activities in use of benefit cards. This could result in several hundred thousands of dollars of miss use of food stamps which drives the drug market, which also then is connected to stolen property. This then takes us to the Local Law regarding our pawn shops. Four cases have been solved using the current software that is being used. Everything is connected and these individuals are victimizing people in Orleans County, then taking money to the city to buy heroine and other drugs. Chief Deputy believed this raid placed a big crunch in that market. Hopefully the word is out and may have shut this down therefore allowing us to move on to the next investigation. Chairman Callard asked for a round of applause for everyone's efforts. Legislator Allport raised a point that with the cost of avoidance increasing – the impact of fraud on property taxes would be a penny for every \$16,000 paid out. Last year our cost avoidance was \$1.7 million which is over \$1.00 savings to the taxpayer. Chairman Callard said in 2009 our cost avoidance was \$352,000 and has progressively increased. As of now, we are at \$1.4 million in our current year.

Paul Lauricella, Yates, asked how we are with the 2016 Budget. CAO Nesbitt stated that per the New York State Budget Law the tentative budget must be filed by the Budget Officer by November 15th. CAO Nesbitt believes it is going to be a great budget and Treasurer Heard agreed with his statement. Chairman Callard said that they are still fine tuning it.

Allen Lofthouse, Kendall, inquired on how our lobbyist group is doing for the County. Chairman Callard stated that we continue to be doing well. We are currently working on things that at this time we are not at liberty to speak of. Chairman Callard assured him that we are heading for some significant progress. We are in an evaluative time and we only secured the agreement for one year. We understand that it is costly but believe it will pay for itself. Chairman Callard stated that when successes are achieved, the public will be informed. Mr. Lofthouse asked if we can't get Senator Ortt or Assemblyman Hawley to take care of this for us. Chairman Callard stated that they have always been resources for us but it hasn't always been enough so we are taking the extra step, as have other counties, to be highly competitive and it is going to pay off.

With there being no further discussion, Legislator Allport moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 5:27 p.m.

LEGISLATURE MEETING

November 18, 2015

Chairman Callard called the meeting to order at 4:32 p.m. After the pledge to the flag and invocation led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present, with the exception of Legislators DeRoller, Eick, and Johnson.

Chairman Callard stated that Legislature Johnson is on assignment in Washington DC, with David Godfrey from Niagara County Legislature. They are the representatives for the Niagara Regional Alliance, at a meeting with other representatives about the State Department IJC Plans 2014, which deals with lake levels. It is astonishing what is being proposed. By IJC estimates, high water under plan 2014 will result in annual average damages of \$2.2 million to Lake Ontario Shoreline. By IJC estimates, low water will result in annual average damages \$570,000 damages to recreational boating. These figures are for annual average damages. These damages occur every 1-3 years during low or high water events that occur once every 10-15 years, therefore the resulting damages for an event \$20 to \$30 million to shore line properties for a high water event. \$6 to \$9 million to recreational boating for a low water event. In some cases this would be regarded as illegal, but we are dealing with the issue. Legislature Johnson is representing Orleans County in a meeting with Congressman Collins and Congressman Kato to fight this. We succeeded in 2013 and are going to do our very best to succeed in this.

The Clerk presented the following communications: Hospice of Orleans is requesting a banner be hung on the courthouse square lawn to recognize National Hospice Month. A 4'x6' banner has been requested to be placed on the square from November 19th through November 30th. The Village of Albion DPW has requested to erect the annual Christmas tree with lights on the lawn of the Courthouse. They are requesting permission to do this along with the use of electricity. They plan to install it on or about December 1, 2015 and take it down on or about January 9, 2016. The board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through October, 2015. Treasurer Heard indicated that it does not look good due to closing the nursing home there were outstanding checks at the end of the month, next month's will look better.

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Chairman Callard called for open discussion as it related to the resolutions and there were no comments.

Chairman Callard announced the appoint of Earl Schmidt of the Town of Ridgeway as the new Director of the Veteran's Services Agency.

Mr. Schmidt currently resides in the Town of Ridgeway with his wife Catherine. They have four children; Rebecca, Jeffrey, Rosalie, and Brittany. Earl has served the Western New York Veterans community since May 2012 as an accredited Veteran's Service Officer with the Niagara County Veteran's Services Agency.

Mr. Schmidt served in the United States Army and US Army National Guard over 23 years, retiring as a Sergeant First Class; Reconnaissance Platoon Sergeant. He has earned seventeen medals including The Bronze Star, Combat Infantry Badge, Meritorious Service Medal, Army Commendation Medal, and Air Force Commendation Medal. Mr. Schmidt served in combat in both the Persian Gulf and Afghanistan.

Mr. Schmidt is active with the American Legion as a service officer, the Veteran of Foreign Wars and sits on the VFWNYS Department service officer's committee as well as being a member of the Iraqi Afghan Veterans of America (IAVA).

Chairman Callard expressed that the Legislature is pleased to welcome Earl Schmidt to the team and think he will make a great addition. He's very passionate about veteran's issues and I'm sure his energy and dedication will make an immediate impact for our Orleans County veteran's community. Mr. Schmidt will start effective December 7, 2015.

Newly appointed Director Earl Schmidt thanked the Orleans County Legislature and the Orleans County leadership for accepting him in the leadership position. Quote from one of our past president on March 4th 1865 – “Those who borne the battle, shall we care for him, his widows and his orphans.” I will and always will, not matter where I reside take care of veterans, their dependents and the residents and their family within the community. I thank you with the support of the legislatures from the county, from the state department and the Federal Agencies. I wish to continue what has all ready been started today and strengthen it for future years to come. Thank you very much for the appointment.

Legislator Allport moved to add three resolutions to the agenda; second by Legislator DeFilipps. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 366-1115

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$3,484.58	Barton & Loguidice, D.P.C.	Engineering Services – E.Scott Road Bridge
\$56,775.40	C P Ward	Construction for Waterport Carlton Bridge – Payment #3 – 10/19/15-11/15/15
\$155,070.14	Redman Construction	Construction for Oak Orchard River Bridge – Payment #2 – 10/19/15-11/15/15

and be it

FURTHER 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>
\$64,763.00	Keeler Construction	Construction Knowlesville Culverts – Payment #2 – 10/19/15-11/15/15

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$250.63	VP Supply Corp.	Pole Barn drainage system materials
\$2,275.00	Oak Orchard Concrete	Concrete blocks for pole barns

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\$1,066.12	Barre Stone Products	Blacktop for pole barns
\$526.07	Barre Stone Products	Crusher run and Gabion for pole barns
\$1,090.00	Orleans Ready Mix, LLC	Concrete for pole barns

Moved Miller; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 367-1115

AUTHORIZING PURCHASE FROM THE OFFICE FOR THE AGING BUDGET

RESOLVED, that this Legislature authorizes the purchase of a HP StoreEasy 1440 16TB Data Storage/Server in the amount of \$6,942.59 for the Office for the Aging from CDW-G, 75 Remittance Drive STE 1575, Chicago, IL 60675-1515 to be purchased from Office for the Aging budget account A6772-270 – Capital Equipment and reimbursed by the BIP Grant. County Cost \$0.

Moved, Miller; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 368-1115

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

Elmcrest, Syracuse, NY for the provision of residential foster care services; to be effective October 1, 2015 through September 30, 2016 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

G4S Secure Solutions f/k/a The Wackenhut Corporation, Williamsville, NY for the provision of armed security services for the County Office Building; to be effective January 1, 2016 through December 31, 2016 at a cost of \$27.27 per hour. County cost is \$9.54 per hour.

Center for Disability Rights, Rochester, NY for the provision of Consumer Directed Personal Assistance Program; to be effective January 1, 2016 through December 31, 2016 at rates set by the New York State Department of Health. County cost is \$0.

Orleans County Office for the Aging, Albion, NY for the provision of assisting select public assistance clients in applying for SSI; to be effective January 1, 2016 through December 31, 2016 at a cost of \$5,000. County cost is dependent upon program for which the client is eligible.

Moved, Miller; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 369-1115

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 operations of county business and reorganization to more effectively utilize positions; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Grade B Supervisor position (6010.0203) in the Department of Social Services at Grade 21 of the CSEA Salary Schedule effective November 19, 2015; and be it

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Grade A Supervisor position at Grade 23 of the CSEA Salary Schedule and a full-time Director of Social Services position at Grade 7 in the Management Plan; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize filling these two (2) newly created full-time positions effective November 19, 2015; and be it

FURTHER RESOLVED, that the Commissioner has the discretion to hire a candidate for the Director of Social Services position at any step of Grade 7 of the Management Salary Plan; and be it

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FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Grade B Supervisor position (6010.0202) and a full time Caseworker position (6010.0223) upon the positions being vacated.

Moved, Miller; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 370-1115

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2016 calendar year:

Ann P. Burbank, NPP, 32 Park View Drive, Pittsford, NY 14534 to provide services as a Psychiatric Nurse Practitioner for up to 468 hours at an hourly rate of \$100. County cost is \$3,276.

John G. Amos, Ph.D., 9 Woodrose Drive, Webster, NY 14580 to provide services as Consulting Psychologist for an average of 14 on-site hours per week at an hourly rate of \$117.51 per hour. County cost is \$5,528.

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 to provide services as Staff Psychiatrist for an average of 20 hours per month for annual total not to exceed 240 hours at \$185 per hour; contractor will provide an additional 260 hours per year at \$160 per hour. County cost is \$6,020.

Amanda J. Lewis, NPP, 56 Beresford Road, Rochester, NY 14610 to provide services as Psychiatric Nurse Practitioner for 480 hours for the duration of this contract at \$97.93 per hour. County cost is \$3,290.

Tulio Ortega, MD, 2 Featherstone Court, Pittsford, NY 14534 to provide services as Medical Director for an average of 11 on-site hours per week including seven additional service hours per month for ten months at \$150 per hour. County cost is \$6,279.

County Attorney, P.O. Box 606, Medina, NY 14103 to provide attorney services as need for matters regarding counsel at a cost of \$8,500. County cost is \$595.

Moved, Allport; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 371-1115

APPROVING AMENDED AGREEMENTS BETWEEN MENTAL HEALTH AND CERTAIN PROVIDERS

WHEREAS, Resolution No. 361-1014 approved an agreement with Ann Burbank, NPP and Resolution No. 427-1214 approved an agreement with Patrick J. Stein, MD for psychiatrist services for the 2015 calendar year; now be it

RESOLVED, that this Legislature approves the amended agreements as follows:

Ann P. Burbank, 32 Park View Drive, Pittsford, NY 14534 to provide services as Psychiatric Nurse Practitioner an additional 49.5 hours at \$100 per hour, an increase of \$4,950 from October 29, 2015 to December 31, 2015.

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 to provide services as Staff Psychiatrist an additional 95 hours at \$160.00 per hour, an increase of \$15,200 from October 13, 2015 to December 31, 2015.

Moved, Allport; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 372-1115

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND GCASA

RESOLVED, that this Legislature approves agreements between the Health Department and GCASA at 430 East Main St, Batavia, NY 14020 to provide counseling services for alcohol and drugs (substance abuse) for the migrant population. Contract of \$1,500 funded through New York State Migrant Grant. Contract period to run concurrent with NYS Contract, October 1, 2015 through September 30, 2016. County cost \$0.

Moved, Allport; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 373-1115

**AWARDING BID FOR PRINTING 2016 COUNTY TRAVEL GUIDE
AND APPROVING AGREEMENT WITH DUAL PRINTING**

WHEREAS, advertisement for sealed bids occurred and four bids was publically opened on November 12, 2015; now, be it

RESOLVED, that this Legislature awards the bid for printing of the 2016 Orleans County Travel Guide to Dual Printing; and be it

FURTHER RESOLVED, that this Legislature approves an agreement with Dual Printing, 340 Nagel Dr, Cheektowaga, NY 14225 in the amount of \$8,330 for 40,000 Travel Guides to be printed which are to be paid from Account A6410.468 I Love New York Matching Funds; and be it

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

Moved, DeFilippis; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 374-1115

**SETTING UNIT CHARGE FOR 2016 COUNTY SOLID
WASTE/RECYCLING PROGRAM**

RESOLVED, that this Legislature sets the unit charge for the 2016 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 195.00
One-half unit of Service	\$ 97.50

and, be it

FURTHER RESOLVED, that an Administrative Fee of \$2.00 shall be added to each unit of service, and a \$1.00 fee to each half unit of service.

Moved, DeFilippis; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 375-1115

**APPROVING AGREEMENTS BETWEEN COUNTY CLERK AND
ABSTRACT COMPANIES**

RESOLVED, that this Legislature approves the lease agreements with the following Abstract Companies for the leasing of space in the County Clerk's Office, agreements effective for the calendar years 2016 and 2017 at an annual costs of \$2,760 per year per company:

Steward Title Insurance Company, 47 West Main Street, Rochester, NY 14614
Orleans Abstract, P O Box 129, Albion, NY 14411
Crossroads Abstract Corporation, 121 N. Main St, Suite 200, Albion, NY 14411

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 376-1115

**AUTHORIZING TRANSFER OF FUNDS IN THE SELF INSURANCE
FUND**

RESOLVED, that this Legislature authorizes a transfer of funds within the Self Insurance Fund, as follows:

<u>From</u>		
S1710.418	Other Contractual	\$500
<u>To:</u>		
S1710.210	Furniture and Furnishings	\$500

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 377-1115

**AMENDING BY-LAWS OF THE EMPLOYEES ASSISTANCE
PROGRAM COMMITTEE**

WHEREAS, the EAP committee is representative of the employees of Orleans County, and

WHEREAS, over the last five years the number of Orleans County employees have been reduced from 622 employees September 2009 to 400 employees September 2015, now be it

RESOLVED, that this Legislature amends Article III of the By-Laws to read:

Article III

Membership

The membership shall consist of seven voting members. One (1) member shall be appointed by the President of the CSEA bargaining unit. One (1) member shall be appointed by the President of the AFSCME bargaining unit and one (1) member shall be appointed by the President of the OCDSA bargaining unit. Four (4) members shall be appointed by the County Legislature, and one of these members shall be the County Liaison to our Employee Assistance vendor. Other County employees, as designated by the Legislature, may participate on the EAP committee in an ex-officio capacity.

The president of each union may appoint an alternate member to ensure that each union has a vote at each EAP committee meeting and that there are three voting EAP committee members represented by our three unions.

Should a union president fail to nominate a bargaining unit member to represent their membership, this constitutes an open seat on the EAP committee. As such, the alternate members appointed by the other unions shall have the following succession for voting at an EAP committee meeting: CSEA, AFSCME AND OCDSA. This order of succession is determined by total representation of Orleans County employees and may change based upon total representation of the three unions.

Committee members shall be appointed to serve two-year terms. EAP committee members may be reappointed for successive terms. Committee appointments will be staggered so that five new appointments will be required each year.

Any member may select a substitute from his/her department to represent him/her at any meeting which he/she is unable to attend. Such designee will not have voting privileges.

RESOLVED, that this Legislature amends Article IV of the By-Laws to add the language:

The same person may hold the secretary and treasurer's office.

RESOLVED, that this Legislature amends Article IX of the By-Laws to read:

Article IX

Quorum

A quorum for any regular or special meeting shall be 4 voting members

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 378-1115

APPROVING AN AGREEMENT ADDENDUM BETWEEN THE SHERIFF'S OFFICE AND ERNST'S LAKE BREEZE MARINA

RESOLVED, that this Legislature does hereby approve an agreement addendum between Orleans County Sheriff and Lake Breeze Marina, 990 Point Breeze Road, Kent, NY 14477, for final purchases of gasoline; and winterization and maintenance in the amount not to exceed \$5,000, to be paid from account 3110.430 - Navigation Expenses; reimbursed by Stonegarden FY12 & FY 13. The cost of the fuel will be reduced by 5 % of the price at the pump; and be it

FURTHER RESOLVED, that this Legislature approves the addendum to also extend out the initial contract as approved in Resolution No. 167-515 through December 30, 2015

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 379-1115

AUTHORIZING TRANSFER OF FUNDS IN THE SHERIFF'S BUDGET

RESOLVED, that this Legislature authorizes a transfer of funds within the Sheriff's budget due to not purchasing guns therefore will cover the Mobility XE Program that was not budgeted, as follows:

<u>From</u>		
A3110.250	Other Equipment	\$3,245
<u>To:</u>		
A3110.447	Misc Contracts	\$3,245

Moved, DeFilipps; second, Allport.
Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 380-1115

APPROVING AGREEMENT BETWEEN PROBATION AND
GOVERNMENT PAYMENT SERVICES, INC.

RESOLVED, That this legislature approves an agreement between the Orleans County Probation Department and Government Payment Services Inc., for the provisions of collecting offender dues by credit card, at no cost to the county. Agreement effective for one year following execution date.

Moved, DeFilipps; second, Allport.
Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 381-1115

APPROVING AGREEMENT BETWEEN PROBATION AND NEW
YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

RESOLVED, that this Legislature approves the following agreement with the Orleans County Probation Department and New York State Division of Criminal Justice Services, Alfred E. Smith Office Bldg., Albany, NY 12210 to provide monies from the Governor's Traffic Safety Council to implement and supervise Leandra's Law Ignition Interlock cases, which is a state mandated program, effective October 1, 2015 through September 30, 2016 at a claim rate of \$135 per monitoring order contingent upon availability of funds.

Moved, DeFilipps; second, Allport.
Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 382-1115

AUTHORIZING FILLING OF VACANCY IN THE PROBATION DEPARTMENT

WHEREAS, A Senior Probation Officer has resigned and the position is essential to the operations of the Probation Department; now, be it

RESOLVED, that this Legislature authorizes the filling of a vacant Probation Officer II position in the Probation Department (3140.03) at a grade 19 of the CSEA salary schedule effective December 1, 2015.

Moved, DeFilippis; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 383-1115

AUTHORIZING TRANSFER OF FUNDS IN THE PROBATION DEPARTMENT BUDGET

RESOLVED, that this Legislature approves the Orleans County Treasurer to transfer monies in the Probation Department budget to cover the cost of the Case Management System (Caseload Explorer) Enhancement as follows:

<u>From:</u>		
A3140.100	Personal Services	\$ 2,500
<u>To:</u>		
A3140.447	Contractual Services	\$ 2,500

Moved, DeFilippis; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 384-1115

AUTHORIZING PURCHASE FROM THE PUBLIC DEFENDERS BUDGET AND AUTHORIZING TREASURER TO SET UP NEW MONEY

RESOLVED, that this Legislature authorizes the purchase of four (4) MS Surface Pro 2 64 GB units and accessories for each; two (2) Lexmark MX310DN Printers, toner and accessories; and one (1) Fellows PS-79CI Shredder (PO56710) in the amount of \$5,649.28 for the Public Defender's Office from CDW-G, 75 Remittance Drive STE 1515, Chicago, IL 60675-1515 to be purchased from the Public Defender's budget account A1170-411 – Office Supplies and Materials and will be reimbursed by the Indigent Legal Services Grant (Distribution 2). County Cost \$0; and

FURTHER RESOLVED, that the Treasurer is authorized to set up new money in the Public Defenders budget to cover the expense.

Revenue:

3088.1170	NYS Assigned Counsel – Public Defender	\$5,649.28
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Appropriations:

1170.411	Office Supplies & Materials	\$5,649.28
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Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 385-1115

APPROVING AGREEMENT BETWEEN THE OFFICES OF DISTRICT ATTORNEY AND ORLEANS COUNTY ATTORNEY

WHEREAS, Resolution No. 409-1007 authorized the District Attorney to handle and prosecute juvenile delinquency proceedings and further authorized an agreement between the offices of the County Attorney and District Attorney; be it

RESOLVED, that this Legislature approves a renewal agreement between the offices of County Attorney and District Attorney for attorney and staff services in handling juvenile delinquency proceedings in the amount of \$10,810 for the 2015 calendar year.

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 386-1115

APPROVING LEASE AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves a lease agreement between Orleans County and Toshiba Business Solutions, 6000 N. Bailey Ave., Amherst, NY 14226 to provide three (3) Toshiba e-Studio multifunction machines for a 36 month lease effective January 1, 2016 through December 31, 2018 as follows:

County Clerk	e-Studio 357	\$123.00 per month
Bill per copy B&W .0075 per page, with an annual increase of 2.5%		
Public Health	e-Studio 5560CT	\$316.00 per month
Bill per copy B&W .0062 per page, Color .0441 per page with an annual increase of 2.5%		
Public Health	e-studio 4555C	\$281.00 per month
Bill per copy B&W .0075 per page, Color .0475 per page with an annual increase of 2.5%		

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 387-1115

SETTING DATE OF PUBLIC HEARING FOR COUNTY BUDGET FOR THE YEAR 2016

RESOLVED, that the public hearing for the Tentative County Budget for 2016 will be held on Monday, November 30, 2015 at 7:00 p.m. at the Orleans County Courthouse, Albion, New York; and be it

FURTHER RESOLVED, that the notice for said public hearing be published in the officially designated County newspapers.

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 388-1115

SETTING DATE OF SPECIAL MEETING TO ADOPT THE 2016 ORLEANS COUNTY BUDGET AND VARIOUS RESOLUTIONS RELATED TO THE PREPARATION OF THE 2016 TOWN AND COUNTY TAX BILLS

RESOLVED, that this Legislature will call a special meeting on Monday, November 30, 2015 immediately following the budget hearing at the Orleans County Legislative Chambers to adopt the 2016 Orleans County Budget and have various other resolutions presented for adoption that pertain to the preparation of the 2016 Town and County tax levy.

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 389-1115

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 4-INTRO OF 2015 REGARDING AMENDING LOCAL LAW NO. 2 OF 1956 AS AMENDED BY LOCAL LAW NO. 1 OF 1974

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1956 AS AMENDED BY LOCAL LAW NO. 1 OF 1974”; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now therefore, be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 16th day of December 2015 at 4:20 p.m. at the Orleans County Legislature, 3 South Main Street, Albion, New York.

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 390-1115

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 5-INTRO OF 2015 REGARDING SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A LOCAL LAW

INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM"; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now therefore, be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 16th day of December 2015 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Albion, New York.

Moved, DeFilippis; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 391-1115

AUTHORIZING PAYMENT OF CLAIMS FOR DECEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 December 9, 2015:

Fund/Department	Check Number (s):	Amount:
General	2045-2185	\$214,576.58
Highway	662-664; 1552-1566	\$6,179.33
Nursing Home	2195	\$100.00
Job Development	1949-1952	\$28,496.36
Self Insurance	1101-1102	\$6,068.81

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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 CAO on behalf of the Nursing Home, the Superintendent of Highways, 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 December 23, 2015:

Fund/Department	Check Number (s):	Amount:
General	2196-2343	\$277,265.56
Highway	665-671; 1567-1587	\$107,836.06
Nursing Home	2344-2345	\$10,992.56
Job Development	1955-1967	\$26,170.33
Self Insurance	56234-56235; 56237; 56237; 1103	\$8,822.84

Moved, DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

The following add on resolutions were presented:

RESOLUTION NO. 392-1115

AUTHORIZING FILLING VACANCY IN DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature due to a resignation, hereby authorizes the filling of a vacant full-time Administrative Secretary position (6010.2004) in the Department of Social Services at Grade 12 of the CSEA salary schedule effective December 3, 2015.

Moved, Miller; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 393-1115

DESIGNATING TOURIST PROMOTION AGENCY AND AUTHORIZING APPLICATION FOR 2016 STATE TOURISM MATCHING FUNDS

RESOLVED, that this Legislature does hereby designate the Orleans County Tourism Office, within the Planning and Development

Department, as the official Orleans County Tourist Promotion Agency (TPA) to represent the county in tourism promotion efforts and for purposes of the 2016 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for 2016 State Matching Funds and to receive such funds to the extent that local matching funds are available.

Moved DeFilipps; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

RESOLUTION NO. 394-1115

**CONFIRMING APPOINTMENT BY THE CHAIRMAN OF THE
LEGISLATURE TO THE POSITION OF DIRECTOR OF VETERANS'
SERVICES**

RESOLVED, that this Legislature confirms the appointment of Earl Schmidt to the position of Director of Veterans' Services, at grade 5, step 4 of the Management Compensation Plan Salary Schedule, effective December 7, 2015.

Moved, Miller; second, Allport.

Adopted. 4 ayes; 0 nays; 3 absent: DeRoller, Eick, and Johnson.

Chairman Callard stated that there was no old business. Chairman Callard also opened the floor for any further discussions.

CAO Nesbitt stated that on November 11, 2015 he filed the 2016 Tentative Orleans County Budget with the Clerk of the Legislature. Copies have been made available to those that may want one. The public hearing is set for November 30, 2015 at 7:00pm at the county court house. CAO Nesbitt also noted that all department heads are expected to be there.

Legislator Allport moved to adjourn; second by Legislator Miller. Meeting adjourned at 4:57 p.m.

SPECIAL LEGISLATURE MEETING

November 30, 2015

Chairman Callard called the special meeting to order at 7:47 PM. The Clerk called the roll. All Legislators were present, with the exception of Legislator Miller.

Chairman Callard called for the following resolutions to be presented for adoption:

RESOLUTION NO. 395-1115

ADOPTING THE 2016 ORLEANS COUNTY BUDGET

WHEREAS, the 2016 tentative budget for Orleans County was presented to the general public at a public hearing held at 7:00 p.m. on November 30, 2015; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now, be it

RESOLVED, that this Legislature does hereby adopt the 2016 tentative budget, as the Orleans County budget for 2016, with a tax levy of \$16,323,150.00.

Moved, Johnson; second, DeRoller.

Roll Call: 6 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson; 0 nays; 1 absent, Miller.

Adopted.

RESOLUTION NO. 396-1115

APPROVING APPORTIONMENT OF THE 2016 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2016, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature.

Town	Adjusted Taxable Value	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	2016 Tax Levy
Albion	212,328,591	208,781,251	100%	212,328,591	12.59949%	\$2,056,633.65
Barre	97,350,984	95,817,677	100%	97,350,984	5.77676%	\$942,949.20
Carlton	195,601,963	192,057,768	98%	199,593,840	11.84381%	\$1,933,282.87
Clarendon	158,328,637	154,890,451	100%	158,328,637	9.39515%	\$1,533,584.43
Gaines	118,201,827	115,967,457	100%	118,201,827	7.01404%	\$1,144,912.27
Kendall	153,057,838	150,477,652	100%	153,057,838	9.08239%	\$1,482,532.14
Murray	181,580,171	177,416,124	100%	181,580,171	10.77489%	\$1,758,801.46

Ridgeway	225,416,231	220,137,404	100%	225,416,231	13.37610%	\$2,183,400.87
Shelby	185,260,336	181,828,973	100%	185,260,336	10.99327%	\$1,794,447.95
Yates	154,097,906	151,958,946	100%	154,097,906	9.14410%	\$1,492,605.16
Totals	1,681,224,484	1,649,333,703		1,685,216,361	100.00%	\$16,323,150.00

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 397-1115

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2016; be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWNS	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion	122,367.00	180,379.00	0
Barre		630,603.00	
Carlton		614,344.00	
Clarendon		380,067.79	
Gaines	71,320.00	186,171.00	19,297.00
Kendall		412,628.00	
Murray	190,913.00	205,509.00	32,717.00
Ridgeway	191,982.00	369,115.00	52,357.00
Shelby	278,916.00	214,604.00	21,230.00
Yates	220,000.00	106,500.00	14,825.00

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with the respective Fire Protection and Improvement Districts in the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
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Albion	Fire Protection	99,159.00
	Water District 1	18,000.00
	Water District 3	74,000.00
	Water District 4	28,569.00
	Water District 5	60,386.00
	Water District 6	22,800.00
	Water District 7	9,360.00
	Water District 8	14,733.00
	Water District 9	10,238.00
	Sewer District 1	50,765.00
Barre	Fire District	188,000.00
	Water District 1	22,077.00
	Water District 2	12,675.00
	Water District 3	10,653.00
	Water District 4	15,190.00
	Water District 5	36,083.00
	Water District 6	61,023.00
	Water District 7	16,054.00
Carlton	Fire Protection	154,335.00
	Light District I	6,500.00
	Light District II	9,200.00
	Water	365,470.00
Clarendon	Fire Protection	169,694.82
	Water District 2	39,831.40
	Water District 3	68,297.02
	Water District 4	52,253.12
	Water District 5	17,480.99
	Water District 6	29,033.14
	Water District 7	47,824.85
	Water District 8	8,916.28
	Water District 9	7,557.85
	Water District 10	63,520.28
	Water District 11	74,066.60
	Fire Protection	35,305.20
Gaines	Water District 2	8,271.00
	Water District 3	6,846.00
	Water District 5	2,815.00
	Water District 6	6,804.00
	Water District 7	6,359.00

	Water District 8	8,950.00
	Water District 9	9,295.00
	Water District 10	9,362.00
Kendall	Fire District 1 (Kendall)	163,900.00
	Fire District 2 (Morton)	69,972.00
	Light District 1	5,700.00
	Light District 2	3,385.00
	Light District 3	1,975.00
	Water District 1	3,983.00
	Water District 2	15,129.00
	Water District 3	21,237.00
	Water District 4	72,584.00
	Water District 5	17,492.75
	Water District 6	13,641.00
Murray	Fire Protection District 1	194,907.00
	Fire District 2 (FHM)	106,874.00
	Light District 1 (Fancher)	2,600.00
	Light District 2 (Hulberton)	3,900.00
	Light District 3 (Brockville)	1,200.00
	Water District 1	5,000.00
	Water District 2	31,000.00
	Water District 3	22,582.00
	Water District 4	6,000.00
	Water District 5	4,300.00
	Water District 6	12,000.00
	Water District 7	19,500.00
	Water District 8	16,440.00
	Water District 9	6,500.00
	Water District 10	7,000.00
	Water District 11	103,054.00
	Water District 12	12,000.00
	Water District 13	19,201.00
	Water District 14 (Gaines)	3,900.00
	Water District 15	59,000.00
	Fire Protection	188,700.00
Ridgeway	Light	3,277.00
	Water Improvement 31-E	9,200.00
	Water improvement 269	8,185.00
	Water District 2	19,675.00

	Water District 3	32,207.63
	Water District 4	72,218.75
	Water District 5	26,394.25
	Water District 6	13,971.26
	Water District 7	6,020.00
	Water District 8	8,883.95
	Water District 9	5,333.74
	Water District 10	14,492.50
	Water District 11	2,062.50
	Water District 12	11,525.72
	Knowlesville Sewer District	30,000.00
Shelby	Fire Protection District (Shelby & East Shelby)	281,625.00
	Light District 1 (Shelby)	2,550.00
	Light District 2 (Millville)	1,300.00
Yates	Fire Protection	65,000.00
	Water District 4	178,455.00

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	492.60			396,805.00
Barre	660.50			271,929.00
Carlton	4,527.81		2,475.00	288,047.00
Clarendon	8,069.04		682.50	362,410.02
Gaines	1,317.64			268,500
Kendall				257,982.00
Murray	949.98		2,014.00	348,221.00
Ridgeway	3,883.92			331,502.00
Shelby	19,080.98			425,700
Yates	2,269.44			273,198.00

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 398-1115

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2015 Unpaid Solid Waste/Recycling Fees to the 2016 tax rolls of the several towns in Orleans County:

TOWN		AMOUNT
Albion	Inside	18,897.64
	Outside	5,054.02
Barre		6,152.72
Carlton		15,164.13
Clarendon		7,471.16
Gaines	Inside	1,318.44
	Outside	6,811.95
Kendall		7,251.42
Murray	Inside	6,811.94
	Outside	10,767.26
Ridgeway	Inside	13,184.40
	Outside	12,964.67
Shelby	Inside	12,525.18
	Outside	11,206.76
Yates	Inside	2,197.40
	Outside	9,338.96
Total		147,118.05

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 399-1115

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2016 tax rolls of the respective towns as of November 1, 2015:

TOWN		AMOUNT
Albion	Inside	118,178.49
	Outside	71,154.63
Barre		72,733.03
Carlton		268,997.76
Clarendon		195,411.92
Gaines	Inside	10,964.68
	Outside	80,541.38
Kendall		150,168.19
Murray	Inside	188,710.04
	Outside	210,017.41
Ridgeway	Inside	143,127.82
	Outside	154,353.01
Shelby	Inside	111,952.66
	Outside	178,169.90
Yates	Inside	24,392.95
	Outside	118,879.04
Total		2,097,752.91

Moved, Johnson; second, DeRoller.
 Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 400-1115

AUTHORIZING COUNTY TREASURER TO RELEVY CERTAIN UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2016 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWNS:	AMOUNT
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Village of Albion	Town of Albion	159,146.39
	Town of Gaines	12,530.26
Village of Holley		67,121.91
Village of Lyndonville		20,037.22
Village of Medina	Town of Ridgeway	114,885.91
	Town of Shelby	94,197.65
TOTAL		467,919.34

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 401-1115

**AUTHORIZING COUNTY TREASURER TO CHARGE BACK
ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND
SCHOOL DISTRICTS**

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 25, 2015, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	SOLID WASTE	TO VILLAGE	TOTAL
ALBION								
Billy Ray	72.-2-13		97.09	53.70				150.79
Mowing (LL3-2010)	Various						3433.50	3433.50
CARLTON								
Edward & Linda Beikirch	4.2-1-26	2014		125.00				125.00
Edward & Linda Beikirch	4.2-1-26	2015		125.00				125.00
Lynette Hartwig	5.-1-27.1	2015	265.19	105.03				370.22
World Sufi Foundation	16.-1-39	2013, 2014	2093.67	657.21	2315.28			5,066.16
Robert Carlson II	16.-1-45.2	2013-2015	223.15	118.15				341.30
World Sufi Foundation	28.-1-53.1	2013, 2014	5,615.70	1,822.61	6,204.20			13,642.51
Carl Costich	38.-1-41.112	2014	58.06	22.04	59.08			139.18
Carl Costich	38.1-54.1	2014	58.06	22.04	59.08			139.18
CLARENDON								
Thomas Estates	99.-2-39.21/954c	2015	96.73	48.75				145.48

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GAINES								
Jen Associates	62.-1-76.116	2015	474.55	247.19				721.74
Jen Developers	62.-1-76.117	2015	474.55	247.19				721.74
KENDALL								
Lawrence & Joan Weed	32.-1-11.11	2015		288.21				288.21
Leeland K. Weed	32.-1-11.12	2015		288.21				288.21
William Anderson	43.-2-50.212	2015	212.06	125.47				337.53
Gerard Meisenzahl	44.-1-21	2015	165.39		2,362.71			2,528.10
MURRAY								
Eric Collyer	65.-1-48	2015		565.94				565.94
RIDGEWAY								
County of Orleans	79.12-3-83	2005-2014	6,445.41	872.99	7,456.84	1,628.67	9,761.35	26,165.26
DLS Investment Group LLC	79.12-3-84	2010-2014	224.70	28.14	253.90		136.09	642.83
Virginia Mosher & Bruce Ribble	80.37-2-28	2003-2014	829.14	106.29	1,000.84		679.25	2,615.52
Virginia Mosher & Bruce Ribble	80.37-2-29	2003-2014	4,783.50	569.00	5,370.92	1,147.98	5,194.30	17,065.70
Mowing (LL3-2010)	Various						1,370.68	1,370.68
SHELBY								
Mowing (LL3-2010)	Various						884.26	884.26
TOTALS			22,116.95	6,438.16	25,082.85	2,776.65	21,459.43	77,874.04

Grand Total = \$ 77,874.04

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 402-1115

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion	53.70	
Barre		
Carlton	2,997.08	
Clarendon	48.75	
Gaines	494.38	
Kendall	701.89	
Murray	565.94	
Ridgeway		1,576.42
Shelby		
Yates		

Total amount charged to Towns: \$ 6,438.16

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 403-1115

APPROVING CHARGE BACKS TO TOWNS FOR DATA MANAGEMENT SERVICES, USER FEES, TAX BILLS, AND RATE AND MAP FILES

RESOLVED, that this Legislature authorizes charge backs for Data Management Services, user fees, tax bills, and rate and map files to be levied on to the 2016 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2015

TOWN		NO. OF PARCELS	Real Property	Tax Collector User Fees	RATE & MAP Files	RPS User Fees	Total	Total Town
Albion	Inside	1604	2005.00				2,005.00	
	Outside	948	1185.00		150.00	1278.75	2,613.75	4,618.75
Barre		1401	1751.25	215.76	150.00	1226.05	3,343.06	3,343.06
Carlton		2455	3068.75	92.16	150.00	1596.10	4,907.01	4,907.01
Clarendon		1780	2225.00	213.60	150.00	1287.20	3,875.80	3,875.80
Gaines	Inside	232	290.00				290.00	
	Outside	1042	1302.50		150.00	638.55	2,091.05	2,381.05
Kendall		1683	2103.75		150.00	1271.54	3,525.29	3,525.29
Murray	Inside	688	860.00	26.76			886.76	
	Outside	1417	1771.25	56.52	150.00	1539.63	3,517.40	4,404.16
Ridgeway	Inside	1394	1742.50				1,742.50	
	Outside	1761	2201.25		150.00	1809.05	4,160.30	5,902.80

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Shelby	Inside	952	1190.00				1,190.00	
	Outside	1350	1687.50		150.00	1,226.42	3,063.92	4,253.92
Yates	Inside	384	480.00				480.00	
	Outside	1362	1702.50		150.00	926.71	2,779.21	3,259.21
Totals		20,453	25,566.25	604.80	1,500.00	12,800	40,471.05	40,471.05

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Legislator DeFilipps moved to approve the abstract for the Solid Waste Recycling Program Fees for 2016; second by Legislator Allport. Legislator DeRoller inquired if the E-waste program costs are included in these, which CAO Nesbitt affirmed that they are included. The following resolution was adopted:

RESOLUTION NO. 404-1115

APPROVING ABSTRACT OF 2016 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2016 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

Town	No. of Units	*Cost Per Unit	Total to be Collected
Albion	2,099.00	\$197.00	\$413,503.00
Barre	775.50	\$197.00	\$152,773.50
Carlton	1569.50	\$197.00	\$309,191.50
Clarendon	1082.50	\$197.00	\$213,252.50
Gaines	1067.50	\$197.00	\$210,297.50
Kendall	1126.50	\$197.00	\$221,920.50
Murray	1586.00	\$197.00	\$312,442.00
Ridgeway	2505.00	\$197.00	\$493,485.00
Shelby	1713.50	\$197.00	\$337,559.50
Yates	1165.00	\$197.00	\$229,505.00
Totals	14,690.00	\$197.00	\$2,893,930.00

*Includes \$2.00 Administrative charge per unit.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 405-1115

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein contained, be and hereby are, adopted by this Legislature and that the several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 406-1115

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

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Chairman Callard called for any old business, which there was none therefore he called for a motion to conclude this special meeting.

Legislator Allport moved to adjourn; second by Legislator DeFilipps.
Meeting adjourned at 7:56 p.m.

LEGISLATURE MEETING
December 16, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present. The Clerk did not have communications to present at this meeting.

Legislature DeFilipps presented a Special Recognition Certificate to the St. Mary's Archer's Club to recognize their 70 years of dedication to fishermen on the Oak Orchard River. They were also recognized for their hospitality for the last 13 years by serving meals for the six week fishing derby. Legislator DeFilipps stated that Legislator DeRoller, Legislator Miller, and Mike Waterhouse were down to see the action happening during their fishing derby. Legislator DeFilipps shared a story of a father and son, about age 8, weighing in their catches and the pride the young man had in his daily catch. Mike Waterhouse shared a story of an Archer Club Member handing out his brand new rod and reel after seeing a teenager trying to fix his for the longest time. The member just told him to bring it back when he was done. These are the kind of people that are part of this club, expressed Mr. Waterhouse.

Legislator DeRoller presented a proclamation to Scott Wilson, Orleans County Jail Superintendent for the Stepping Up Initiative in the Orleans County Jail to help with Mental Illness. Legislator DeRoller stated that the Board appreciates Superintendent's Wilson's good vision in his efforts in moving forward with this initiative. Chairman Callard advised Superintendent Wilson that they already committed verbally to his initiative but through putting it in writing Superintendent Wilson knows how fully they support his efforts.

Chairman Callard stated that there are several resolutions on the agenda today for some very important issues. For the benefit of some guests that were invited here today, Chairman Callard called upon Wendy Jacobson, CEO of Orleans Community Health to speak of a resolution that is on today's agenda.

Wendy Jacobson, CEO of the Orleans Community Health, thanked them for the opportunity to speak today. She said as CEO of Orleans Community Health they are faced with government mandated staffing ratios. This is concerning to them and would be financially devastating to their organization. Already, nursing homes and hospitals in New York

State are among the most difficult hit in the nation. An additional \$3 billion cost annually is unconscionable. In California, where this is law, it has resulted in the elimination of services, the disruption of services, longer waits in the emergency department and also diversion from one emergency department to another which will decrease care outcomes for those patients. CEO Jacobson stated that doesn't it make sense to have folks that have clinical judgment that understand patient acuity, who knows the qualifications of their nurses to make the decisions for safe staffing numbers. It is the RN's responsibility to provide safe patient care. Mandated staffing ratios will result in increased mandated overtime, which will lead to decreased employee satisfaction and increase turnover rates. It could also lead into increased usage of agency staff which would decrease the continuity of care for patients also increasing the cost to their facility, she explained in detail. Lastly, CEO Jacobson expressed that there is no link between quality care and the use of mandated staff ratios. As she reported in the spring, their scores for quality care are at or above national averages. Patient satisfaction scores have increased by 30 percentage points in the last ten months. They have had six unannounced surveys this year in 2015 and every surveyor and regulatory body has confirmed that their staffing levels are safe if not generous for their patients. She thanked Lynne Johnson, who is a member of their board who has tirelessly advocated for this locally and in Albany on this very important issue that impacts the only Hospital in Orleans County. Chairman Callard assured her that they understand the issue and are supportive of her efforts.

Chairman Callard announced that we will have resolutions on today concerning Home Rule, Article X, and the direct applicability to the Wind Turbine project in Orleans County specifically in the Town of Yates. Chairman Callard introduced Russell Martino, former Town of Yates Supervisor.

Russell Martino, stated that he and his wife have lived in the Town of Yates for 48 years and he is the Yates Republican Committee Chairman. He expressed over these forty eight years he has never seen so much commotion that the siting of wind turbines has caused in his community. It has turned neighbor against neighbor and it is a mess. He advised the board that four surveys have been completed and the fifth one is being completed now. He quickly reviewed them. The first one performed by the Town Somerset was against the project at 64%; the Save our Shores survey, which he tabulated in October, was at 77% against; Batavia Daily News did one in October reporting 72% against; in November Buffalo Evening News through their Business First reported 71% against the siting

of turbines. Mr. Martino said that the Town of Yates asked Daryl Oakes and himself to tabulate their survey of over 1,000 surveys received of the 2600 surveys sent. They will report to the Town of Yates Town Board on December 28th. He said this has not been good to his community and he is here to encourage this board to pass a proposition against the siting of wind turbines in the Town of Yates.

Chairman Callard introduced Richard Pucher, who is the former Superintendent of Schools in Lyndonville. Mr. Pucher advised the Board that he is a member of Save Ontario Shores which was formed about a year ago to keep on top of this project. He encourages the Board to join with the Town of Somerset, Niagara County, and State Senator Robert Ortt in opposing the project that has potential to bring harm to the residents of the Town of Yates. We have no idea what effect it might have on our greatest resource, Lake Ontario. Mr. Pucher said, we have seen this lake go bad which took years to get it back to where it is. He said unlike many of his colleagues that were superintendents that moved south, he stayed here because he loves his community and does not want to see it destroyed.

Chairman Callard offered an opportunity for Town of Yates Supervisor Elect Jim Simon to speak. Mr. Simon also was appreciative to see the resolution on today's agenda. He wanted to highlight the December 4th letter that the Genesee-Orleans Board of Health, as well as the Niagara County Board of Health sent to the Public Service Commission. He said it is a very powerfully worded letter that is now an official record in New York State. He said it enforces that we have no base line studies in New York State and more specifically in the Towns of Somerset and Yates as to what health impacts this project can cause. This is the minimum requirement in order to understand what other health impacts there might be with wind turbine projects. He encourages all the area Board of Health's to stick to their guns in their positions to the health issues this could cause.

Chairman Callard opened the floor to more specific questions that pertain to resolutions. Paul Lauricella, Yates, had a serious concern with Section 6 of the adoption of Local Law as presented in Resolution No. 449-1215 concerning the regulation of secondhand articles. After he read the section, he expressed that these are private businesses and it does not say in Section 6 that a judge issued warrant is needed to search the business for these type of articles. He felt this entire law, he was opposed to, was conjured up by the District Attorney and the Sheriff candidate as an election ploy. He hopes the new Sheriff will get a warrant before they walk in to search a private business on a suspicion that an article might be there. Chairman

Callard said they will consider his comments. He was concerned that Legislator Allport, as a constitutional supporter, would go along with this.

Allen Lofthouse, Kendall, questioned Resolution No. 459-1215 as to what grade and step the current Sheriff was at. CAO Nesbitt reported he is at grade 11, step 9 which is the highest step in that grade.

Legislator Eick moved to add four resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 407-1215

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$31,212.81	C P Ward	Construction for Waterport Carlton Bridge – Payment #4 – 11/16/15-12/15/15
98,905.51	Redman Construction	Construction for Oak Orchard River Bridge – Payment #3 – 11/16/15-12/15/15

RESOLVED, that this Legislature authorizes the following payment to be made from account H5120.254, Capital Project – Infrastructure Project – Mental Health Generator:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$48,814.00	Southworth-Milton Cat, Inc.	Natural Gas Emergency Generator

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

RESOLUTION NO. 408-1215

AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY BUDGET

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

<u>Revenue:</u>		
D3501.5112	CHIPS Revenue Account	\$96,482.65

<u>Appropriation:</u>		
D5112.436	Road Construction Materials	\$96,482.65

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

RESOLUTION NO. 409-1215

AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY BUDGET

RESOLVED, that the Treasurer is authorized to set up new money in the Highway Budget to cover the cost of printer purchase:

<u>Revenue:</u>		
D2655	Minor Sales	\$150

<u>Appropriation:</u>		
D5010.220	Equipment purchase	\$150

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

RESOLUTION NO. 410-1215

APPROVING AN AGREEMENT WITH THE HIGHWAY AND BUILDINGS AND GROUNDS DEPARTMENT

*December 16, 2015
Resolutions 407-459*

RESOLVED, that this Legislature approves an agreement with the Orleans County Highway and Buildings and Grounds Department for Snow and Ice Control and for Mowing at the Comprehensive of Orleans property located at 14012 State Route 31 West, Albion, New York 14411. Total cost is \$26,264.28, Payments to be made to Orleans County Highway Department in the amount of \$1,832.97/month and Orleans County Buildings and Grounds Department in the amount of \$355.77/month for a total cost of \$2,188.74/month. Contract period: December 1, 2015 through November 30, 2016. County cost \$0.

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

RESOLUTION NO. 411-1215

AUTHORIZING FILLING VACANCY IN THE JOB DEVELOPMENT AGENCY

WHEREAS an employee has retired from the position of Employment and Training Counselor effective December 26, 2015, now, therefore be it

RESOLVED, that this Legislature authorizes the filling of a vacant Employment and Training Counselor position (6210.07) in the Job Development Agency, at grade 15 of the CSEA Salary Schedule, effective December 28, 2015.

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

RESOLUTION NO. 412-1215

APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR THE AGING AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby authorize renewing the following agreements with the Office for the Aging:

Community Action of Orleans and Genesee County, Inc 409-411 E. State Street, Albion, NY to provide transportation services for Orleans County residents age 60 and older from January 1, 2016 to December 31, 2016 at a cost of \$24,000. County cost is \$2,791.

Legal Services for the Elderly, Disadvantaged and Disabled of WNY, 237 Main Street, Buffalo, NY 14203 to provide legal services for Orleans County residents age 60 and older from January 1, 2016 to December 31, 2016 at a cost of \$7,500. County cost is \$750.

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

RESOLUTION NO. 413-1215

AUTHORIZING SETTING UP NEW MONEY IN THE OFFICE FOR THE AGING BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Office for the Aging Budget as a result of supplemental final state allocations for the Nutrition for Meals program, as follows:

Revenue:

3772	Programs for the Aging	\$2,197
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Appropriations:

A6772.473	Nutrition	\$2,197
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Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 414-1215

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agency:

GCASA, Batavia, NY for the provision of alcohol assessments for Public Assistance clients; to be effective January 1, 2016 through December 31, 2016 at a cost of \$169/client. Reimbursement/County cost is dependent upon case type (TANF – 0% local cost, Safety Net – 100% local cost).

Angels in Your Home, Hilton, NY for the provision of Personal Care Aide services to eligible Medicaid clients; to be effective January 1, 2016

*December 16, 2015
Resolutions 407-459*

through December 31, 2016 at rates set by NYS Department of Health. County cost is \$0.

Albion Central School, Albion, NY for the provision of preventive services to children and families through the assignment of two(2) Social Service Caseworkers to the School District; to be effective August 30, 2015 through August 29, 2016. Said services are to be funded 50% Federal, 31% State, and 19% School.

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

RESOLUTION NO. 415-1215

AUTHORIZING FILLING OF VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature, due to a promotion, hereby authorizes the filling of a vacant full-time Receptionist position (6010.2010) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective December 17, 2015.

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

RESOLUTION NO. 416-1215

ESTABLISHING DAY CARE RATES IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services receives New York State Child Care Block Grant dollars for the sole purpose of providing day care subsidies to eligible low income parents; and

WHEREAS, the New York State Office of Children and Family Services establishes the maximum market rate payment ceiling for day care rates; and

FURTHER RESOLVED, that this Legislature does hereby establish contract day care rates paid by the Department of Social Services on behalf of eligible clients, effective January 1, 2016 as follows:

DAY CARE CENTER												
Age of Child	Under 1 ½			1 ½ - 2			3-5			6-12		
	Current	Market	2016	Current	Market	2016	Current	Market	2016	Current	Market	2016
Hourly	\$5.75	\$6.75	\$5.75	\$5.75	\$6.75	\$5.75	\$5.25	\$6.25	\$5.25	\$5.25	\$6.25	\$5.25
Part-Day	\$25	\$28	\$25	\$24	\$27	\$24	\$23	\$25	\$23	\$22	\$23	\$22
Daily	\$36	\$42	\$36	\$35	\$40	\$35	\$33	\$38	\$33	\$32	\$35	\$32
Weekly	\$180	\$190	\$180	\$175	\$180	\$175	\$165	\$170	\$165	\$160	\$160	\$160

REGISTERED FAMILY DAY CARE												
Age of Child	Under 1½			1 ½ - 2			3-5			6-12		
	Current	Market	2016	Current	Market	2016	Current	Market	2016	Current	Market	2016
Hourly	\$3.50	\$4.75	\$3.50	\$3.50	\$4.50	\$3.50	\$3.50	\$4.50	\$3.50	\$4.25	\$5.00	\$4.25
Part-Day	\$19	\$20	\$19	\$19	\$20	\$19	\$19	\$20	\$19	\$19	\$19	\$19
Daily	\$29	\$30	\$29	\$28	\$30	\$28	\$27	\$30	\$27	\$27	\$29	\$27
Weekly	\$145	\$150	\$145	\$140	\$140	\$140	\$135	\$140	\$135	\$135	\$140	\$135

REGISTERED GROUP DAY CARE												
Age of Child	Under 1½			1 ½ - 2			3-5			6-12		
	Current	Market	2016	Current	Market	2016	Current	Market	2016	Current	Market	2016
Hourly	\$3.75	\$5.00	\$3.75	\$3.75	\$5.00	\$3.75	\$3.75	\$5.00	\$3.75	\$5.00	\$5.00	\$5.00
Part-Day	\$22	\$23	\$22	\$21	\$22	\$21	\$20	\$21	\$20	\$20	\$20	\$20
Daily	\$31	\$35	\$31	\$30	\$33	\$30	\$29	\$32	\$29	\$28	\$30	\$28
Weekly	\$150	\$150	\$150	\$145	\$150	\$145	\$140	\$148	\$140	\$140	\$140	\$140

SCHOOL AGE CHILD CARE												
Age of Child	Under 1 ½			1 ½ - 2			3-5			6-12		
	Current	Market	2016	Current	Market	2016	Current	Market	2016	Current	Market	2016
Hourly	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5.25	\$6.25	\$5.25
Part-Day	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$22	\$23	\$22
Daily	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$32	\$35	\$32
Weekly	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$160	\$160	\$160

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

RESOLUTION NO. 417-1215

APPROVING APPOINTMENTS TO ORLEANS COUNTY YOUTH BOARD

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

RESOLVED, that this Legislature approves the following re-appointments of two current members to serve on the Orleans County Youth Board beginning January 1, 2016 through December 31, 2018:

Holli Nenni, 245 Caroline St., Albion, NY 14411

Carrie O’Neil, 17045 Roosevelt Highway, Kendall, NY 14476

and be it

FURTHER RESOLVED, that this Legislature approves the following appointment to serve a new term on the Orleans County Youth Board beginning January 1, 2016 through December 31, 2018.

Christian Hahn, 406 Mead Ave., Medina, NY 14103

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

RESOLUTION NO. 418-1215

APPROVING AGREEMENTS BETWEEN THE MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES.

RESOLVED, that this Legislature approve the following agreements for the Mental Health Department for the 2016 calendar year:

Susan Tillman, LMHC, NCC, 14369 Ridge Road West, Albion, NY 14411 providing assessment and treatment services to Orleans County Jail inmates not to exceed 312 hours per year at an hourly rate of \$33.97. County cost is \$742.

World Wide Dictation, 1545 Saw Mill River Road, Suite 2C, Ardsley, NY 10502 to augment internal transcription services at a cost of \$5,467. County cost is \$383.

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

RESOLUTION NO. 419-1215

AMENDING RESOLUTION NO. 27-115 BETWEEN MENTAL HEALTH AND GENSEEE/ORLEANS COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE

WHEREAS, Resolution No. 27-115 approved an agreement between Mental Health and the Genesee/Orleans Council on Alcoholism and Substance Abuse providing substance abuse/dependency and prevention services, as well as gambling treatment services and translational services at a cost of \$331,327 with a County cost of \$35,167; and

WHEREAS, there has been a COLA increase of \$5,072 and a State Aid increase of \$681; be it

RESOLVED, that this Legislature authorizes the addition of the \$5,072 COLA increase and the \$681 State Aid increase to this agreement, now totaling \$337,080. County cost remains the same at \$35,167.

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

RESOLUTION NO. 420-1215

AUTHORIZING FILLING POSITION IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a Keyboard Specialist position (4310.36) in the Mental Health Department at Grade 7 of the CSEA Salary Schedule effective January 4, 2016.

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

RESOLUTION NO. 421-1215

AUTHORIZING A STIPEND TO THE ORLEANS COUNTY DEPARTMENT OF MENTAL HEALTH CORPORATE COMPLIANCE OFFICER

WHEREAS, the Orleans County Legislature adopted and implemented a Corporate Compliance Plan and Program (Resolution NO. 325-808); and

WHEREAS, each Department has a Corporate Compliance Officer to oversee and monitor the Department Corporate Compliance Plan and Program; and

WHEREAS, the duties of the Mental Health Department Corporate Compliance Officer are carried out in addition to the responsibilities held under the title of Coordinator of Administrative Services; now be it

RESOLVED, that the Mental Health Corporate Compliance Officer be authorized an annual stipend of \$1,500 effective January 1, 2016.

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

RESOLUTION NO. 422-1215

APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES

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

Agri-Business Child Development ABCD Holley Grace's Place, at 52 Maziarz Drive, Holley NY 14470, Contract to establish the responsibilities of OCHD and Head Start relative to services for infants and toddlers who are suspected of at risk for, or are diagnosed as having disabilities. Both OCDH and Head Start support the right of all infants and toddlers with disabilities to receive free and appropriate services including all necessary evaluations, early intervention, and related services which parents request, in accordance with the state and federal statutes and regulations.

Agri-Business Child Development at Newfane- The Rathgaber Center, at PO Box 94, Newfane NY 14108, Contract to establish the responsibilities of OCHD and Head Start relative to services for infants and toddlers who are suspected of at risk for, or are diagnosed as having disabilities. Both OCDH and Head Start support the right of all infants and toddlers with disabilities to receive free and appropriate services including all necessary evaluations, early intervention, and related services which parents request, in accordance with the state and federal statutes and regulations.

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

RESOLUTION NO. 423-1215

APPROVING AMENDMENT TO PUBLIC HEALTH
DEPARTMENT/SHARED PUBLIC HEALTH ADMINISTRATIVE
STAFFING AGREEMENT

WHEREAS, Genesee and Orleans County are committed to providing essential Public Health Services to their County residents; and

WHEREAS, the Genesee and Orleans County Health Departments have completed a successful two year PILOT project that has provided both programmatic and fiscal improvements to public health in both Genesee and

Orleans County; and

WHEREAS, Article 5-G of the General Municipal Law empowers municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative basis for the provision of a joint service; and

WHEREAS, the Orleans /Genesee County Public Health Director did present an amendment to the inter-municipal agreement with Genesee County and Orleans County to share Public Health Administrative Staff, be it

RESOLVED, that Resolution No. 432-1214 is hereby amended to change the annual stipend for the position of Public Health Director to \$20,000; and be it

FURTHER RESOLVED, that the Public Health Director be started in grade 11 Step 6 of the Orleans County Management Compensation Plan, all changes to be effective January 1, 2016; and be it

FURTHER RESOLVED, that as a requirement by the New York State Department of Health for the Public Health Director to be in communications at all times for emergencies and after hours issues, the Director shall be reimbursed \$50 per month for cell phone charges and equipment upgrade costs as needed, effective October 1st, 2015. County Costs \$0.

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

RESOLUTION NO. 424-1215

**AUTHORIZING ABOLISHING, CREATING, AND FILLING
POSITIONS IN THE PUBLIC HEALTH DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the abolishing of a vacant full-time Case Manager (4010.35) in the Public Health Department at Grade 15 of the CSEA Salary Schedule, and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a part-time Case Manager in the Public Health Department at Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant part-time Case Manager, effective December 15, 2015.

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

Legislature Allport moved to approve purchases from the Public Health Department Budget. However, he requested to amend the resolution to remove the purchase of the EOC Ready App License with Spanish translation from QuickSeries Publishing, Inc in the amount of \$5,970 (PO# 56633) and wished to move as amended; second by Legislator DeFilipps. The following resolution was adopted:

RESOLUTION NO. 425-1215

AUTHORIZING PURCHASES FROM PUBLIC HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department to purchase (PO#56637) from Stockham Lumber, 88 Geddes St, Holley, New York, materials necessary to set up the Community Garden in the amount of \$9,672.78 as approved in MRC award from NAACHO on February 17, 2015, Resolution #52-215. County Cost \$0.

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

RESOLUTION NO. 426-1215

AUTHORIZING AMENDMENT OF CONTRACT WITH NEW YORK STATE DEPARTMENT OF STATE FOR THE REGIONAL DREDGING MANAGEMENT PLAN

WHEREAS, Resolution No. 271-814 approved an extension of Contract #T006957 with the New York State Department of State to complete the Regional Dredging Management Plan up to June 30, 2015; and

WHEREAS, a budget amendment of this contract is necessary because the Orleans County Planning Director services were needed more

than originally anticipated to effectively coordinate this regional planning effort; now be it

RESOLVED, that this Legislature authorizes the Chairman to sign an amendment document for Agreement #T006957.

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

RESOLUTION NO. 427-1215

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

<u>NAME</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Paul Hendel 3145 North Main St. Road Holley, New York 14470	At-Large East	12-31-18
Theobert (Tibbs) Ahlberg 2581 Eagle Harbor Road Albion, New York 14411	At-Large Central	12-31-18
Darryl Sanford 13608 Miller Road Albion, New York 14411	At-Large Central (Alternate)	12-31-18
Brian Napoli 3337 Fruit Avenue Medina, New York 14103	At-Large West	12-31-18
Jean Benson 3107 North Gravel Road Medina, New York 14103	At-Large West (Alternate)	12-31-18

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

RESOLUTION NO. 428-1215

APPROVING AGREEMENT WITH LYNNE MENZ FOR TOURISM
MANAGEMENT SERVICES

RESOLVED, that this Legislature hereby approves an Independent Agreement with Lynne Menz of Kent, NY to provide Tourism Marketing and Management Services to Orleans County in 2016 at a cost not to exceed \$27,000 to be paid in equal monthly installments from Tourism Account A6410.466; said agreement to be in effect from January 1, 2016 to December 31, 2016; and be it

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

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

RESOLUTION NO. 429-1215

APPROVING AGREEMENT WITH MICHAEL R. WATERHOUSE
FOR TOURISM COORDINATOR SERVICES

RESOLVED, that this Legislature approves an Independent Agreement with Michael R. Waterhouse of Albion, NY for the provision of sportfishing coordinator services in the Planning and Development Department at a cost not to exceed \$20,977; said agreement to be in effect from January 1, 2016 to December 31, 2016.

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

RESOLUTION NO. 430-1215

AUTHORIZING CREATING AND FILLING POSITION IN THE
TOURISM DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the creation of a part time Senior Account Clerk Typist position in the Tourism Department at Grade 10 of the CSEA Salary Schedule however the annual salary shall not exceed \$13,500; and be

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of this newly created vacant part-time Senior Account Clerk Typist position effective January 1, 2016.

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

RESOLUTION NO. 431-1215

SETTING UP NEW MONIES IN THE TOURISM DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the setting up of new monies in the Tourism Department budget due to funds received from advertisement revenue and disbursed for the Design and Photography for the 2016 Travel Guide as follows:

<u>Revenue:</u>		
A2000	Culture and Recreation	\$5,087.50
<u>Appropriation:</u>		
A6410.0441	Printing	\$5,087.50

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

RESOLUTION NO. 432-1215

APPROVING RE-APPOINTMENT TO THE SOIL AND WATER DISTRICT BOARD

RESOLVED, that this Legislature approves the following re-appointment to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
Edward Morgan	At Large Non-Farmer	1/1/2016-12/31/2018

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

RESOLUTION NO. 433-1215

**APPROVING RE-APPOINTMENTS TO THE OAK ORCHARD
WATERSHED BOARD**

RESOLVED, that the following individuals are re-appointed to the Oak Orchard Watershed Board for a two-year term, effective January 1, 2016 through December 31, 2017.

Ed Morgan, Chairman, Soil and Water
Guy Smith – Albion
Gary Smith – Albion
Jon Peglow – Barre

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

Legislator Johnson moved to fill a vacancy as a result of a retirement in the Office of Personnel and Self Insurance; second by Legislator DeRoller. Legislator Johnson thanked Kathy Case for her many years of serving Orleans County very well and wished her well in her retirement. The following resolution was adopted:

RESOLUTION NO. 434-1215

**AUTHORIZING ABOLISHING, CREATING AND FILLING OF
POSITIONS IN PERSONNEL AND SELF INSURANCE
DEPARTMENT**

RESOLVED, as a result of a retirement, that this Legislature authorizes the filling of a vacant full time Personnel Assistant (1430.06) in the Personnel and Self Insurance Department effective December 28, 2015 and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishing of a part-time Secretary I (1430.07) position in the Personnel and Self Insurance Department effective December 31, 2015 and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part-time Personnel Assistant position in the Personnel and Self Insurance Department at a Grade 3 of the Orleans County Management Compensation Plan and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant part-time Personnel Assistant position effective January 4, 2016.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 435-1215

**AUTHORIZING SALARY SCHEDULES FOR MANAGEMENT,
CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES**

WHEREAS, the Orleans County Legislature approved the 2015/2016 Management Compensation Plan by passing Resolution No. 257-714; now be it

RESOLVED, that employees are also authorized to receive any increments they are entitled to under the plan; and be it

FURTHER RESOLVED, that the following salaries, effective January 1, 2016, are authorized for certain part-time and unclassified employees:

<u>Annual:</u>	<u>1/1/16-12/31/16</u>
Administrative Assistant – MFCTF	\$ 2,788
Corporate Compliance Officer (County)	4,601
Deputy Budget Officer	4,667
Deputy Fire Coordinator	2,135
Fire Investigator	2,135
Historian	8,160
Parole Denial Attorney	21,698
Insurance Program Assistant	1,051
Director of Computer Services	72,930
IT Operations Analyst I	58,383
Secretary to the Highway Superintendent	49,410
Director of Community Health Services	68,372
Director of Emergency Management	30,588
<u>Daily:</u>	
Court Attendant	69.69
Examination Monitor (Full Day)	120.74
Examination Monitor (Half Day)	60.38

Hourly (Part-Time Employees)

Animal Control Officer	13.92
Clerk (Elections)	10.13
Correctional Officer (Jail)	13.92
Crew Leader (Sheriff)	13.02
Deputy Sheriff (Marine Patrol)	13.41
Dispatchers	11.59
Medical Director	97.00
Voting Machine Technician	15.92

and be it

FURTHER RESOLVED, that the Chairman of the Legislature will be paid an annual salary of \$17,087 for 2016; the Vice-Chairperson will be paid an annual salary of \$12,920 for 2016; with the remaining members of the Legislature to be paid an annual salary of \$11,390 each for 2016.

Moved Johnson, second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve the Employee Assistance Program Budget and Plan for 2016; second by Legislator DeRoller. Legislator Johnson thanked Jack Welch and the members of the EAP team for providing the incredibly well attended Holiday Luncheon. Chairman Callard said well noted. The following resolution was adopted:

RESOLUTION NO. 436-1215

APPROVING THE EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PLAN FOR 2016

WHEREAS, the Employee Assistance Program (EAP) Committee has been authorized to operate an Employee Assistance Program (EAP) and other related programs for the County; and

WHEREAS, the Legislature requires the EAP Committee to submit for approval a plan of operations, together with a proposed budget for the year 2016; be it

RESOLVED, that this Legislature authorizes the Orleans County Employee Assistance Program budget and plan of operations for the year 2016 as follows:

EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PROGRAM PLAN

Program Revenues:	
Commissions/Deposits 2016	\$ 3,550.00
Raffles	\$100.00
Total	\$ 3,650.00

Program Expenditures:	
GCASA Contract	\$1,500.00
Employee of the Month Program	\$450.00
Summer Picnic	\$800.00
Holiday Luncheon	\$900.00
Miscellaneous	\$0.00
Total	\$3,650.00

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 437-1215

AUTHORIZING COUNTY TREASURER TO MAKE YEAR END ADJUSTMENTS FOR YEAR ENDING DECEMBER 31, 2015

WHEREAS, the independent auditors have recommended that the County Treasurer request a “blanket resolution” to allow for any budget adjustments that may be required at year end; be it

RESOLVED, that this Legislature authorizes the Treasurer to make the necessary budget adjustment and inter-fund transfers, and furnish copy of said adjustment to the Clerk of the Legislature when completed.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 438-1215

APPROVING APPORTIONMENT OF 2016 SALES TAX TO TOWNS AND VILLAGES

RESOLVED, that the apportionment of the 2016 Sales Tax to Towns and Villages as presented below by the Clerk of the Legislature in the foregoing warrants be, and hereby is approved by this Legislature.

2016 Sales Tax Apportioned to Towns and Villages

Town	Apportioned To Town	% Due Village	Amount Due Village	Amount Due Town Outside
Albion	\$269,873.14	55.30%	\$149,244.48	\$120,628.66
Barre	\$64,536.27			
Carlton	\$95,418.07			
Clarendon	\$116,260.89			
Gaines	\$107,656.06	19.28%	\$20,753.95	\$86,902.11
Kendall	\$86,813.23			
Murray	\$158,966.37	30.01%	\$47,706.84	\$111,259.53
Ridgeway	\$216,076.99	41.63%	\$89,950.38	\$126,126.61
Shelby	\$169,515.26	40.27%	\$68,257.42	\$101,257.84
Yates	\$81,554.72	18.78%	\$15,316.57	\$66,238.15
Totals	\$1,366,671.00		\$391,229.64	\$612,412.90

The percentage due to the village is determined by dividing the village taxable value by the town taxable value

Moved, Johnson; second, DeRoller.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 439-1215

APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY SHERIFF'S OFFICE AND THE MONROE COUNTY SHERIFF'S OFFICE

RESOLVED, that this Legislature approves an agreement between the Orleans County Sheriff's Office and the Monroe County Sheriff, 130 South Plymouth Avenue, Rochester, NY 14614, for the provision of in-patient forensic services for mentally ill inmates at a cost of \$140 per day; agreement effective from January 1, 2016 through December 31, 2020.

Moved, DeRoller; second, Johnson.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 440-1215

AUTHORIZING SHERIFF TO APPLY FOR 2015-16 PUBLIC SAFETY ANSWER POINTS (PSAP) OPERATIONS GRANT PROGRAM FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that this Legislature authorizes the Sheriff to apply for a Public Safety Answering Point (PSAP) Operations Grant, which provides reimbursement to counties for costs related to the operations of a PSAP; at no cost to the county, for fiscal years 2015/16.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 441-1215

AUTHORIZING ABOLISHING AND FILLING POSITIONS IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby abolish a full-time Lieutenant Deputy Sheriff (3110.09) position in the Sheriff's Office effective January 1, 2016; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation and filling a full-time Deputy Sheriff Position in the Sheriff's Office at grade Grade 1 of the Orleans County Deputy Sheriff's Association Salary Schedule effective January 1, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes filling the vacant Chief Deputy Sheriff position (3110.03) in the Sheriff's Office at Grade 7 of the Orleans County Management Compensation Plan with position to work 40-hour week and is eligible for compensation time and overtime, effective December 21, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the following full-time vacancies in the Sheriff's Office:

Undersheriff (3110.02), grade 9 of the Orleans County Management Compensation Plan, effective January 1, 2016

Confidential Secretary (3110.12), grade 4 of the Orleans County Management Compensation Plan, effective January 1, 2016

Civilian Dispatcher (3020.02), grade 4 of the Orleans County Sheriff's Employees Association contract, effective January 1, 2016

Deputy Sheriff (3110.17), grade 1 Orleans County Deputy Sheriff's Association contract, effect December 17, 2015

Deputy Sheriff (3110.28), grade 1 Orleans County Deputy Sheriff's Association contract, effect December 17, 2015

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 442-1215 – A [(*) SEE BELOW – Page 381]

AUTHORIZING SHERIFF'S DEPARTMENT TO PURCHASE A NEW 2016 CHRYSLER TOWN AND COUNTRY MINI VAN AND AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE SHERIFF'S DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the Sheriff's Department to purchase (1) 2016 Chrysler Mini Van, Model Town & Country from Doan Dodge Chrysler Jeep, 4477 Ridge Road West, Rochester, NY 14626 in the amount of \$30,924.95 to be paid from Sheriff's Account A3110.270 – Capital Equipment; and be it

FURTHER BE RESOLVED, that the Treasurer is authorized to transfer money into the Sheriff's Department Capital Equipment Budget to provide the additional funds needed to pay for the 2016 Chrysler Town and Country Suburban Van as follows:

<u>From:</u>		
A3110.413	Gas and Oil	\$5,142
<u>To:</u>		
A3110.270	Capital Equipment	\$5,142

FURTHER RESOLVED, that the Treasurer is authorized to set up new money in the Sheriff's Department Budget as a result of selling the Baja Sheriff's Boat as follows:

Revenue:

A2665	Sales of Equipment	\$12,125
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Appropriations:

A3110.270	Capital Equipment	\$12,125
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Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 443-1215

**AUTHORIZING CREATING, FILLING AND ABOLISHING POSITION
IN THE PUBLIC DEFENDERS OFFICE**

WHEREAS, resolution 65-215 approved an agreement between the Public Defender and the NYS Office of Indigent Legal Services; and

WHEREAS, this resolution provided funds to create a Case Manager position, therefore be it

RESOLVED, that this Legislature authorizes the creation of a part-time Case Manager position in the Public Defender's Office at Grade 11 of the CSEA Salary Schedule, effective December 17, 2015; and be it

FURTHER RESOLVED, that this Legislature approves the filling of this part-time Case Manager position at the Public Defender's Office at Grade 11 of the CSEA Salary Schedule, effective December 17, 2015; and be it

FURTHER RESOLVED, that this Legislature shall abolish this part-time position of Case Manager (Public Defender) at the Public Defender's Office effective with the ending of the funding from the NYS Office of Indigent Legal Services as agreed in resolution 65-215.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 444-1215

APPOINTING PUBLIC DEFENDER

RESOLVED, that Sanford Church be appointed Public Defender for Orleans County for a term of two years, effective January 1, 2016 through December 31, 2017, at grade 9, step 9 of the Management Compensation Salary Schedule; and, that in addition thereto, the reasonable disbursements and expenses of Public Defender incurred in the conduct of County business shall be paid upon the usual monthly vouchers and be audited by this County Legislature.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 445-1215

APPROVING EXTENSION OF FY12 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT

WHEREAS, Resolution No. 212-613 approved the acceptance of funding in the amount of \$2,000,000 for the FY12 Statewide Interoperable Communications Grant (SI12-1016-D00) effective February 4, 2013 through February 3, 2014, Resolution No. 55-214 extended it through February 3, 2015 and Resolution No. 170-15 extended it through February 3, 2016; now be it

RESOLVED, that this Legislature approves the extension of this grant through February 3, 2017; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to e-sign all related documents associated with the extension of this grant (SI12-1016-D03).

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 446-1215

APPROVING EXTENSION OF FY14 EMERGENCY PLANNING GRANT

WHEREAS, Resolution No. 198-514 approved the acceptance of funding in the amount of \$21,183 for the FY14 Local Emergency Planning Grant (EM14-1029-D00) effective October 1, 2013 through September 30, 2015; now be it

RESOLVED, that this Legislature approves the extension of this grant through September 30, 2016; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to e-sign all related documents associated with the extension of this grant.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 447-1215

AUTHORIZING FILLING OF VACANCY IN EMERGENCY MANAGEMENT OFFICE

WHEREAS, a current part time Keyboard Specialist submitted her resignation from the Emergency Management Office effective December 31, 2015, be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Keyboard Specialist position in the Emergency Management Office at Grade 7, Step 1 of the CSEA Salary Schedule, effective January 1, 2016.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 448-1215

AWARDING BID AND APPROVING AGREEMENT BETWEEN THE COUNTY OF ORLEANS AND INDOFF, INCORPORATED FOR WHITE COPY PAPER

WHEREAS, advertisement for sealed bids for white copy paper occurred and a bid was publically opened on November 6, 2015; therefore be it

RESOLVED, that this Legislature awards the bid and approves an agreement between the County of Orleans and Indoff, Incorporated, 11257 Jamison Rd, East Aurora, NY 14052 to provide Universal #91200 8.5” x 11” white copy paper, 20 lb, 92 bright, at a cost of \$31.75 per carton and shall include any all additional fees. Contract term will be effective January 1, 2016 through June 30, 2016 with an option to renew the contract for three (3) additional six (6) month periods with the written approval of the Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute this agreement and further renewal contracts if needed effective through December 31, 2017 subject to the review and approval by the County Attorney and the Chief Administrative Officer.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to adopt Local Law No. 2 of 2015 concerning the regulation of the transfer of secondhand articles; second by Legislator Johnson. Legislator DeRoller asked if further discussion was warranted on Section 6. Sheriff Elect Bower was asked if he wished to comment. He did not wish to make comment at this time. Legislator DeRoller was comfortable with the process of going through the Public Hearing therefore, he was still comfortable in moving this forward. Chairman Callard stated that with making revisions in response to public comment, he called for a vote and the following resolution was adopted:

RESOLUTION NO. 449-1215

ADOPTING LOCAL LAW NO. 2 OF 2015, ENTITLED A LOCAL LAW REGULATING THE TRANSFER OF SECONDHAND ARTICLES

WHEREAS, Local Law No. 2-Intro of the year 2015 was introduced at a regular meeting of the Orleans County Legislature held on September 28, 2015 and a Public Hearing was held on October 28, 2015, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 2 of 2015:

A LOCAL LAW REGULATING THE TRANSFER OF SECONDHAND ARTICLES

SECTION 1: SECONDHAND DEALER DEFINED

As used in this Local Law, a secondhand dealer is any person, partnership, corporation, association, joint venture, trustee, court-appointed representative or agent thereof which operates a business for profit which buys, sells, possesses on consignment for sale or trades jewelry, stamps, coins or any precious metals which may have been previously owned by a consumer; or which derives more than thirty five percent (35%) of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including but not limited to, furniture, appliances, clothing, automobile accessories, books, magazines and athletic cards and memorabilia or metals, whether in bulk or manufactured state. The term secondhand dealer shall include businesses commonly known as pawnbrokers, swap shop operators, stamp dealers, coin dealers, jewelers and auction houses who purchase and resell items from persons other than dealers and suppliers. The fact that any business does any of the following acts shall be prima facie proof that said business is a secondhand dealership.

Advertising in any fashion that it buys or sells secondhand or used items. Such advertisements shall include, but are not limited to, media advertisements, telephone listings, and signs whether on the exterior or interior of the business;

Devotes a significant segment or section of the business premises to the purchase or sale of secondhand or used items.

SECTION 2: EXEMPTIONS

The following are exempt from the requirements of this Local Law:

Garage Sales: As used in this Section, a garage sale is defined as the sale at retail of used personal property by the lawful residents of residentially zoned property which garage sale is not conducted on a periodic or ongoing basis. A garage sale shall be deemed to be periodic or ongoing if a garage sale is held by the lawful resident of residentially zoned property more than ten (10) days in any consecutive ninety (90) day period. Notwithstanding the foregoing, in the event a Town or Village has defined Garage Sales by a duly enacted local law or ordinance, the definition enacted by the Town or Village shall preempt the foregoing definition contained herein with respect to that municipality

Sales conducted by governmental, civic, patriotic, fraternal, educational, religious or benevolent organizations which have been in active and continuous existence for at least one year prior to the holding of the sale, or which are incorporated as a not for profit corporation by the State;

Sales or purchases which are regulated by the licensing laws of the State, including automobile dealers, used parts dealers and automotive parts recyclers;

Antique Dealers: As used in this Section, an antique dealer is defined as one who derives 75% of his gross sales each year from the sale of antiques and/or primitives. As used in this Section, an antique or primitive is defined as an old and valuable art object or article no longer in production which is at least fifty (50) years old. As used in this section, the term "sale" does not include an exchange, trade, or swap of items;

Licensed Firearm Dealers.

SECTION 3: PROHIBITED PURCHASES

No secondhand dealer shall purchase or accept any goods, wares, articles, or things under any of the following circumstances:

Where the seller is less than the age of eighteen (18);

Where the seller fails to present at least one (1) form of identification which at least contains the seller's full name, date of birth, a photograph or full physical description, and an identification number.

Where the article to be purchased had an original manufacturer's serial number at the time it was new, but no longer legibly exhibits said number.

SECTION 4: STATE AND FEDERAL LAWS COMPLIED WITH

Secondhand dealers shall comply with all applicable state and federal laws and regulations that govern the same, This Local Law shall not be construed so as to preempt any state or federal laws.

SECTION 5: RECORD OF PURCHASES

Every secondhand dealer shall keep at the business location a register on forms provided or approved by the District Attorney in which shall be entered in a permanent manner the following information: a succinct and accurate description of all property taken, purchased or received in the course of the business licensed under this Local Law, including any number or inscription that may be in or on said property; the full legal name of the person from whom the property is received, including full first name and middle initial, if any; such person's current residential address, date of birth and physical description; the consideration and terms of the transaction; the signature of the employee who received the property; and the signed statement of the person from whom the property was obtained that he/she is over eighteen (18) years of age and the legal owner of same, clear of all attachments and with the legal right to sell. Entries made in the register shall be printed or typed and shall be legible. All entries shall be made immediately upon receipt or purchase of any property. The register shall be open to inspection by any police agency during normal hours of operation. Records of purchase shall be maintained for at least one (1) year.

No person shall be required to furnish such description of any new property purchased from manufacturers or wholesale dealers having an established place of business, or of any goods purchased at open sale, or from a bankrupt stock. Such goods must be accompanied by a bill of sale or other evidence of open and legitimate purchase and must be shown to police agencies or District Attorney, when demanded.

SECTION 6: INSPECTION OF DEALER PREMISES: SEIZURES

Every secondhand dealer and every person employed by the secondhand dealer in the conduct of business, shall admit to any and every part of the business premises, during normal business hours, any law enforcement officer to examine any goods, articles, things, pledges, pawns, or books or other records on the premises dealing with purchase or sale of used property and to search for and to take into possession any article known or

for which such officer has reasonable grounds to believe to have been stolen. Such law enforcement officer may make any such search or seizure as is provided for in this Section, and property so seized shall be receipted for by such officer, who shall fully describe the seized property and sign the receipt. Should the officer determine the property not to be stolen, the officer shall return same to the secondhand dealer within ten (10) days and obtain a receipt therefore, as aforesaid.

SECTION 7: WAITING PERIOD

Every secondhand dealer, except auction houses, shall keep all property purchases or received from an individual for inspection for a period of at least five (5) calendar days before it can be sold or traded.

Every bonafide auction house shall maintain an accurate record of all transactions, listing the full first name, middle initial, and last name of all buyers, residential address or business name and address, date of birth and physical description. The buyer shall sign the record of transaction.

Every auction house operating a regular secondhand store for the sale of merchandise, other than at auction, shall comply with all provisions of this Local Law the same as a secondhand store or a secondhand dealer.

SECTION 8: PENALTY

Any person who shall violate any of the provisions of this Local Law shall upon a civil adjudication be subject to a fine of not less than FIFTY (\$50.00) DOLLARS or more than FIVE HUNDRED (\$500.00) DOLLARS for each offense. Each day any violation of any provision of this Local Law shall continue shall constitute a separate offense. The secondhand dealer shall be fully responsible for any violation of this Local Law occasioned by or with the condonation of the secondhand dealer's partners, officers, shareholders, agents, or employees; any such violation shall be imputed to the secondhand dealer.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 450-1215

ADOPTING LOCAL LAW NO. 3 OF 2015, ENTITLED AMENDING LOCAL LAW NO. 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**

WHEREAS, Local Law No. 3-Intro of the year 2015 was introduced at a regular meeting of the Orleans County Legislature held on October 28, 2015 and a Public Hearing was held on November 18, 2015, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 3 of 2015:

A local law Amending Local Law No. 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

SECTION 1. Section 702 of Local Law No. 4 of the Year 2003 is hereby amended to read as follows:

702. Effective Date: This Local Law shall take effect on January 1, 2004, and expire December 31, 2017, except that the provisions of this Local Law relating to registration and the authority of the Treasurer to adopt regulations and take all necessary action to prepare for the implementation and enforcement of this Local Law shall take effect immediately.

SECTION 2 This Local Law shall take effect on January 1, 2016.

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

RESOLUTION NO. 451-1215

ADOPTING LOCAL LAW NO. 4 OF 2015, ENTITLED A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1956 AS AMENDED BY LOCAL LAW NO. 1 OF 1974

WHEREAS, Local Law No. 4-Intro of the year 2015 was introduced at a regular meeting of the Orleans County Legislature held on November 18, 2015 and a Public Hearing was held on December 16, 2015, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 4 of 2015:

A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1956 AS
AMENDED BY LOCAL LAW NO. 1 OF 1974

SECTION 1 – The Rules and Regulations for the administration of the Orleans Self-Insurance Plan as originally adopted by Local Law No. 2 of 1956 and specifically Section B. thereof, is hereby amended to read as follows:

B. ENTRY AND WITHDRAWAL

Participants as defined in Subsection A hereof and other than those in the plan at the time of its adoption, shall be admitted as of January first following the date of application for participation; provided, however, that a certified copy of a resolution of the governing body of the applicant shall be filed with the Committee by the preceding July first.

A participant may withdraw from the plan effective at the end of a fiscal year, by filing with the Committee by the preceding July first notice of such withdrawal. The actuarial report of the plan will be used to determine the member's liabilities at the date of withdrawal, to produce the amount payable by the participant.

The amount payable by a participant upon withdrawal shall be collected in full, or in such installments and at such dates as the County Legislature may determine.

SECTION 2 – The Rules and Regulations for the administration of the Orleans Self-Insurance Plan as originally adopted by Local Law No. 2 of 1956 and amended by Local Law No. 1 of 1974, and specifically Section E. thereof, is hereby amended to read as follows:

E. RESERVE

A reserve of \$5,000,000 is hereby established for the plan. Any balance in the contribution reserve of the mutual plan, after repayment of advances shall be transferred to the reserve hereby established.

The difference between the maximum amount hereby established and the balance transferred from the contributed reserve of the mutual plan shall be accumulated by including equal portions of such amount in each annual estimate.

SECTION 3 – The Rules and Regulations for the administration of the Orleans Self-Insurance Plan as originally adopted by Local Law No. 2 of 1956 and amended by Local Law No. 1 of 1974, and specifically Section G. thereof, is hereby amended to read as follows:

G. REPORTS BY PARTICIPANTS

Each participant shall maintain a record of all injuries received by employees in the course of their employment. The following or equivalent reports required to be filed by the employer with the Workers' Compensation Board pursuant to the Workers' Compensation Law shall be filed promptly, within ten days after occurrence of injury or illness or sooner if directed by the Workers' Compensation Board and copies thereof shall be filed at the same time with the Administrator:

- Form C-2F Employer's Report of Work Related Injury Or Illness
- Form C-11 Employer's Report of Injured Employee's Change in Status or Return to Work
- Form C-240 Employer's Statement of Wage Earnings Preceding Date of Action

Reports shall be made annually by volunteer fire departments giving the name of the active members thereof. Such other reports as may be requested by the committee shall be filed promptly by the participants.

Forms for reports to be filed by participants pursuant to this subdivision shall be furnished by and be an expense of the plan.

The committee shall report to the County Legislature failure of a participant to file required reports and the County Legislature may take such action as it deems proper, as provided herein.

SECTION 4 – The Rules and Regulations for the administration of the Orleans Self-Insurance Plan as originally adopted by Local Law No. 2 of

1956 and amended by Local Law No. 1 of 1974, and specifically Section J. thereof, is hereby amended to read as follows:

J. PENALTIES

For failure to file reports. Fine not to exceed scheduled fine set by the Workers' Compensation Board for such a violation. In all other respects Paragraph J is hereby confirmed.

SECTION 5 – All prior inconsistent Local Laws, Rules and Regulations of the County of Orleans are hereby repealed.

SECTION 6 – This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 452-1215

ADOPTING LOCAL LAW NO. 5 OF 2015, ENTITLED A LOCAL LAW INCREASNG THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

WHEREAS, Local Law No. 5-Intro of the year 2015 was introduced at a regular meeting of the Orleans County Legislature held on November 18, 2015 and a Public Hearing was held on December 16, 2015, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 5 of 2015:

**COUNTY OF ORLEANS
LOCAL LAW NO. 5 of 2015**

A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

Be it enacted by the Legislature of the County of Orleans, as follows:

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salaries of the following County Employees are raised as follows, at an annualized salary as set forth below:

<u>Employee</u>	<u>Proposed</u>	<u>Annual Longevity Bonus</u>
County Clerk	\$77,529	***\$1,075
County Treasurer	\$77,529	*****\$1,725
Director of Personnel	\$81,963	
Highway Superintendent	\$84,273	*****\$1,725
Real Property Tax Director	\$71,322	*\$200
Social Services Commissioner	\$84,273	
Coroners	\$1,892	
	Plus \$100 per case	
*	Indicates 10 years of Service and at top of the grade	
**	Indicates 20-24 years of service	
***	Indicates 25-29 years of service	
****	Indicates 30-34 years of service	
*****	Indicates 35 and over years of service	

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by one affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, after petition, whichever event first occurs.

Moved, Johnson; second, DeRoller.

Roll Call: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

Legislator Allport explained that New York State was set up as a Home Rule state which is how local governments bought into a state rule. He said in 1963 New York State amended their constitution giving every town and village authority to control the use of their property close to where they live. Article X circumvented this Home Rule Law in regards to power plants. Every New Yorker should be against Article X because New York has shown how they will revamp this law by the change they made in power plants. Now that the State has been heading down the slippery slope

in removing Home Rule from the local municipalities of which the people should be the ones to decide through their elected officials as to how property should be zoned, and what local businesses should be allowed in the environment they live in. Legislator Allport moved to support the New York State's Constitutional Rule and opposing Article X; second by Legislator DeFilippis. Chairman Callard stated that this is a very important issue and have been discussing this as it relates to a specific issue in the Town of Yates. He said that this is paramount and this is where the fight must begin. No matter how a town or Legislature views an issue it is meaningless if we don't have Home Rule. We said we will fight this battle and fight it specifically as it relates to wind turbines which we had done previously before this issue was introduced by the Town of Somerset and Yates. Legislator Allport added that the Town of Albion, through their local laws, was able to stop the re-opening of the landfills because of them not being installed correctly. Their opposition to that Home Rule allows them to oppose the re-opening of that landfill. Legislator Allport stated that he has spoken with NYSAC who is going to support us by forwarding to all the counties for support. The following resolution was adopted:

RESOLUTION NO. 453-1215

**SUPPORTING NEW YORK STATE'S CONSTITUTIONAL HOME
RULE**

WHEREAS, the New York State Constitution grants local governments, which include county, city, town or village, broad home rule powers to adopt local laws and where the powers of Article IX and those implemented by Municipal Home Rule give authority to local governments to act by law with respect to (1) its "property, affairs and government" and (2) other powers granted in statute whether related to its property, affairs and government or not, and

WHEREAS, in 1963 New York State adopted the present Article IX which guarantees Home Rule for all villages and towns in the state outside of New York City and also introduced the Bill of Rights for Local Governments; and

WHEREAS, Home Rule establishes a local government's authority as the source for zoning and planning power and gives municipality's great flexibility in dealing with local regulation of land use, keeping these decisions as close to the citizens as possible; and

WHEREAS, Article IX states that the State Legislature is prohibited from acting with respect to property, affairs and government of any local government except by general law or special law enacted by two-thirds of the membership of a local legislative body or at the request of the chief executive officer, concurred by a majority of the legislative body, or, except in the case of New York City; therefore be it

RESOLVED, that the Orleans County Legislature does hereby support the New York State's Constitutional right to Home Rule and denounce any attempt or effort to circumvent this constitutional right; and be it

FURTHER RESOLVED, that this Legislature denounces Article X and the attempt of New York State to circumvent Article IX by giving power to those appointed by Albany and not living in the local government jurisdiction the right to decide zoning and land use in the local community, and be it

FURTHER RESOLVED, that this Legislature supports the constitutional rights of local government to decide local laws for their jurisdiction, regardless of any state law, as per those elected by the citizens of that region; and be it

FURTHER RESOLVED, that this Legislature supports the constitutional rights of local government to decide how land will be used within its jurisdiction, which is closest to the citizens of that region.

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, InterCounty of Western New York, all Orleans County Towns and Villages, and all others deemed necessary and proper.

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

Legislator Allport stated that he spoke with the Attorney General's office to request an audit of the gas prices in Orleans County as opposed to our surrounding counties, especially Monroe County. He advised that the Speedway near the Eastman Kodak Park was at \$1.98/gallon. The Attorney General's Office forwarded Legislator Allport a report from 2011

which stated that the price differences in our area, as compared to counties around us, were due to Zone Pricing. They said Legislation had been passed in Albany that mentioned Zone pricing but did not mention to eliminate it. They were waiting for Albany to step forward on this and now a bill has passed in the Assembly and is sitting in the Senate which specifically to address Zone Pricing. Legislator Allport moved to support New York State Legislation Concerning Fuel Zone Pricing as amended; second by Legislator DeFilipps. Legislator DeRoller commented that Assembly Bill A.00103 passed in the Assembly June 16, 2015. Senate Bill S.322 has been hung up and has been read twice to be printed and now referred to the Consumer Protection Committee. Legislator DeRoller further stated that Legislator Allport is correct that the research shows that the current legislation and regulations, through the Attorney General, do not cover Zone Pricing. It is imperative that we level the playing field for our businesses in Orleans County, stated Legislator DeRoller. Chairman Callard also understands that NYSAC has taken a particular interest in this because Orleans County is one of the first to pass a resolution concerning Fuel Zone Pricing and they are going to help distribute this across the state. Chairman Callard advised that we all should be contacting our State Representatives to help facilitate the passage of this particular legislation. The following resolution was adopted:

RESOLUTION NO. 454-1215

**SUPPORTING NEW YORK STATE LEGISLATION CONCERNING
FUEL ZONE PRICING.**

WHEREAS, the cost of a gallon of gasoline in Orleans County is higher than the bordering counties by as much as thirty cents a gallon, and

WHEREAS, this cost difference is a gallon of gas forms an unfair playing field in the same geographic area and is hurting Orleans County business by customer purchasing fuel outside of the county, and

WHEREAS, the NYS Attorney General Office, December 2011 'Report on New York Gasoline Prices, determined that no laws were being broken and Zone Pricing was the cause for the huge difference, and

WHEREAS, the legislature hereby finds and declares that for the past several years motor fuel prices have greatly fluctuated. In some cases, price fluctuations are caused by natural market conditions. In other cases, fluctuations result from artificial manipulation of the market. One such artificial pricing manipulation is zone pricing. Zone pricing is the setting of

different wholesale prices for retail motor fuel [that operate in different geographic areas] BASED ON GEOGRAPHIC LOCATION. Zone pricing increases the price of retail motor fuel for certain consumers, leading to inequities among consumers and regions around the state; now, therefore be it

RESOLVED that the Orleans County Legislature calls on the Governor and State Legislature to end zone pricing and other artificial changes in motor fuel prices that unfairly harm many consumers around the state; and be it

FURTHER RESOLVED that the Orleans County Legislature calls on the State Legislature to support Assembly Bill A.00103 and pass NY Senate Bill S.332 to address the issue of zone pricing and price differences in the same geographic; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, InterCounty of Western New York, all Orleans County Towns and Villages, and all others deemed necessary and proper.

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

RESOLUTION NO. 455-1215

SETTING DATE OF 2016 ORGANIZATIONAL MEETING

RESOLVED, that the Organizational Meeting of the Orleans County Legislature will be held on Tuesday, January 5, 2016 at 9:30 a.m.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 456-1215

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR 2016 ANNUAL IMPLEMENTATION PLAN GRANT

RESOLVED, that the Office for the Aging is authorized to apply for the New York State Office for the Aging Annual Implementation Plan grant, in the amount of \$1,136,385 with a county cost of \$96,015; and be it

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

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to oppose legislation which is for enacting the safe staffing for the Quality Care Act. She commended Wendy Jacobsen, the CEO of our local hospital for bringing this issue to the attention of the board, along with Sue Ellen Wagner who is the Executive Director of Healthcare Trustees of NYS and the Vice President of the Community Health HYNS organization. Legislator Johnson stated that what we have learned living in a small and rural county is that one size does not fit all. Also, flexibility for each hospital is critical and this one could close us down and bankrupt us. She said that CEO Jacobson has had the ability in her tenure to advance Orleans Community Health and see the hospital begin to bloom. This would be devastating coming in as a destructive financial impact when we have the measures in place. Safety measures need to be met now, therefore, Legislator Johnson moved this resolution to oppose this legislation; second by Legislator DeRoller. Chairman Callard stated that he can't emphasize enough the importance that Orleans County has its one hospital and its two nursing homes. The state is not doing enough to help these entities survive. He said it is ironic that previous discussions were had concerning our nursing homes and for this Legislation to upsize staffing it would be financially impossible for these entities to survive. Chairman Callard said it is idiocy on the part of the State of New York and we have to do our part to keep these health facilities. Legislator Johnson asked that the resolution also be sent to Orleans Community Health, the Healthcare Trustees of New York, Healthcare Association of NYS (HANYS). The following resolution was adopted:

RESOLUTION NO. 457-1215

**OPPOSING LEGISLATION A.8580 AND A.1548/S.782, ENACTING
THE SAFE STAFFING FOR QUALITY CARE ACT**

WHEREAS, government-mandated staffing ratios are the wrong approach to providing the best care for patients in Medina, New York; and

WHEREAS, high quality patient centered care is the number one priority of the Orleans Community Health organization and all of New York's hospitals and Nursing Homes which currently maintains appropriate staffing to meet each patient's unique need; and

WHEREAS, Orleans Community Health nurses and other health care professions are vital to patient care and nursing assignments must be adapted to meet diverse patient/resident needs that can change rapidly; and

WHEREAS, hospitals and nursing homes are required to report numerous quality measures to the state and federal governments and make quality information publically available; and

WHEREAS, Hospitals and nursing homes have committed historic levels of resources to improve quality, implementing innovative approaches every day; and

WHEREAS, arbitrary staffing ratios would cost New York hospitals and nursing homes about \$3 billion annually, the largest every unfunded healthcare mandate on hospitals and nursing homes in New York State, at a time when health care facilities fiscal conditions statewide are already among the worst in the nation; now therefore be it

RESOLVED, that this Legislature opposes proposed legislation A.8580 and A.1548-S.782 which would impose arbitrary staffing ratios and would not improve patient care quality but would instead prevent our experienced staff from making appropriate staffing decisions at Orleans Community Health to meet changing patient needs-jeopardizing patient access to care, and adding \$3 billion to the cost of care across our state.

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, Orleans Community Health, Healthcare Trustees of New

York, Healthcare Association of NYS (HANYS) and all others deemed necessary and proper.

Moved Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved a resolution in its entirety concerning Orleans County Legislative position on commercial wind turbines in the Town of Yates. She said she is an elected official representing the Town of Yates and has heard the voices of her constituents. She said they took a position months ago that they were going to wait until the results were gathered of a survey administered by the Town of Yates Board and secondly the board was going to wait for a resolution from the Town of Yates Board. Legislator Johnson announced a new development in that the New York State Board on Electric Generation Siting in the Environment announced on December 1, 2015 to overrule its twenty-one day comment period's standard for the Lighthouse Wind application and allowing us to submit a comment by January 6th. Legislator Johnson said the time has come to go on record and have our comment submitted to the Public Service Commission that the State has not done their due diligence in getting base line studies, no SEQR study and now we are asking the State to do their due diligence. She expressed that it is imperative to listen and to have local involvement brought into this project in the review stage. Legislator Johnson stated that it was with the support of the majority of her constituents from the Town of Yates that she wished to move this resolution forward; second by Legislator DeRoller. Legislator Allport stated that a few years ago there was a wind turbine project proposed in the Town of Gaines. This would have included sixty-seven, 640' tall not ready for prime time green energy things. He stated that they moved forward by placing test sites to test the wind which still remain today with probably no intent to take them down. After a time period it was determined that there was not enough sustainable wind in the Town of Gaines for the project and they left. During this time, towns all over the state were rushing to amend their comprehensive plans to fight this push from Albany for these monsters to supply energy to New York City. Legislator Allport stated that the following year he met with officials from New York who shared their new plan in placing the turbines in the lake. The bed of the lake had to be at a certain angle and the water had to be at a certain depth. He stated that Lake Erie was going to be covered with them along with the south east corner of Lake Ontario and at the entrance to the Niagara River. There was no placement noted on the colored map along the shores of Orleans County. That plan failed because of the opposition by the people who

lived along Lake Erie, Article X arose to circumvent the towns' people having their say in this project. Legislator Allport shared his opinion if green energy is so great, that they should line the south side of every New York City building with solar panels and place these turbines on top of their buildings to produce their own power. Then they can leave the greatest green energy power, Niagara Falls, for us instead of taking the power away from us, and our economic growth, and moving our power down to New York City and selling it out of state.

Chairman Callard called upon Genesee/Orleans Public Health Director Paul Pettit for comment. Mr. Pettit stated that the Health Department has been very concerned with the health impact this type of project potentially could have on the residents in the Town of Yates and also in Niagara County. He has been working closely with his Niagara County counterparts and their Health Department to take a look at what their steps are and what can be done. Different members of the Save our Shores group presented to the Board of Health. The Board of Health also came to the decision, with the Article X implications, their inability to have due diligence, to have a SEQR review, and other environmental impact assessment reviews, they felt it was very important to take steps to make sure they were on record in opposition of not having due diligence done and making sure the processes were followed. Mr. Pettit stated that none of the board members are experts on wind energy and health impacts that it may have, but felt very strongly that it was important that the studies be completed. A letter was composed and signed by both the Genesee/Orleans and Niagara Counties Board of Health's and was forwarded on. The Board continues to examine data and look for different information to continue to educate the Board of Health on the health impacts these types of projects may have on our residents and our environment. At this time the Board of Health is very unanimously supportive that Article X and what it means and what it can do without going through the local process must be stopped and that we need to have the voice and the opportunities to have the studies done in order to protect the health of our residents and that our environment is taken care of.

Legislator Allport stated that he attended the meeting in Barker and shared a couple interesting points that he felt was important to share. The base of the turbines covers a half acre and go 36' deep and per the state regulations, if they are removed at the end of life they only have to take out 3' below ground of the cement pad and cover it with dirt therefore leaving the rest of it in the ground which he feels is anti-environmental. He also stated that a letter that was foiled and an attorney read it with questions

sent from the Town of Somerset concerning the effect of these turbines along the lake shore. The DEC opposed these structures as far as the impact of the migrating birds and the DEC opposed every question asked concerning wildlife and environmental impact.

Chairman Callard said all along that the Legislature would not enforce their opinion down to the town and to tell them what to do. He said the board has been listening to the people and Legislator Johnson has constantly been updating the board on the pulse of the community. Chairman Callard stated it is Legislator Johnson's recommendation to speak on behalf of the people. He said that Cindy Hellert brought up the health consequences and then spoke with the Board of Health to help fight the principal that this should be assessed in terms of health and this has been denied. The voice of the people needs to be heard and that why the Legislature will vote on the issue and carry this forward as a written declaration of where Orleans County stands on the issue. He said it is unfortunate, because of the timing, that the Town of Yates is unable to do it, and it may make an effort to extend the period so they could but Orleans County is doing it now because they agree with the people. The following resolution was adopted:

RESOLUTION NO. 458-1215

ORLEANS COUNTY LEGISLATIVE POSITION ON COMMERCIAL WIND TURBINES IN THE TOWN OF YATES

WHEREAS, a large scale wind energy developer, APEX Clean Energy of Charlottesville, Virginia has submitted a Public Involvement Plan with the NYS Public Service Commission for the potential siting of an Article 10 Commercial Wind Project within the Town of Yates otherwise known as Lighthouse Wind LLC; and

WHEREAS, Article 10 was enacted by Governor Cuomo in 2011 and summarily strips away the ability of any community in New York State with their constitutional right to make local "home rule" decisions about energy production projects being proposed within their community; and

RESOLVED, that the Orleans County Legislature shall hereby go on the record opposing this project to place commercial wind turbines within this quaint, beautiful Town of Yates; and be it further

FURTHER RESOLVED, that the Orleans County Legislature shall hereby go on the record opposing the Article 10 law, which removed the

authority of the local municipalities to carry the voices of their constituents and to make their own decisions regarding potential energy generation projects and instead places the ultimate authority for forcing and imposing these projects upon them, with unelected appointed officials of the State; and be it further

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, all Orleans County Towns and Villages, and all others deemed necessary and proper.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

(*) Chairman Callard stated that we needed to back track to Resolution No. 442-1215 by rescinding it and make a correction for the record. CAO Nesbitt stated that there was a mistake on the Budget Adjustment Request Form in that we were missing revenue from the sale of the Sheriff Patrol boat, the Baja. An amount of \$12,125 needs to be set up in Sheriff's Budget account A3110.270 and will be added by a further resolved to authorize the Treasurer to set up new money in the Sheriff's Budget in the stated account. The first portion of the resolution will remain the same. Legislator DeRoller moved to rescind Resolution No. 442-1215; second by Legislator Johnson. Motion Carried. Chairman Callard requested to have this resolution resubmitted as amended. Legislator DeRoller moved to resubmit Resolution No. 442-1215 to include a further resolved to set up new money into the Sheriff's Budget account A3110.270 as a result of the sale of the Baja, the Sheriff's Patrol Boat in the amount of \$12,125; second by Legislator Johnson. Motion Carried. (Final Form is numbered Resolution No. 442-1215A – see above)

Legislator Eick moved to enter into executive session at 5:39 per Open Meetings Law §105 (f) to discuss the Sheriff-Elect Salary and (h) Property in the Village of Holley, second by Legislator Allport. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 6:15 p.m; second by Legislator DeFilippis. Motion Carried.

Chairman Callard stated that we have one more add on resolution to be

presented and adopted as follows:

RESOLUTION NO. 459-1215

SETTING 2016 SALARY FOR THE ORLEANS COUNTY SHERIFF

RESOLVED, that as of January 1, 2016, the salary for the Orleans County Sheriff shall be set at Grade 11, Step 3 of the Management Compensation Salary Schedule.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to adjourn; second by Legislator Allport.
Meeting adjourned at 6:16 p.m.

END OF 2015

SALARIES OF TOWN OFFICERS - 2016					
		HIGHWAY	TOWN		
TOWN	SUPERVISOR	SUPER.	CLERK	JUSTICES	COUNCILMEN
Albion	\$ 5,750.00	\$54,815.00	\$36,330.00	\$17,146.00	\$ 3,704.00
Barre	\$ 7,500.00	\$55,000.00	\$28,400.00	\$ 6,000.00	\$ 2,250.00
Carlton	\$ 9,743.00	\$45,236.00	\$32,046.00	\$ 9,443.50	\$ 3,059.50
Clarendon	\$ 10,200.00	\$58,780.00	\$37,350.00	\$13,500.00	\$ 3,731.25
Gaines	\$ 5,500.00	\$50,962.00	\$24,112.00	14,878.00	\$ 2,800.00
Kendall	\$ 8,400.00	\$49,750.00	\$28,428.00	\$ 7,725.00	\$ 3,120.00
Murray	\$ 8,500.00	\$62,063.00	\$29,273.00	\$12,416.00	\$ 3,400.00
Ridgeway	\$ 9,882.00	\$56,504.00	\$40,016.00	\$25,750.00	\$ 3,560.00
Shelby	\$ 10,250.00	\$63,291.00	\$30,550.00	\$21,700.00	\$ 4,441.00
Yates	\$ 8,000.00	\$62,922.00	\$39,900.00	\$ 8,500.00	\$ 3,575.00

SUMMARY OF THE TOWN BUDGETS FOR THE YEAR 2016

	Expenditures	Estimated Revenue	Unexpended Balance	Amount to be Raised by Tax
ALBION				
General	\$ 610,948.00	\$ 180,680.00	\$ 33,463.00	\$ 396,805.00
General Outside Village	\$ 110,727.00	\$ 115,900.00		
Highway Townwide	\$ 308,133.00	\$ 105,700.00	\$ 22,054.00	\$ 180,379.00
Highway Outside Village	\$ 216,168.00	\$ 61,024.00	\$ 32,777.00	\$ 122,367.00
Fire District	\$ 105,000.00		\$ 5,841.00	99,159.00
Water District #1	\$ 45,917.00	\$ 27,917.00	\$ -	\$ 18,000.00
Water District #2	\$ 26,119.00	\$ 25,170.00	\$ 949.00	\$ -
Water District #3	\$ 131,469.00	\$ 57,469.00	\$ -	\$ 74,000.00
Water District #4	\$ 62,257.00	\$ 28,770.00	\$ 4,918.00	\$ 28,569.00
Water District #5	\$ 112,269.00	\$ 42,372.00	\$ 9,511.00	\$ 60,386.00
Water District #6	\$ 32,800.00	\$ 10,000.00	\$ -	\$ 22,800.00
Water District #7	\$ 12,380.00	\$ 3,020.00	\$ -	\$ 9,360.00
Water District #8	\$ 22,783.00	\$ 8,050.00		\$ 14,733.00
Water District #9	\$ 12,784.00	\$ 2,546.00	\$ -	\$ 10,238.00
Sewer District #1	\$ 61,981.00	\$ 10,000.00	\$ 1,216.00	\$ 50,765.00
TOTALS	\$1,871,735.00	\$ 678,618.00	\$ 110,729.00	\$ 1,087,561.00
BARRE				
General	\$ 416,910.00	\$ 124,724.00	\$ 20,257.00	\$ 271,929.00
Highway Townwide	\$ 919,394.00	\$ 265,951.00	\$ 22,840.00	\$ 630,603.00
Barre Fire District	\$ 188,000.00			\$ 188,000.00
Water District #1	\$ 201,374.00	\$ 192,320.00	\$ 9,054.00	\$ -
Water District #2	\$ 14,954.00	\$ 13,966.00	\$ 988.00	\$ -
Water District #3	\$ 15,894.00	\$ 15,392.00	\$ 502.00	\$ -
Water District #4	\$ 18,034.00	\$ 17,592.00	\$ 442.00	\$ -
Water District #5	\$ 10,754.00	\$ 9,300.00	\$ 1,454.00	\$ -
Water District #6	\$ 62,412.00	\$ 19,650.00	\$ -	\$ 42,762.00
Water District #7	\$ 19,247.00	\$ 8,890.00	\$ -	\$ 10,357.00
WD#1 Debt Service	\$ 22,077.00	\$ -	\$ -	\$ 22,077.00
WD#2 Debt Service	\$ 12,675.00	\$ -	\$ -	\$ 12,675.00

Town Budgets - 2016

WD#3 Debt Service	\$ 10,653.00	\$ -	\$ -	\$ 10,653.00
WD#4 Debt Service	\$ 15,190.00		\$ -	\$ 15,190.00
WD#5 Debt Service	\$ 36,083.00	\$ -	\$ -	\$ 36,083.00
WD#6 Debt Service	\$ 18,261.00			\$ 18,261.00
WD#7 Debt Service	\$ 5,697.00			\$ 5,697.00
TOTALS	\$1,987,609.00	\$ 667,785.00	\$ 55,537.00	\$ 1,264,287.00

CARLTON

General	\$ 468,627.00	\$ 180,580.00		\$ 288,047.00
Highway Townwide	\$1,023,494.00	\$ 369,150.00	\$ 40,000.00	\$ 614,344.00
Light District 1	\$ 7,500.00		\$ 1,000.00	\$ 6,500.00
Light District 2	\$ 10,200.00		\$ 1,000.00	\$ 9,200.00
Carlton Water District	\$ 629,470.00	\$ 264,000.00		\$ 365,470.00
Carlton Fire District	\$ 154,335.00			\$ 154,335.00
TOTALS	\$2,293,626.00	\$ 813,730.00	\$ 42,000.00	\$ 1,437,896.00

CLARENDON

General	\$ 670,910.02	\$ 240,500.00	\$ 68,000.00	\$ 362,410.02
Highway Fund Townwide	\$ 746,567.79	\$ 306,500.00	\$ 60,000.00	\$ 380,067.79
Water District No. 1	\$ 57,723.00	\$ 62,720.00		\$ -
Water District No.2	\$ 62,081.40	\$ 22,250.00		\$ 39,831.40
Water District No. 3	\$ 99,797.02	\$ 31,500.00		\$ 68,297.02
Water District No. 4	\$ 77,803.12	\$ 25,550.00	\$ -	\$ 52,253.12
Water District No. 5	\$ 25,580.99	\$ 8,100.00		\$ 17,480.99
Water District No. 6	\$ 39,153.14	\$ 10,150.00		\$ 29,003.14
Water District No. 7	\$ 58,436.88	\$ 10,612.03	\$ -	\$ 47,824.85
Water District No. 8	\$ 12,491.28	\$ 3,575.00		\$ 8,916.28
Water District No. 9	\$ 9,742.85	\$ 2,185.00		\$ 7,557.85
Water District No. 10	\$ 77,144.20	\$ 13,623.92		\$ 63,520.28
Water District No. 11	\$ 83,066.60	\$ 9,000.00		\$ 74,066.60
Fire District	\$ 169,694.82			\$ 169,694.82
TOTALS	\$2,190,193.11	\$ 746,265.95	\$ 128,000.00	\$ 1,320,924.16

Town Budgets - 2016

GAINES				
General	\$ 435,498.60	\$ 147,081.00	\$ 19,917.60	\$ 268,500.00
General Outside Village	\$ 29,823.00	\$ 10,526.00	\$ -	\$ 19,297.00
Highway Townwide	\$ 318,698.44	\$ 127,650.00	\$ 4,877.44	\$ 186,171.00
Highway Outside Village	\$ 204,894.00	\$ 130,200.00	\$ 3,374.00	\$ 71,320.00
Water District No.1	\$ 95,000.00	\$ 95,000.00	\$ -	\$ -
Water District No.2	\$ 31,266.00	\$ 22,995.00	\$ -	\$ 8,271.00
Water District No. 3	\$ 27,846.50	\$ 21,000.50		\$ 6,846.00
Water District No. 4	\$ 75,350.00	\$ 75,350.00		\$ -
Water District No. 5	\$ 34,965.00	\$ 32,150.00		\$ 2,815.00
Water District No. 6	\$ 9,654.50	\$ 2,850.50		\$ 6,804.00
Water District No. 7	\$ 14,109.00	\$ 7,750.00	\$ -	\$ 6,359.00
Water District No. 8	\$ 19,800.00	\$ 10,850.00	\$ -	\$ 8,950.00
Water District No. 9	\$ 12,525.00	\$ 3,230.00		\$ 9,295.00
Water District No. 10	\$ 16,612.00	\$ 7,250.00	\$ -	\$ 9,362.00
Fire District	\$ 35,305.20			\$ 35,305.20
TOTALS	\$1,361,347.24	\$ 693,883.00	\$ 28,169.04	\$ 639,295.20

KENDALL				
General	\$ 550,491.00	\$ 227,009.00	\$ 65,500.00	\$ 257,982.00
Highway	\$ 689,980.00	\$ 267,352.00	\$ 10,000.00	\$ 412,628.00
Library	\$ 2,000.00	\$ 1,730.00	\$ 270.00	\$ -
Water District No.1	\$ 4,503.00	\$ 20.00	\$ 500.00	\$ 3,983.00
Water District No.2	\$ 15,641.00	\$ 12.00	\$ 500.00	\$ 15,129.00
Water District No.3	\$ 21,767.00	\$ 30.00	\$ 500.00	\$ 21,237.00
Water District No. 4	\$ 73,084.00	\$ -	\$ 500.00	\$ 72,584.00
Water District No. 5	\$ 32,984.00	\$ 14,991.25	\$ 500.00	\$ 17,492.75
Water District No. 6	\$ 20,841.00	\$ 7,200.00	\$ -	\$ 13,641.00
Light District No. 1	\$ 5,700.00	\$ -	\$ -	\$ 5,700.00
Light District No. 2	\$ 3,385.00	\$ -	\$ -	\$ 3,385.00
Light District No. 3	\$ 1,975.00	\$ -	\$ -	\$ 1,975.00
Fire District No. 1	\$ 165,000.00	\$ 100.00	\$ 1,000.00	\$ 163,900.00
Fire District No. 2	\$ 69,972.00	\$ -	\$ -	\$ 69,972.00
TOTALS	\$1,657,323.00	\$ 518,444.25	\$ 79,270.00	\$ 1,059,608.75

Town Budgets - 2016

MURRAY				
General	\$ 490,071.00	\$ 141,850.00	\$ -	\$ 348,221.00
General Outside Village	\$ 57,359.00	\$ 17,500.00	\$ 7,142.00	\$ 32,717.00
Highway Townwide	\$ 552,311.00	\$ 339,000.00	\$ 7,802.00	\$ 205,509.00
Highway Outside Village	\$ 370,885.00	\$ 161,997.00	\$ 17,975.00	\$ 190,913.00
Light District No. 1 (Fancher)	\$ 2,800.00	\$ -	\$ 200.00	\$ 2,600.00
Light Dist. #2 (Hulberton)	\$ 4,100.00	\$ -	\$ 200.00	\$ 3,900.00
Light Dist. #3 (Brockville)	\$ 1,500.00	\$ -	\$ 300.00	\$ 1,200.00
Murray Fire District	\$ 194,907.00	\$ -	\$ -	\$ 194,907.00
FHM Fire District	\$ 106,874.00	\$ -	\$ -	\$ 106,874.00
Water District No. 1	\$ 20,201.00	\$ 9,300.00	\$ 5,901.00	\$ 5,000.00
Water District No. 2	\$ 106,638.00	\$ 67,000.00	\$ 8,638.00	\$ 31,000.00
Water District No. 3	\$ 69,611.00	\$ 38,500.00	\$ 8,529.00	\$ 22,582.00
Water District No. 4	\$ 13,210.00	\$ 4,400.00	\$ 2,810.00	\$ 6,000.00
Water District No. 5	\$ 7,382.00	\$ 2,300.00	\$ 782.00	\$ 4,300.00
Water District No. 6	\$ 70,108.00	\$ 46,100.00	\$ 12,008.00	\$ 12,000.00
Water District No. 7	\$ 37,966.00	\$ 16,000.00	\$ 2,466.00	\$ 19,500.00
Water District No. 8	\$ 27,853.00	\$ 10,600.00	\$ 813.00	\$ 16,440.00
Water District No. 9	\$ 14,067.00	\$ 7,500.00	\$ 67.00	\$ 6,500.00
Water District No. 10	\$ 12,655.00	\$ 5,500.00	\$ 155.00	\$ 7,000.00
Water District No. 11	\$ 158,219.00	\$ 37,000.00	\$ 18,165.00	\$ 103,054.00
Water District No. 12	\$ 16,883.00	\$ 3,100.00	\$ 1,783.00	\$ 12,000.00
Water District No. 13	\$ 25,031.00	\$ 5,761.00	\$ 69.00	\$ 19,201.00
Water District No. 14	\$ 5,401.00	\$ 1,000.00	\$ 501.00	\$ 3,900.00
Water District No. 15	\$ 69,726.00	\$ 8,000.00	\$ 2,726.00	\$ 59,000.00
Water District No. 20	\$ 5,959.00	\$ 5,500.00	\$ 459.00	\$ -
TOTALS	\$2,441,717.00	\$ 927,908.00	\$ 99,491.00	\$ 1,414,318.00

RIDGEWAY				
General	\$ 698,257.00	\$ 268,120.00	\$ 98,635.00	\$ 331,502.00
General Outside Village	\$ 95,860.00	\$ 32,520.00	\$ 10,983.00	\$ 52,357.00
Highway Townwide	\$ 578,966.00	\$ 145,400.00	\$ 64,451.00	\$ 369,115.00
Highway Outside Village	\$ 460,034.00	\$ 210,100.00	\$ 57,952.00	\$ 191,982.00
Fire Protection District	\$ 188,700.00	\$ 25.00	\$ (25.00)	\$ 188,700.00

Town Budgets - 2016

Knowlesville Light District	\$ 3,277.00	\$ 10.00	\$ (10.00)	\$ 3,277.00
Knowlesville Sewer District	\$ 36,554.00	\$ 10.00	\$ 6,544.00	\$ 30,000.00
Water Debt Service 31E	\$ 9,200.00			\$ 9,200.00
Water Debt Service 269	\$ 8,185.00			\$ 8,185.00
Water #2 Debt Service	\$ 19,675.00			\$ 19,675.00
Water #3 Debt Service	\$ 32,207.63			\$ 32,207.63
Water #4 Debt Service	\$ 72,218.75			\$ 72,218.75
Water #5 Debt Service	\$ 26,394.25			\$ 26,394.25
Water #6 Debt Service	\$ 13,971.26			\$ 13,971.26
Water #7 Debt Service	\$ 6,020.00			\$ 6,020.00
Water #8 Debt Service	\$ 8,883.95			\$ 8,883.95
Water #9 Debt Service	\$ 5,333.74			\$ 5,333.74
Water #10 Debt Service	\$ 14,492.50			\$ 14,492.50
Water #11 Debt Service	\$ 2,062.50			\$ 2,062.50
Water #12 Debt Service	\$ 11,525.72			\$ 11,525.72
Total Water Improvement Areas				\$ -
TOTALS	\$2,291,818.30	\$ 656,185.00	\$ 238,530.00	\$ 1,397,103.30

SHELBY

General	\$1,059,548.00	\$ 263,625.00	\$ 370,223.00	\$ 425,700.00
General Outside Village	\$ 85,780.00	\$ 62,617.00	\$ 1,843.00	\$ 21,320.00
Highway Townwide	\$ 538,073.00	\$ 168,700.00	\$ 154,769.00	\$ 214,604.00
Highway Outside Village	\$ 515,329.00	\$ 222,005.00	\$ 14,408.00	\$ 278,916.00
Shelby Center Light	\$ 3,000.00	\$ -	\$ 450.00	\$ 2,550.00
Millville Light	\$ 1,500.00	\$ -	\$ 200.00	\$ 1,300.00
Shelby Fire Co.	\$ 281,625.00			\$ 281,625.00
Cemetery	\$ 10,000.00	\$ 9,200.00	\$ 800.00	\$ -
Water District No. 1	\$ 103,109.00	\$ 103,109.00		\$ -
Water District No. 2	\$ 28,444.00	\$ 28,444.00		\$ -
Water District No. 3	\$ 77,728.00	\$ 77,728.00		\$ -
Water District No. 4-A	\$ 61,563.00	\$ 61,563.00		\$ -
Water District No. 4-B	\$ 58,944.00	\$ 58,944.00		\$ -
Water District No. 5	\$ 5,106.00	\$ 5,106.00		\$ -
Water District No. 6	\$ 63,190.00	\$ 63,190.00		\$ -
Water District No. 7	\$ 64,128.00	\$ 64,128.00		\$ -

Town Budgets - 2016

Water District No. 8	\$ 69,182.00	\$ 69,182.00		\$ -
Water District No. 9	\$ 61,623.00	\$ 61,623.00		\$ -
Water District No. 10	\$ 4,565.00	\$ 4,565.00		\$ -
Water District No. 11	\$ 34,357.00	\$ 34,357.00		\$ -
TOTALS	\$3,126,794.00	\$ 1,358,086.00	\$ 542,693.00	\$ 1,226,015.00

YATES				
General	\$ 450,370.00	\$ 94,600.00	\$ 82,572.00	\$ 273,198.00
General Outside Village	\$ 25,680.00	\$ 10,050.00	\$ 805.00	\$ 14,825.00
Highway Townwide	\$ 394,600.00	\$ 210,500.00	\$ 77,600.00	\$ 106,500.00
Highway Outside Village	\$ 430,300.00	\$ 140,000.00	\$ 70,300.00	\$ 220,000.00
Fire Protection District	\$ 65,000.00	\$ -	\$ -	\$ 65,000.00
Water District No. 2	\$ 53,100.00	\$ 53,100.00	\$ -	\$ -
Water District No. 4	\$ 339,535.00	\$ 120,900.00	\$ 40,180.00	\$ 178,455.00
TOTALS	\$1,758,585.00	\$ 629,150.00	\$ 271,457.00	\$ 857,978.00

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PROCEEDINGS
of the
Orleans County Legislature
2016



PROCEEDINGS
of the
LEGISLATURE
of
ORLEANS COUNTY

2016

Donald J. Allport	Member at Large
E. John DeFilipps	Member at Large
David B. Callard	Member at Large
William H. Eick	District No. 1
Lynne M. Johnson	District No. 2
Fred Miller	District No. 3
Kenneth DeRoller	District No. 4
David B. Callard	Chairman
Lynne M. Johnson	Vice-Chairman
Charles H. Nesbitt, Jr.	Chief Administrative Officer
Nadine P. Hanlon	Clerk of Legislature
Lisa Stenshorn	Deputy Clerk of the Legislature

By Order
of the
Legislature

COUNTY OF ORLEANS)

ss:

STATE OF NEW YORK)

I hereby certify that the following Proceedings of the Legislature of Orleans County by the authority of said Legislature are a true statement of the record of such proceedings as filed in this office.

Nadine P. Hanlon
Clerk of the Legislature



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2016-2017 Orleans County Legislature

FRONT ROW: David B. Callard, Chairman, At Large – West; Lynne M. Johnson, Vice Chairwoman, District 2.

BACK ROW: Donald J. Allport, At Large – Central; David C. Schubel, County Attorney; Fred Miller, District 3; Charles H. Nesbitt, Jr., Chief Administrative Officer; William H. Eick, District 1; Kenneth DeRoller, District 4; E. John DeFilippis, At Large – East; Nadine P. Hanlon, Clerk of the Legislature

County Officials of Orleans County for 2016

Aging, Office for the, Director	Melissa Blanar
Assistant Director	Susan Miller
Budget Officer	Charles H. Nesbitt Jr.
Deputy Budget Officer	Susan M. Heard
Chief Administrative Officer	Charles H. Nesbitt, Jr.
Clerk of the Legislature	Nadine P. Hanlon
Deputy Clerk of the Legislature	Lisa Stenshorn
Computer Services, Director	Edwin L. Moss
Coroner, Chief	Scott M. Schmidt, CFSP
Coroners	Rocco Sidari
	Charles Smith, RN

County Attorney	David C. Schubel
Assistant County Attorney	John C. Gavenda
	James D. Bell
County Clerk	Karen Lake-Maynard
Deputy County Clerk	Diane L. Shampine
Deputy County Clerk – DMV	Susan K. Rustay
Development, Industrial/Economic	James Whipple
District Attorney	Joseph V. Cardone
1 st Assistant District Attorney	Susan Howard
2 nd Assistant District Attorney	Katherine Kersch-Bogan
3 rd Assistant District Attorney	John Sansone
Election Commissioners	Sylvia Shoemaker (R)
	Janice Grabowski (D)
	Dorothy Morgan (R)
Deputy Commissioners	Eileen Aina (D)
	H. Dale Banker
Emergency Management, Director	Paul A. Pettit
Health, Director	Gerald R. Gray
Highway Superintendent	Michael Cliff
Deputy Highway Superintendent	James J. Noreck
Buildings and Grounds Assist. Super.	Matthew Ballard
Historian	Kelly Kiebala
Job Development, Director	Mark O'Brien
Mental Health Services, Director	John C. Welch, Jr.
Personnel and Self Insurance, Director	James Bensley
Planning and Development, Director	Luci Welch
Probation, Director	Sanford A. Church
Public Defender	Patricia Pope
1 st Assistant Public Defender	Dominic Saraceno
2 nd Assistant Public Defender	Nathan D. Pace
3 rd Assistant Public Defender	Dawn M. Allen
Real Property Tax, Director	Charles H. Nesbitt, Jr.
Records Management Officer	Randall Bower
Sheriff	Christopher Bourke
Undersheriff	Michael Mele
Chief Deputy	Scott Wilson
Jail Superintendent	Thomas Kuryla
Social Services, Commissioner	Lynne Menz
Tourism, Director	Susan M. Heard
Treasurer	Roxie J. Basinait/Kim DeFrank
Deputy Treasurer	Earl Schmidt
Veterans, Director	Craig D. Lape
Weights and Measures, Director	Jocelyn Sikorski
Youth Bureau, Director	

LEGISLATIVE STANDING COMMITTEES-2016

LEGISLATIVE

Callard, Johnson

Chief Administrative Officer
Clerk of Legislature
County Attorney
Historian
Emergency Management
Employee Assistance Program
Fire Advisory Board
Off Track Betting
Safety Committee

PUBLIC SAFETY

DeFilipps, Johnson, Callard

District Attorney
Probation
Public Defender
Sheriff
Courts
Emergency Medical Services
Stop DWI

HEALTH

Allport, DeRoller, Callard

Mental Health
Public Health
ARC

ELECTIONS

Eick, Miller, Callard

Board of Elections

EDA

DeRoller, DeFilipps, Callard

LDC

Eick, Miller, Callard

ADMINISTRATION & FINANCE

Johnson, DeFilipps, Callard

Budget Officer
Computer Services
County Clerk
Personnel & Self-Insurance
Records Management
Real Property Tax Services
Treasurer
Education (Community Colleges,
Medical Scholarship, Libraries)

HOME & COMMUNITY SERVICES

DeRoller, Allport, Callard

Planning & Development
Soil and Water Conservation
Solid Waste
Tourism
Cooperative Extension
Gen/F. Lakes Regional Planning Council
Go Art!
Orleans Sportsman Federation
Parks

ECONOMIC ASSISTANCE

& OPPORTUNITY

Miller, Eick, Callard

Housing - Section 8
Job Development Agency
Office for the Aging
Social Services
Veterans Service Agency
Youth Board

HIGHWAY

Eick, Miller, Callard

Buildings & Grounds
Highway
Weights & Measures
Genesee Transportation Council
RGRTA - Rochester Genesee Regional
Transportation Authority

Organizational Meeting
January 5, 2016

The Clerk of the Legislature called the meeting to order at 9:30 a.m. The Pledge of Allegiance was led and Nadine Hanlon, Clerk of the Legislature, recited a prayer that was offered by the late Rev. Robert H Mowatt at the January 5, 1984 Organizational meeting of the Orleans County Legislature. The Clerk called the roll and the following Legislators were present: Donald Allport, David Callard, E. John DeFilipps, Kenneth DeRoller, William Eick, Lynne Johnson, and Fred Miller.

The Clerk opened the floor for nominations for a Temporary Chairman of the Legislature. Legislator Callard moved that Legislator Allport be the temporary Chairman. Legislator DeFilipps seconded the motion. The Clerk asked if there were any other nominations. With everyone in favor of the motion, this motion was carried.

Temporary Chairman Allport asked for nominations for Chairman. Legislator DeFilipps nominated Legislator David Callard as Chairman who has showed great finesse in this Legislature and at the same time has equality for all of the Legislators thoughts and opinions. Legislator Miller seconded the motion. Temporary Chairman Allport called three times for any other nominations. With none being offered, Temporary Chairman asked for any further discussion. With there being no other nominations or further discussion, Temporary Chairman Allport requested a roll call vote: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, and Miller; 0 nays; 0 absent. The motion for Legislator Callard to be Chairman of the Orleans County Legislature was carried. Legislator Callard was congratulated on his re-appointment as Chairman of the Orleans County Legislature.

Temporary Chairman Allport asked for nominations for Vice Chairman. Legislator DeRoller made a motion to nominate Legislator Lynne Johnson; seconded by Legislator Eick. Temporary Chairman Allport called three times for any other nominations. With their being none, Temporary Chairman called for the following roll call vote: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, and Miller; 0 nays; 0 absent. The motion for Legislator Johnson to be Vice Chairman of the Orleans County Legislature was carried. Legislator Johnson was congratulated as being elected again as Vice Chairwoman of the Orleans County Legislature.

A brief recess was called for the swearing in of the Orleans County Legislature by Orleans County Clerk Karen Lake-Maynard. Karen Lake-Maynard asked everyone to rise and she performed their oaths of office and the official book was signed by the Legislators.

Temporary Chairman Allport turned the meeting over to the newly re-elected Chairman, Legislator Callard. Chairman Callard was welcomed to the Chairman's chair by Temporary Chairman, Legislator Allport. Chairman Callard thanked the Legislators for their continued vote of confidence. He then requested to move forward with the business part of the meeting.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 1-116

APPOINTING CLERK OF THE LEGISLATURE

RESOLVED, that Nadine P. Hanlon be appointed Clerk of the Legislature to serve during the pleasure of the Legislature, at grade 6, step 9 of the Management Salary Schedule.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 2-116

APPOINTING COUNTY ATTORNEY

RESOLVED, that David C. Schubel be appointed County Attorney to act as the Attorney for the Orleans County Legislature, the County of Orleans, and the County Officers, for a term of two years with salary set at Grade 11, Step 9 of the Management Salary Schedule; and, that in addition thereto, the reasonable disbursements and expenses of the County Attorney incurred in the conduct of County business shall be paid upon the usual monthly vouchers to be audited by this County Legislature.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 3-116

FIXING COMPENSATION OF LEGISLATORS

RESOLVED, that pursuant to provisions of Section 200 of County Law, effective January 1, 2016, the compensation of each Legislator payable by the County of Orleans shall be annual salary, with the Chairman's salary to be \$17,087, Vice Chairman's salary to be \$12,920 and each other member to receive \$11,390 in lieu of all other compensation for both meetings and committee work, payable in bi-weekly installments in the same manner as other county salaries are paid; and be it

FURTHER RESOLVED, that each Legislator shall also receive from the County, travel allowance and expenses in the performance of his duties in attending meetings, committee work and other duties committed to him, at the rate of 1 cent per mile less than the IRS rate in effect for each calendar year per mile for the miles actually traveled by the most usual route in going and returning between his residence to the place of the performance of each duty; and be it

FURTHER RESOLVED, that in performing duties assigned or committed to him outside the County, each Legislator shall receive from the County his actual expenses and if he furnishes his personal automobile for such travel shall receive, therefore, mileage at the rate of 1 cent per mile less than the IRS rate in effect for each calendar year per mile for the miles actually traveled by the most usual route in going and returning between his residence and place of such assignment; such expenses and mileage shall be audited by the Legislature upon the usual voucher thereof, and paid as are other County charges; and be it

FURTHER RESOLVED, that each Legislator shall be entitled to fringe benefits as currently prescribed by the Management Compensation Plan; and be it

FURTHER RESOLVED, that Legislators are not allowed expenses for meals between Conference Sessions and Legislature Meetings.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 4-116

DESIGNATING NEWSPAPERS

WHEREAS, The Daily News is the only newspaper available to be deemed a designated newspaper in Orleans County; and

WHEREAS, Section 214 of County Law provides that, if there be but one newspaper published in the county, such newspaper shall be designated; now therefore be it

RESOLVED, that the County Legislature does hereby designate of The Daily News as their legal newspaper and further designates the Daily News to publish the Concurrent Resolutions for 2016 and 2017, the Tax Redemption Notices for 2016 and 2017; the Official Canvas for 2015 and 2016 and the Election Notices for 2016 and 2017.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 5-116

DESIGNATING MAJORITY AND MINORITY LEADERS OF THE LEGISLATURE

RESOLVED, that William Eick is hereby designated by the Republicans as Majority Leader of the Legislature and that Fred Miller is hereby designated by the Democrats as Minority Leader of the Legislature.

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 6-116

SETTING LEGISLATURE MEETING SCHEDULE FOR 2016

RESOLVED, that the regular meetings of the Orleans County Legislature will be held on the fourth Wednesday of the months of January through October at 4:30 PM at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that the the regular meetings of the Orleans County Legislature will be held on the third Wednesday of the months of November and December at 4:30 PM at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that should additional meetings warrant scheduling, special meetings will be called with proper notice as described by Open Meetings Law Article 7, Section 104; and be it

FURTHER RESOLVED, that Legislative workshops will be scheduled one hour prior to the scheduled conference session unless otherwise posted.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 7-116

RE-AFFIRMING APPOINTMENTS TO THE ORLEANS COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, certain individuals were heretofore appointed by this Legislature as members of the Orleans County Industrial Development Agency to specified terms as set forth in the resolutions of appointment; and

WHEREAS, subdivision 2 of section 856 of the General Municipal Law provides that members of an industrial agency shall serve at the pleasure of the appointing authority; and

WHEREAS, this Legislature is desirous of resolving any ambiguity with respect to the terms of the certain named individuals by reaffirming their respective appointments to serve at the pleasure of this Legislature; now, therefore be it

RESOLVED, that this Legislature hereby reaffirms the appointments of the following named individuals as members of the Orleans County Industrial Development Agency who shall serve at the pleasure of the Orleans County Legislature pursuant to the provisions of section 856 of the General Municipal Law of the State of New York: Kenneth Rush, Merle L. Draper, Paul Hendel, Carol D'Agostino, and John Misiti; and be it

FURTHER RESOLVED, that it shall be a policy of this Legislature to periodically review the appointments to the Orleans County Industrial Development Agency no less frequently than bi-annually upon the commencement of a new term of the Orleans County Legislature.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 8-116

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY [COIDA] FOR THE YEAR 2016

WHEREAS, it is in the best interest of the County that the many advantages of Orleans County be publicized to those who may be interested in establishing, maintaining, or expanding business and industry in the County of Orleans, in order to create new jobs and keep a healthy economy; and

WHEREAS, equally as important, is the ability to retain within the county the jobs already located here; and

WHEREAS, among the most important tasks facing New York State are the need to increase jobs and encourage higher levels of private capital investment in business and industry, thereby improving the general prosperity and economic welfare of the people of New York State and its constituent municipalities; and

WHEREAS, the County recognizes that the Agency is a community-wide organization with the expertise and capacity to improve the general prosperity and economic welfare to the people of the County; and

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County; and

WHEREAS, New York State Public Officers Law Section 18 states that a county legislative body may provide for the defense and indemnification of the officers and employees of a public entity and additional indemnification of said Agency may be contracted in return for services; and

WHEREAS, the County has, by Resolution adopted by the Orleans County Legislature, authorized the execution of this contract and the indemnification agreement herein between the County and the Agency; now, therefore be it

RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with the County of Orleans Industrial Development Agency [COIDA] to provide the services as set forth in the agreement at an annual cost of \$166,500, to be paid in quarterly payments of \$41,625.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 9-116

AUTHORIZATION TO ENTER INTO A GRANT AGREEMENT WITH THE ORLEANS COUNTY LOCAL DEVELOPMENT CORPORATION FOR THE IMPLEMENTATION OF A SMALL CITIES GRANT RECEIVED FROM THE NEW YORK STATE HOUSING TRUST FUND CORPORATION

WHEREAS, Orleans County has received Federal grant assistance in the amount of two hundred thousand dollars (\$200,000.00) from the New York State Housing Trust Fund Corporation represented by the New York State Office of Community Renewal (hereinafter the “OCR”) through the Community Development Block Grant (hereinafter “CDBG”) Program (OCR Grant #857ED724-10) for the purpose of (i) financing a Microenterprise Grant Program (the “Grant Program”) which will provide grants to microenterprises within Orleans County, and (ii) providing funding for the continuation of the Orleans County Downtown Commercial Rent Subsidy Program; and

WHEREAS, the Orleans County Local Development Corporation (the “OCLDC”) has the capacity to implement and administer the OCR grant in the best interests of the County; and

WHEREAS, the OCLDC is a not-for-profit corporation eligible to receive grants of CDBG funds pursuant to Section 105(a)(15) of the Housing and Community Development of 1974, as amended (42 USC 5305); be it

RESOLVED, that the County will enter into an agreement with the OCLDC for implementation and administration of the OCR grant under terms and conditions fully reviewed and agreed to by Counsel; and

BE IT FURTHER RESOLVED, that consistent with the OCR grant application and budget, such agreement shall grant to the OCLDC the sums of \$100,000 for the funding of Microenterprise grants, \$60,000 for the funding of Downtown Commercial Rent Subsidy grants, \$30,000 for program delivery costs, and \$10,000 for grant administration costs.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 10-116

AUTHORIZING SHERIFF TO SET SALARY FOR UNDERSHERIFF

RESOLVED, that this Legislature authorizes the Orleans County Sheriff, as of January 1, 2016 to set the salary of the Orleans County Undersheriff up to Grade 9, Step 5 of the Management Compensation Salary Schedule.

Moved, DeRoller; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 11-116

AUTHORIZING FILLING A VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature, due to a resignation, hereby authorizes the filling of a vacant full-time Social Welfare Examiner position (6010.0109) in the Department of Social Services at Grade 13 of the CSEA salary schedule effective January 6, 2016.

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

RESOLUTION NO. 12-116

**AUTHORIZING CREATING A TEMPORARY POSITION IN THE
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, a full-time Caseworker (6010.0229) will be out indefinitely with medical issues and this position is critical in the day-to-day operations at DSS; now be it

RESOLVED, that this Legislature does hereby authorize the creation of a temporary part-time Caseworker position (6010.0229*) in the Department of Social Services at Grade 16 of the CSEA salary schedule, to be effective for the period of January 6, 2016 through the return of the full-time permanent employee (6010.0229); and be it

FURTHER RESOLVED, that the Commissioner of Social Services is authorized to fill the newly created part-time temporary position.

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

RESOLUTION NO. 13-116

**AUTHORIZING ABOLISHING, CREATING AND FILLING
POSITIONS IN THE JOB DEVELOPMENT AGENCY**

RESOLVED, that this Legislature does hereby authorize abolishing a part-time Assistant Employment and Training Director III position in the Job Development Agency; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Employment and Training Coordinator position in the Job Development Agency, at grade 17 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Job Development Agency effective January 6, 2016.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 14-116

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$4,602.00	Barton & Loguidice, D.P.C.	Engineering Services – E. Scott Road Bridge- Invoice #80572

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
6,900.00	Gudabri, Inc./dba Secor Building Solutions	Pole Barn fencing

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 15-116

**AUTHORIZING PAYMENT OF CLAIMS FOR JANUARY AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 January 13, 2016:

Fund/Department	Check Number (s):	Amount:
General	2369-2531	\$334,335.77
Highway	672-675; 1588-1594	\$28,725.09
Job Development	1972-1978	\$4,417.69
Self Insurance	56287-56288	\$51,327.00

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 Superintendent of Highways, 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 January 27, 2016:

Fund/Department	Check Number (s):	Amount:
General	2536-2723	\$593,889.89
Highway	676-679; 1595-1627	\$22,402.55
Job Development	1982-1988	\$13,591.22
Self Insurance	1104-1105; 56331-56332; 56337	\$14,200.05

Moved, Johnson; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolution was adopted as follows:

RESOLUTION NO. 16-116

AUTHORIZING FILLING VACANCY IN THE BOARD OF ELECTIONS OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of the vacant full-time Deputy Elections Commissioner position (1450.03), effective January 1, 2016, to be filled at Grade 2, Step 9 of the Management Compensation Plan.

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

Chairman Callard expressed that in serving on a number of different boards over the years he has he stated that this was the finest board he has ever been associated with. He further stated that he looks forward to a very aggressive year. He feels that it is important to continue to strengthen its ties with the business community within the county and the educational institutions which benefit all the people of our county. He also feels it is important to educate and train the best we can, along with delivering jobs the best we can. They will strive to do this. One of the key components to elevating our educating process and job training is broadband. Chairman Callard stated that the board is excited about the prospects of this. Legislator Johnson has personally done much to bring this process along and we hope to participate in money that should possibly be awarded by May. This is the first step in delivering broadband across the entire county of Orleans instead of the fifty-percent we are at now. Chairman Callard stated that they will continue to fight hard for their fair share of infrastructure money for our roads and bridges. We will continue to push forward with Public and Mental Health issues. Chairman Callard stated that specifics will be addressed when he delivers the State of the County message in April. He will inform everyone in that message of the agenda for the next two years. Chairman Callard said he is very excited with the newly elected Sheriff and his appointments. He is excited to hear of his ideas and will work together to move that department forward as aggressively as they can. Chairman Callard again thanked everyone for their confidence and stated that he truly looks forward to the next two years and hopes that they can continue to grow in advances as much as we have in the past and even more so.

Legislator Eick moved to enter into executive session at 9:51 a.m. per Open Meetings Law §105 (f) to discuss the employment history of an employee and (h) to discuss the property in the Village of Holley; second by Legislator Allport. Motion Carried. Chairman recessed the meeting and will begin the Executive Session at 10:00 a.m.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 10:34 a.m.; second by Legislator Allport. Motion Carried.

With there being no further business, Legislator Eick moved to adjourn; second by Legislator Miller. Meeting adjourned at 10:34 a.m.

LEGISLATURE MEETING

January 27, 2016

Chairman Callard called the meeting to order at 4:35 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Shelby	Supporting New York State's Constitutional Home Rule
T/Shelby	Supporting New York State Legislation Concerning Fuel Zone Pricing
T/Yates	Resolution of Yates Town Board to Formally Oppose the APEX Clean Energy Lighthouse Wind LLC Project within the Town of Yates

Town of Somerset will be holding a Public Hearing on February 1, 2016 at 6:30 p.m. on the adoption of a proposed Local Law entitled "A Local Law Amending the Code of the Town of Somerset Chapter 205 Zoning. Town of Somerset will be holding an additional Public Hearing on February 10, 2016 at 6:30 p.m. on the adoption of a proposed Local Law entitled, "A Local Law Amending the "Violations; Penalties for Offenses" Provision (Chapter 205) of the Code of the Town of Somerset. Both Public Hearings will be held at the Town of Somerset Town Hall located at 8700 Haight Road, Barker. The Albion Strawberry Festival Committee, under the authority of the Village of Albion, is requesting permission to hold its 30th annual festival on the Courthouse Lawn on Friday, June 10th and Saturday, June 11th, 2016. Hours of operation will be 11 a.m. to 9 p.m. on Friday and 9 a.m. to 9 p.m. on Saturday. As in the past, the Courthouse grounds will be used for the same purposes which include arts and crafts and entertainment. The Board approved this request.

As President of the Employee Assistance Program, Jack Welch presented the awarding of the 2015 Employee of the Year. The EAP Committee is tasked to recognize Employees of the Month. This is very important and a very special occasion when fellow county employees are recognized for not only their service to the citizens of the county but to recognize those individuals who go above and beyond their duty. The EAP Committee receives nominations from fellow employees and department directors and then the nominations are reviewed and discussed by the committee and a selection is made.

The employees of the months for the past year were: Katherine Marks (Probation), October 2014; Diana Kephart, (Social Services), January 2015; Nicole Spohr, (Sheriff's Department) February 2015; Claire Haulk, (Social Services) March 2015; Michael Mele (Sheriff's Department), April 2015; James DeFilipps (Sheriff's Department), May 2015; Julie Vendetti (Sheriff's Department), June 2015.

From this pool of candidates, a Department Head must make a recommendation to a separate committee to determine the Employee of the Year. The committee looked for additional service that an employee has performed since the individual was recognized as an Employee of the Month. Then the Employee of the Year is selected.

The 2015 Employee of the Year has been a representative for her union since 2006; including being on the union's negotiating committee and continues in that role. She has been on the EAP Committee since January 2004, as the union's representative. She has been the Treasurer of EAP since January 2006; and now since January 2014 has been the Secretary Treasurer of EAP. In 2015 she chaired the subcommittee for the Summer Picnic and the Holiday Luncheon which are both for the County employees. She was instrumental in the EAP committee's ability to hold these two events without using the Nursing Home staff for the base for these two events.

What is impressive with this employee is that during her service with the County the last five years, her real job is to prepare the payroll for the largest department in the County every two weeks. To do that properly, this employee is required to know two union contracts as well as the Management Compensation Plan. Jack mentioned this because as complicated as those agreements are, there are no issues with that Department's payroll.

This employee is able to perform her duties and is willing to take on additional service to the County and to the County employees, always cheerfully with a can do attitude. This year's Employee of the Year is Nicole Spohr. Ms. Spohr was escorted by Undersheriff Bourke and Chief Deputy Mele along with Legislator DeFilipps and Legislator Johnson, who make up the Public Safety Committee, who all presented Nicole her award.

Legislator Eick presented special recognition, along with Legislator Miller and Johnson, to retiring Republican Commissioner Dennis Piedimonte for his nineteen years of service to Orleans County in the Board of Elections Office. Janice Grabowski, Democrat Commissioner; and Sylvia Shoemaker, incoming Republican Commissioner, also joined in on the presentation. He was applauded for his years of service and dedication to Orleans County voters. Mr. Piedimonte stated that over the nineteen years he has worked in that office there was never an argument, large voices or disagreements. Mr. Piedimonte stated it was a pleasure to work with the employees in that office during this time.

Treasurer Heard did not have a treasurer's report because of year end postings.

Chairman Callard called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired in Resolution No. 19 if the Milton Cat Dump Trucks were off road vehicles. Highway Superintendent Gray advised Mr. Lofthouse that they are on road vehicles. Superintendent Gray said they are 10 wheeled dump trucks that can safely carry up to 22 ton on the road.

Paul Lauricella, Yates, also inquired about the dump trucks in if they were tri-axes. Superintendent Gray stated that these dump trucks do not need tri-axes because they will not travel the thruway and have the capacity to carry legally up to 22 ton.

Legislator Eick moved to add one resolution to the agenda; second by Legislator DeFilipps. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 17-116

AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY TAX REFUNDS

WHEREAS, the New York State Real Property Tax Law, Section 556, provides an administrative correction of error process to assist the property owner in obtaining real property tax refunds caused by certain clerical errors, unlawful entries and errors in essential fact; and

WHEREAS, Real Property Tax Law, Section 554 provides that the tax levying body may delegate, by resolution on an annual basis, the

authority to perform the duties of the tax levying body in regard to Real Property Tax Law, Section 556; and

WHEREAS, the Administration and Finance Committee does recommend that the Treasurer be delegated to perform said duties; now therefore be it

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a refund and said refund is two-thousand five hundred dollars or less; and be it

FURTHER RESOLVED, that on the fifteenth day of each month, the Orleans County Treasurer shall submit a report to the Orleans County Legislature of the refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund and when no refunds are given no report will be issued.

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

RESOLUTION NO. 18-116

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$948.38	Labella Associates	Prof. Serv: 9/19/15-12/31/15 for Waterport Carlton Bridge Replacement – Inv #67596
\$40,768.55	Labella Associates	Prof. Serv: 9/19/15-12/31/15 for Oak Orchard Bridge Replacement – Inv #67597
\$11,091.00	Labella Associates	Prof. Serv: 11/28/15-12/31/15 for Carton Road Bridge- Inv #67600

\$17,546.50	Barton & Loguidice D.P.C.	Engineering Services – E. Scott Road Bridge-Inv #80876
\$23,781.15	CP Ward	Construction for Waterport Carlton Bridge - Final Payment – 12/16/15-1/7/16

FURTHER 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>
\$4,987.03	Labella Associates	Prof. Serv:9/19/15-12/31/15 for Knowlesville Culvert Repl. Inv #67593
\$17,625.75	Labella Associates	Prof. Serv: 11/28/15-12/31/15 for Platten Road Culverts Inv #67599

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

RESOLUTION NO. 19-116

AUTHORIZING THE HIGHWAY DEPARTMENT TO PURCHASE TWO NEW DUMP TRUCKS

RESOLVED, that this Legislature authorizes the Highway Superintendent to purchase two (2) New 2017 CAT CT660S Dump Trucks from Southworth-Milton CAT, 4610 E. Saile Drive, Batavia, NY 14020 in the amount of \$347,000 through the OGS/NJPA contract #PC66988; and be it

FURTHER RESOLVED, this Legislature approves a lease agreement with Caterpillar Financial Services Corporation, 2120 West End Avenue, Nashville, TN 37203 to be paid in five annual payments of \$36,365.42 for each truck and to be paid from Account #DM5130.270 in 2016; County Cost of \$15,656.20.

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

RESOLUTION NO. 20-116

CALLING ON THE STATE OF NEW YORK TO RESTORE FUNDING PARITY BETWEEN THE CAPITAL PLANS OF THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA) AND THE NY STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, Governor Andrew Cuomo and Mayor de Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly \$11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS, as part of this agreement, the Governor is committing \$8.3 billion in state resources to cover the MTA plan's multi-year deficit; and

WHEREAS, while we may agree that this vital investment in downstate transit is needed, the state has yet to develop a new Department of Transportation 5-Year Capital Plan designed to assess current conditions and determine investments needed to provide for the future needs of a modern, safe, reliable and efficient multimodal transportation system; and

WHEREAS, the enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the state to develop and fund a Transportation 5-Year Capital Plan; and

WHEREAS, locally-owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and are responsible for a vast system of aging culverts. These locally-owned transportation facilities are deteriorating at a rapid rate as counties continue to struggle to find adequate funding for their maintenance and replacement; and

WHEREAS, three of the last four DOT/MTA five-year capital programs were virtually identical in size; and

WHEREAS, for nearly two decades, through 2009, the parity agreement was honored and both five-year capital programs were similar in size as well as adopted within a month of each other. It is necessary to once again restore parity between the programs; and

WHEREAS, according to a 2014 Comptroller's report, thirty four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the state are rated fair or poor and getting worse; now be it

RESOLVED, that the Orleans County Legislature calls upon Governor Cuomo and our State Legislative Delegation to work with our County and other local governments in order to develop and fully-fund a 5 Year Capital Plan that will provide the necessary and proper funding to New York's counties by substantially increasing CHIPS and Marchiselli funding and establishing a 5 year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their infrastructure; and be it

FURTHER RESOLVED, that restoring parity between the Department of Transportation's (DOT) highway and bridge five-year capital program and the MTA's capital program will assure each program is funded at a \$26.1 billion level, providing enough resources to help fund the local needs as described above; and

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State County Highway Superintendents Assn, Inc; all Orleans County Towns and Villages, and all others deemed necessary and proper.

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

RESOLUTION NO. 21-116

APPOINTING MEMBERS TO THE GENESEE TRANSPORTATION COUNCIL

RESOLVED, that the following members are appointed to the Genesee Transportation Council for a two-year term effective January 1, 2016 through December 31, 2017:

<u>Name</u>	<u>Representation</u>
David B. Callard	Legislature
Gerald Gray	Alternate

January 27, 2016
Resolutions 17-71

William Eick
James Bensley

Legislature
Alternate

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

RESOLUTION NO. 22-116

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 funding support of local programs in the delivery and enhancement of the essential components of NY Connects, which include Information and Assistance (including screenings), Public Education and local Long Term Care Councils in the amount of \$43,289 to run from October 1, 2015 to September 30, 2016, County Cost \$0; and be it

FUTHER RESOLVED, that the Chairman is authorized to execute the NY Connects grant agreement with the New York State Office for the Aging for the Orleans County Office for the Aging subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 23-116

APPROVING RENEWAL AGREEMENT BETWEEN OFFICE FOR THE AGING DEPARTMENT AND ELLEN FOSTER, RD

RESOLVED, that this Legislature approves a renewal agreement between the Office for the Aging and Ellen Foster, RD of 33 Willmont Street, Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2016 to December 31, 2016 at a cost not to exceed \$13,708. County cost \$624.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 24-116

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES.

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

Orleans County Building and Grounds, A Division of the Highway Department, Albion, NY for the provision of Messenger and Custodial Services; to be effective January 1, 2016 through December 31, 2016 at a cost of \$53,072. County cost is \$18,575.

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance and consultation services; to be effective January 1, 2016 through December 31, 2016. County cost is \$28,207.

Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2016 through December 31, 2016 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Pathstone Corporation, Rochester, NY for the provision of housing at a safe dwelling to victims of domestic violence who are eligible for DSS payment of these services; to be effective January 1, 2016 through December 31, 2016. Rates are established by NYS Office of Children and Family Services.

Angels in Your Home, Hilton NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2016 through December 31, 2016 at rates set by NYS Department of Health. County cost is \$0.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 25-116

AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature, as the result of a retirement and a termination, does hereby authorize the filling of the following vacancies in the Department of Social services:

Full-time Social Welfare Examiner position (6010.0249) at Grade 13 of the CSEA Salary Schedule effective January 28, 2016.

Full-time Caseworker position (6010.0221) at Grade 16 of the CSEA Salary Schedule effective February 10, 2016.

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

Legislator Miller moved to approve a project at the Veterans Service Agency and authorizing to transfer funds for this project; seconded by Legislator Eick. Chairman Callard invited Earl Schmidt, Director of the Veterans Service Agency, to explain the project details. Mr. Schmidt stated that the project will update security in the office, make it handicap accessible (bringing it up to compliance with ADA standards), and the sign board will be changed to the Veterans Service Agency. He said in all good faith this will take care of the veterans as strongly as they can with the quick responses that took place with the Legislators moving forward on these updates. The following resolution was adopted:

RESOLUTION NO. 26-116

APPROVING PROJECT AT THE VETERANS SERVICE AGENCY AND AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE BUILDINGS AND GROUNDS BUDGET AND VETERANS BUDGET

WHEREAS, the Orleans County Veterans Service Agency has identified a need for reconfiguration renovations at the office to improve security and accessibility for Veterans; and updating the front signage; and

WHEREAS, the Veterans Services Director has identified a need for a high speed scanner to provide more efficient service to our Veterans; now be it

RESOLVED, that this Legislature approves a project to change the front signage; to reconfigure the office to provide better security for the facility and records; and to make the office more handicap accessible at a cost not to exceed \$7,560 to be paid from Buildings and Grounds Account A1620.403 – Maintenance Projects; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds from Contingency and Future Infrastructure Account into the Buildings and Grounds and Veterans budgets to complete this project and for the Veterans Service Agency to purchase a high speed scanner to better provide services to our Veterans as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$7,560.00
A1990.435	Contingency Fund	\$987.52
<u>To:</u>		
A1620.403	Building Projects	\$7,560.00
A6510.220	Office Equipment	\$987.52

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

Legislator Allport moved to approve several agreements with Mental Health and various agencies. He said it should be noted since the Mental Health Association was combined with Genesee County, the state taxpayers are donating another \$5,000 to this cause. Legislator DeRoller seconded the motion. The following resolution was adopted:

RESOLUTION NO. 27-116

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2016 calendar year, retroactive beginning January 1, 2016 and ending December 31, 2016:

The Arc of Orleans County, 122 Caroline Street, Albion, NY 14411 providing supportive employment services, vocational assessment, job readiness and job coaching services at a cost of \$50,928. County cost \$0.

The Arc of Orleans County, 122 Caroline Street, Albion, NY 14411 providing services to the developmental disabilities population of Orleans County at a cost of \$104,831. County cost is \$39,831.

Community Action of Orleans and Genesee, 411 East State Street, Albion, NY 14411 providing summertime services for youths referred or approved by the Department of Mental Health at a cost of \$5,000. County cost \$0.

DocuTrac, Inc., 1800 Dual Highway, Suite 306, Hagerstown, MD 21740 providing software support maintenance and support for the computer software utilized by the Department of Mental Health for the client electronic health record at a cost of \$54,354. County cost is \$3,805.

EFP Rotenberg, LLP, 280 Kenneth Drive, Rochester, NY 14623 providing compliance review/audit of the 2015 Consolidated Fiscal Report at a cost of \$6,500. County cost is \$455.

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 E. Main Street, Batavia, NY 14020 providing substance abuse/dependency and prevention services, as well as gambling treatment services and translational services at a cost of \$338,771. County cost is \$35,167.

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 E. Main Street, Batavia, NY 14020 providing chemical dependency services for inmates at the Orleans County Jail at a cost of \$6,000. County cost is \$6,000.

Goodwill of the Finger Lakes, Inc., 422 South Clinton Avenue, Rochester, NY 14620 providing mental health telephone referral and information services at a cost of \$11,500. County cost \$0.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a cost of \$14,000. County cost \$0.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 proving a program of family resiliency as a community support service for individuals with mental and emotional problems who are living in the community at a cost of \$79,111. County cost \$0.

Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227 providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services at a cost of \$166,232. County cost \$0.

Mental Health Association in Genesee and Orleans County, 25 Liberty Street, Batavia, NY 14020 providing mental health support services and Drop-In Center at a cost of \$68,945. County cost \$0.

Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127 providing a mobile mental health crisis intervention team at a cost of \$80,337. County cost \$0.

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

Legislator Allport moved to approve the MiFi's for the Mental Health Department to be added to our Verizon Account along with approving the use of these MiFi's in the Mental Health Department. Legislator Allport explained that these MiFi's will be used by employees to gain internet access in the field, such like the satellite sites in our area schools. They then can log their notes and data into the Mental Health records while off site which will keep billing moving ahead. Legislator DeRoller seconded the motion. Legislator DeRoller understood that this will enhance the satellite functions in our schools. Mark O'Brien, Mental Health Director, reported that the Mental Health Department has satellite offices in four out of the five school districts as of March and in some cases multiple satellites in the same school district. Director O'Brien stated that they will be close to nine locations by the end of the year. The following resolution was adopted:

RESOLUTION NO. 28-116

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

RESOLVED, that this Legislature authorizes the Mental Health Department to add 10 MiFi's to the Verizon account, to be paid at \$39.99 per unit per month from Mental Health Account A4310.421 - 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:

4310.08	4310.20
4310.14	4310.21
4310.16	4310.22
4310.17	4310.39
4310.19	4310.41

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

RESOLUTION NO. 29-116

APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

David C. Schubel, Orleans County Attorney, 113 West Center St; Medina, NY 14103 to provide Attorney services to the Orleans County Health Department. Contract period January 01, 2016 through December 31, 2016. Contract amount not to exceed Fifteen thousand five hundred (\$15,500). Reimbursement from various NYS contract grants and State Aid. County cost \$0.

Jack Venesky CPA & Associates (JVPA), 6114 Rt 31, Cicero, NY 13039 to provide accounting services for required NYS regulations. Cost Report Required-Medicaid-AHCF Report. Contract to pay up to \$7,500.00 per year for length of contract. Reimbursement from State Aide. County Cost \$0.

Dr. Alan Barcomb, 1 Dennis Drive, Batavia NY 14020, Contract to provide medical consultant services throughout the various departments within the Orleans County Health Department. Contract period to run 1/1/2016 through 12/31/2016 Reimbursement from State Aide. County cost \$0.

Orleans Community Health a/k/a (Medina Memorial, 200 Ohio St, Medina NY 14603, Contract to provide lead poisoning education, information, sampling, and testing for the residents of Orleans County. County cost \$0.

Timothy Hens, PE 7319 Quinlan Rd, LeRoy, NY 14482 Contract to provide Engineering Services for the Orleans County Environmental Department. Reimbursement from New York State water Grant and State Aide. County cost \$0.

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

Legislator Allport moved to set up money for grants to align with the Federal Drug Administration guidelines. These are being voted in by most states so the guidelines are uniform across the nation and our Health Department is leading the way in this process in New York State stated Legislator Allport. Paul Pettit, Director of Public Health, further stated that these monies will be used to do an assessment of where our public health department currently aligns with the federal standards. Currently in New York State we have the Sanitary Code and now looking at the Federal Food Code explained Director Pettit. Legislator DeRoller seconded the motion. The following resolution was adopted:

RESOLUTION NO. 30-116

AUTHORIZING SETTING UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT

RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department Budget as a result of two grants from the Voluntary National Retail Food Regulatory Program Standards Grant Program:

Revenue:

A4403	Association of Food and Drug Officials	\$ 4,500
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Appropriations:

A4010.452	Personal Service Contracts	\$ 2,500
A4010.460	Training & Education	\$ 1,000
A4010.463	Travel Other Than Mileage	\$ 1,000

Moved, Allport; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 31-116

**AUTHORIZING THE CONTINUATION OF THE CONTINUITY OF
GOVERNMENT ADVISORY COMMITTEE FOR ORLEANS
COUNTY**

WHEREAS, Resolution No. 323-808 authorized the establishment of a Continuity of Government Advisory Committee to create a Continuity of Operations Plan (COOP) to ensure the continued performance of essential functions and services when normal, standard operations become overwhelmed, regardless of the emergency; therefore be it

RESOLVED, that this Legislature re-authorizes the continuation of the Continuity of Government Advisory Committee as established and will be subject to reauthorization at the end of calendar year 2017.

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

RESOLUTION NO. 32-116

**APPROVING LEASE AGREEMENT FOR LARGE FORMAT
SCANNER BETWEEN PLANNING AND DEVELOPMENT
DEPARTMENT AND REAL LEASE**

WHEREAS, the Department of Planning and Development received a quote from Eastern Managed Print Network, LLC to lease a Colortrac Smart LF SG 44C scanner, stand, and software valued at \$13,187 through a third party; and

WHEREAS, such scanner will allow the preservation of aging blueprints, engineering drawings, schematics and other oversized original documents of the County and its towns and villages while also reducing the need for suitable physical storage space; now be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to enter into a Sixty (60) Month Lease in the amount of \$292.22 per month with a \$1.00 buyout at the end of lease from Real Lease, 1387 Fairport Road, Suite 1000, Fairport, NY 14450 to be

paid from Planning and Development Equipment Lease Account A8020.222.

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

RESOLUTION NO. 33-116

AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND THE SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Orleans, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ORLEANS

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF ORLEANS or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.

3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

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

Legislator DeRoller moved a resolution to consolidate to one single agricultural district. He added we went from ten to three and now three down to one which is a great administrative process; seconded by Legislator Allport. The following resolution was adopted:

RESOLUTION NO. 34-116

APPROVING CONSOLIDATION OF ALL COUNTY AGRICULTURAL DISTRICTS INTO A SINGLE AGRICULTURAL DISTRICT

WHEREAS, consolidation of all three county agricultural districts would be simpler and more convenient for farmers whose operations now frequently include multiple municipalities; and

WHEREAS, consolidation is technically feasible and allows for greater administrative efficiency for the Department of Planning and Development that conducts reviews of county agricultural districts; and

WHEREAS, the New York State Department of Agricultural and Markets has requested formal action by the County to designate the appropriate districts to be terminated and the anniversary date for the surviving district for subsequent eight-year reviews; now be it

RESOLVED, that this Legislature approves the consolidation of County Agricultural Districts No. 2 and No. 3 into District No. 1, henceforth to be known as Consolidated Agricultural District No. 1 (C-1) with an eight-year anniversary review cycle starting December 2, 2016.

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

Legislator DeRoller moved a resolution to purchase playground equipment for the Marine Park. He added that OONA (Oak Orchard Neighborhood Association) is adding to phase two in the amount of \$3,287 for this project. Legislator Allport seconded the motion. Chairman Callard thanked OONA and asked when the equipment could be added to the park. Jim Bensley, Director of Planning and Development, hopes to have it installed in April and hopes that OONA will be recognized for their contribution at one of the summer concerts. Chairman Callard added that he feels it will be a wonderful enhancement to the park. The following resolution was adopted:

RESOLUTION NO. 35-116

AUTHORIZING PURCHASE BY PLANNING AND DEVELOPMENT DEPARTMENT OF PLAYGROUND EQUIPMENT FOR COUNTY MARINE PARK AND AUTHORIZING SETTING UP FUNDS INTO THE MARINE PARK BUDGET

WHEREAS, this Legislature, pursuant to resolution No. 193-515 as amended by Resolution No. 249-715, entered into a contract with New York State Department of State for Phase 2 of capital improvement to the County Marine Park; and

WHEREAS, replacement and relocation of the existing County Marine Park playground was identified as one of said capital improvements; be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to purchase a playground system in the amount of \$19,497 from Miracle Recreation Equipment Company, P.O. Box 15517, Syracuse, NY 13215 to be paid from Marine Park Capital Projects Account A7180.486; and be it

FURTHER RESOLVED, that this legislature authorizes the treasurer to set up the remaining grant funds to the following accounts:

REVENUE:

A3097	NYS Parks/Recreation	\$ 81,500
Future Infrastructure Reserve		\$ 85,338

APPROPRIATION:

A7180.486 Marine Park Special Grants \$166,838

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

RESOLUTION NO. 36-116

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>Expiration Date</u>
Daniel Strong 1150 Sawyer Road Kent, New York 14477	Town of Albion	12-31-18
Kevin Parker 3512 Keitel Road Albion, New York 14411	Town of Albion (Alternate)	12-31-18
Thomas Keeler 12931 Pask Road Albion, New York 14411	Town of Barre	12-31-18
Wesley Miller 4159 Oak Orchard Road Albion, New York 14411	Town of Barre (Alternate)	12-31-18
Michael Grabowski 14061 Bacon Road Albion, New York 14411	Town of Gaines	12-31-18
Ronald Vendetti 26 Park Place Holley, New York 14470	Village of Holley	12-31-18

Edward Urbanik 12365 Platten Road Lyndonville, New York 14098	Town of Yates (Alternate)	12-31-16
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Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 37-116

**APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC
EMPLOYEES FIDELITY (BLANKET) BOND FOR
GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

WHEREAS, the County of Orleans has appropriated the sum of \$6,647 as its share of the year 2016 operating funds of the Genesee Finger Lakes Regional Planning Council, and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore, be it

RESOLVED, that the Orleans County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

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

RESOLUTION NO. 38-116

**APPROVING LEASE AGREEMENT BETWEEN ORLEANS COUNTY
AND TOSHIBA BUSINESS SOLUTIONS**

RESOLVED, that this Legislature approves a lease agreement between Orleans County and Toshiba Business Solutions, 6000 N. Bailey Ave., Amherst, NY 14226 to provide one (1) Toshiba e-Studio multifunction machine for a 36 month lease effective January 1, 2016 through December 31, 2018 as follows:

Tourism	e-Studio 287CSL	\$62.99 per month
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Bill per copy B&W .014 per page, Color .095 per page
with an annual increase of 2.5%

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

RESOLUTION NO. 39-116

**APPROVING AGREEMENT WITH SOIL AND WATER
CONSERVATION DISTRICT**

RESOLVED, that this Legislature authorizes the agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, New York, for the provision of services by "Soil and Water" for the calendar year 2016, at a cost of \$77,500, to be paid in quarterly payments of \$19,375.

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

RESOLUTION NO. 40-116

**APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL
COOPERATIVE EXTENSION**

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$232,500 for the

calendar year 2016, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$58,125.

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

RESOLUTION NO. 41-116

GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND WATER SYSTEMS

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina and Lyndonville located outside their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant or reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2016 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 42-116

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

WHEREAS, resolution No. 300-814 approved an agreement between Real Property Tax Services and Applied Business Systems, 26 Harvester Avenue, Batavia, New York for printing of the Orleans County tax bills, Village Tax bills, and School tax bills at a cost \$.1897 per bill and \$.0612 per collector's copy, with such fees charged back to municipalities.

FURTHER RESOLVED, that this Legislature approves an agreement extension for an additional 12 month period for printing services rendered through August 31, 2016 with no contract changes.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 43-116

APPROVING SOFTWARE AGREEMENT BETWEEN THE PERSONNEL AND SELF INSURANCE DEPARTMENT AND J.J. KELLER

WHEREAS the Department of Personnel and Self Insurance Department has been Prospera software to maintain human resources information and health assessments the past three years; and

WHEREAS the maintain and retrieval of human resources information and health assessments is a critical function and needs to be efficiently performed; be it

RESOLVED, that this Legislature approves an agreement between the Department of Personnel and Self Insurance Department and J.J. Keller, P.O. Box 368 Neenah, WI 54957-0368, for a 36-month lease of Prospera Professional Plus which will include one license at a total three year price of \$5,895.00 beginning March 1, 2016.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 44-116

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF INSURANCE PLAN AND OCCUPATIONAL SAFETY CONSULTANTS, INC.

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan; now be it

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc., 175 Thurlow Ave, Rochester, NY 14609 for safety consulting services at an hourly rate of \$130; and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$20,000 for 2016.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 45-116

AUTHORIZING GRANT APPLICATION TO NEW YORK STATE
DEPARTMENT OF LABOR HAZARD ABATEMENT BOARD
GRANT 2016-17

WHEREAS the New York State Department of Labor Hazard Abatement Board is providing opportunities to apply for grants that will help keep employees in compliance with OSHA or PESH requirements and help to reduce your Workers' Compensation claims and costs.

RESOLVED, that this Legislature authorizes the Orleans County Department of Personnel and Self Insurance to apply on the behalf of the Orleans County Self Insurance Plan to apply to the office of New York State Department of Labor Hazard Abatement Board Grant 2016-17 with no County cost.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 46-116

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND
ROYAL EMPLOYER SERVICES

RESOLVED, that this Legislature approves a renewal agreement with Royal Employer Services, 430 East Main St., Batavia, NY 14020 for the provision of an Employee Assistance Program, at a cost \$6,000, with cost of agreement to be apportioned at 50% from Mental Health; 25% from Personnel; and 25% from Employee Assistance Program and said agreement effective from January 1, 2016 through December 31, 2016.

Moved, Johnson, second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to appoint members to the Employee Assistance Program Committee. Legislator Johnson asked to amend the resolution by adding Devon Pahuta as a representative of the Orleans County Deputy Sheriff's Association to the list of appointments already

provided; seconded by Legislator DeFilipps. The following resolution was adopted as amended:

RESOLUTION NO. 47-116

APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

RESOLVED, that this Legislature authorizes the following appointments to the Employee Assistance Program Committee for the following terms:

Katie Harvey	Personnel – Management	1/1/16-12/31/17
Patricia Urquhart	Mental Health – CSEA	1/1/16-12/31/17
John C. Welch, Jr	Personnel – Management	1/1/16-12/31/17
Devon Pahuta	Sheriff Department – OCDSA	1/1/16-12/31/17

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 48-116

APPROVING AGREEMENT BETWEEN THE COUNTY OF ORLEANS AND HEALTH ECONOMICS GROUP INC

RESOLVED, that this Legislature does hereby approve an agreement between the County of Orleans and Health Economics Group, Inc, 1050 University Ave, Ste A, Rochester, NY 14607 for the provision of a Flexible Benefits Program with a cost pepm (per employee per month) of \$3.00 in 2016; \$3.25 in 2017; and \$3.40 in 2018, with a monthly minimum charge of \$75 and the annual fee will remain at \$100 and debit card fee of \$2.50/pepm effective January 1, 2016 through December 31, 2018.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 49-116

APPROVING REAL ESTATE SALES CONTRACT FOR THE SALE OF 315 EAST AVENUE (73.11-1-52), VILLAGE OF ALBION

WHEREAS, the parcel commonly referred to as 315 East Avenue (73.11-1-52), Village of Albion, was subject to an In Rem Tax Foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, the parcel is a commercial property, and

WHEREAS, the County of Orleans is authorized to sell commercial property via private treaty, and

WHEREAS, the County Legislature wishes to find a suitable and productive reuse of the real property, now, therefore, be it

RESOLVED, that this Legislature approves a Real Estate Sales Contract for 315 East Avenue (73.11-1-52) between the County of Orleans as Seller, and Richard Colonna as Buyer, for a sale price of \$15,000.00, subject to the attorney approval of the County Attorney.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 50-116

AUTHORIZATION TO ACCEPT GRANT AND APPROVE AGREEMENT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, the Office of the NYS Homeland Security and Emergency Services has informed the Orleans County Sheriff's Department that they have been awarded \$133,385 under the New York State 2015-2016 Public Safety Answering Points Operations Grant Program (2015-16 PSAP Grant); now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant agreement PS15-1017-D00; Contract #198540 in the amount of \$133,385 for the Sheriff's Department to use for eligible public safety call-taking and dispatching expenses, effective January 1, 2016 through December 31, 2016.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 51-116

**AUTHORIZING FILLING VACANCY IN THE
SHERIFF'S/DISPATCH OFFICE**

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Public Safety Dispatcher position (3020.19) in the Sheriff's Dispatch Department, at an hourly rate of \$11.59 effective January 28, 2016.

Moved DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 52-116

**AUTHORIZING EXECUTION OF SECRETARIAL SERVICES
CONTRACT FOR ORLEANS COUNTY PUBLIC DEFENDER**

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a renewal contract for Secretarial Services with Church and Church Law Firm for the Orleans County Public Defender, at an annual cost of \$26,000; and said amount to be paid in quarterly installments of \$6,500, a 2% increase over 2014-15, upon submission of a county voucher at the end of each quarter, agreement effective for the 2016 and 2017 calendar years.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 53-116

**APPROVING AGREEMENT WITH ORLEANS COUNTY DISTRICT
ATTORNEY'S OFFICE AND THE U.S. DEPARTMENT OF JUSTICE**

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement between the District Attorney's Office and the U.S. Department of Justice effective January 1, 2016 through December 31, 2016 allowing receipt of seized funds on Federal forfeitures; and be it

FURTHER RESOLVED, that this Legislative body hereby authorizes the Chairman of the Legislature to execute this agreement as approved by the Orleans County Attorney.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 54-116

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds for purchase of personal protective safety equipment (PPE) for Deputy Coordinators and Fire Investigators at a cost not to exceed \$3,000; radio repeater for Coordinator's emergency vehicle at a cost not to exceed \$12,059; and a lap top for the emergency vehicle at a cost not to exceed \$3,000; and be it

FURTHER RESOLVED, that this Legislature approves setting up 2015 Homeland Security Grant Funds as follows:

Revenue		
A4309.2015	State Homeland Security Grant Program FY2015	\$18,059
Appropriation		
3640.486.2015	Special Grants (SHSP-FY15)	\$18,059

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 55-116

APPROVING AGREEMENT WITH EMERGENCY MANAGEMENT OFFICE AND AMERICAN RED CROSS

RESOLVED, that this Legislature approves the Memorandum of Understanding between the Emergency Management Office and the American Red Cross to define a working relationship in preparing for, responding to and recovering from emergencies and disasters for

individuals, families and communities in Orleans County as well as clarification of roles and responsibilities of Red Cross and other agencies within the County, and be it

FURTHER RESOLVED, that this MOU will be for a 5-year period of January 1, 2016 to December 31, 2020.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 56-116

APPROVING REPAIRS AND UPGRADE OF EMERGENCY MANAGEMENT FIRE TRAINING TOWER, APPROVING AGREEMENT WITH CALL'S METAL BUILDING ERECTORS, INC AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 296-815 authorized an inspection of the Fire Training Tower/Burn Building by LaBella Associates; and

WHEREAS, the inspection report showed defective burn room panels per NFPA1403 standards; and

WHEREAS, Fire Facilities, Inc. is the sole source provider of the Westec Insulation System; now be it

RESOLVED, that this Legislature authorizes Fire Facilities of Sun Prairie, Wisconsin to supply all materials and parts at a cost not to exceed \$26,759 and Call's Metal Building Erectors, Inc. of Somers, Wisconsin to provide all labor at a cost not to exceed \$22,785, for a total project cost of \$49,544; said funds to be paid from Emergency Management A3640.444—Repairs to Equipment and Property; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute an agreement with Call's Metal Building Erectors, 8128 12th St, Somers, WI 53171-0162 to provide the labor to re-line burn room with Westec Liner, subject to the review and approval of the Chief Administrative Officer and County Attorney; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds from the Future Infrastructure Reserve into the Emergency

Management budget to complete the repairs recommend by the LaBella as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$70,000.00
<u>To:</u>		
A3640.444	Repairs to Equipment and Property	\$70,000.00

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 57-116

APPOINTING MEMBERS TO EMERGENCY MEDICAL SERVICES COUNCIL

RESOLVED, that this Legislature appoints the following members to the Emergency Medical Services Council, all terms expiring December 31, 2016:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
<u>VOTING MEMBERS:</u>	
Albion Fire Department	Chuck Prentice Fred Piano Alt.
Barre Fire Department	Patrick Lamka Terry Bentley, Alt.
Carlton Fire Company	Lynn Miller/ Justin Niederhofer, Alt.
Clarendon Fire Company	Donald Mosier
East Shelby Fire Department	Michael Fuller
Fancher-Hulberton-Murray Fire Company	Debbie Fiorito Tracey Sicurella, Alt
Holley Fire Company	Susan Dann
Kendall Fire Company	Sue Maslyn
Lyndonville Fire Company	Tina Woolley
Medina Fire Department	Steve Cooley Matthew Jackson, Alt.
Ridgeway Fire Company	Kristin McAdoo
Shelby Fire Company	John L. Miller II
COVA	Jason Spencer Laurie Schwab, Alt.

Orleans County Health Dept	Al Cheverie
Mutual Aid / EMS Coordinator	H. Dale Banker
Orleans County Sheriff	Randy Bower
Orleans County Dispatch	Allen Turner

NON-VOTING MEMBERS

Co. Leg /Public Safety Committee	David Callard/Lynne Johnson
NYS Department of Health	James M. Mihalko

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to appoint members to the Fire Advisory Board; seconded by Legislator DeFilipps. Legislator Johnson commended Pat Eick, Secretary to the Emergency Management Director, who is consistently working on pulling these people together from the various fire departments and EMS agencies. The following resolution was adopted:

RESOLUTION NO. 58-116

APPOINTING MEMBERS TO FIRE ADVISORY BOARD

RESOLVED, that this Legislature appoints the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2016 with all terms expiring December 31, 2016:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
Albion Fire Department	Will Francis
Barre Fire Department	Jerry Bentley
Carlton Fire Company	Andrew Niederhofer
Clarendon Fire Company	Robert Freida
East Shelby Fire Department	Allen Turner
Fancher-Hulberton-Murray Fire Company	Chris Chilson
Holley Fire Company	Kevin Dann
Kendall Fire Company	Michael Schultz
Lyndonville Fire Company	Scott Buffin
Medina Fire Department	Josh Wolck
Morton (H-W-M Fire District)	Randy Davis
Ridgeway Fire Company	Francis Woodward
Shelby Fire Company	Andrew Benz

and be it

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

Orleans County Emergency Management	Dale Banker
Orleans #2 Deputy Coordinator	Francis Gaylord
Orleans #3 Deputy Coordinator	Martin Zwifka
Orleans #4 Deputy Coordinator	David J. Hydock
Orleans #5 Fire Investigator	David Clary
Orleans #6 Fire Investigator	Walter Batt
Orleans #7 Fire Investigator	David Knapp
Radio Systems	Kevin Doherty
Legislature Vice Chairwoman	Lynne Johnson
Legislator / Public Safety Committee	E. John DeFilipps
Orleans County Sheriff	Randy Bower
Office of Fire Prevention and Control	Dan Hausman

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 59-116

APPROVING AGREEMENT WITH MERCY FLIGHT

RESOLVED, that this Legislature approves an agreement with Mercy Flight, Inc. for the provision of necessary air medical transfers; Orleans County to pay \$5,000 for the 2016 calendar year; no increase from 2015.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 60-116

AUTHORIZING EXECUTION OF SECRETARIAL SERVICES CONTRACT FOR ORLEANS COUNTY ATTORNEY

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a contract for Secretarial Services for the Orleans County Attorney, at a annual cost of \$19,055; said amount to be

paid in equal monthly installments of \$1,587.91, upon the submission of a county voucher at the end of each month; agreement effective for the 2016 and 2017 calendar years.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 61-116

APPROVING PAYMENT TO NEW YORK STATE ASSOCIATION OF
COUNTIES (NYSAC) FOR GOVERNMENT CONSULTATION
SERVICES

RESOLVED, that this Legislature hereby approves payment to NYSAC for Orleans County shared cost of government consultation in Albany, NY and Washington, D.C in the amount of \$6,018 for the 2016 calendar year for the provision of services to include: state budget advocacy, legislative advocacy, legal and technical assistance, training and educational programs, policy analysis, research, daily news clips, electronic newsletters, NYSAC news, and other programs and services of benefit to Orleans County.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve appointments to the InterCounty Association; seconded by Legislator DeFilipps. Legislator DeRoller added that he felt this has been a great opportunity to interrelate with other counties and it has been a great experience for him and looks forward in continuing in this process. The following resolution was adopted:

RESOLUTION NO. 62-116

APPROVING APPOINTMENTS TO INTERCOUNTY ASSOCIATION
OF WESTERN NEW YORK

RESOLVED, that this Legislature appoints the following delegates and alternates to the InterCounty Association of Western New York to represent Orleans County:

<u>Name</u>	<u>Representation</u>
David B. Callard	Delegate

E. John DeFilipps	Delegate
Kenneth DeRoller	Delegate
Lynne M. Johnson	Alternate
Charles H. Nesbitt	Alternate
Nadine P. Hanlon	Alternate

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 63-116

APPOINTING MEMBERS TO SOIL AND WATER DISTRICT BOARD

RESOLVED, that this Legislature approves the following appointments to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
E. John DeFilipps	Legislature	1/1/2016-12/31/2016
William Eick	Legislature	1/1/2016-12/31/2016

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 64-116

APPROVING APPOINTMENTS TO THE LOCAL DEVELOPMENT CORPORATION BOARD

RESOLVED, that this Legislature approves the following appointments to the Local Development Corporation Board:

<u>Name:</u>	<u>Address:</u>	<u>Expiration</u>
William Eick	10471 Freeman Rd, Medina NY	December 31, 2017
Fred Miller	5 Linwood Ave, Albion NY	December 31, 2017

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 65-116

APPOINTING REPRESENTATIVES TO THE GENESEE FINGER LAKES REGIONAL PLANNING COUNCIL

RESOLVED, that this Legislature confirms the Chairman's appointment of Kenneth DeRoller, Orleans County Legislator as the Chairman's Alternate to the Genesee Finger Lakes Regional Planning Council, for a two-year term ending December 31, 2017; and be it

FURTHER RESOLVED, that this Legislature appoints James Bensley, Director of Planning, as an Orleans County representative on the Genesee Finger Lakes Regional Planning Council, for a two-year term ending December 31, 2017.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 66-116

APPROVING APPOINTMENTS TO THE FISH AND WILDLIFE
MANAGEMENT BOARD

RESOLVED, that this Legislature confirms the Chairman of the Legislature's appointment of the following Sportsman and Legislative representatives to the Fish and Wildlife Management Act Board, terms effective January 1, 2016 through December 31, 2017:

<u>Name</u>	<u>Representing:</u>
E. John DeFilipps	Legislature
Don Allport	Legislature (Alternate)
Michael Elam	Sportsmen's Federation
Neil Newton	Sportsmen's Federation (Alternate)

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 67-116

APPROVING APPOINTMENT TO THE ORLEANS COUNTY JURY
BOARD

RESOLVED, that this Legislature approves the appointment of Fred Miller to a two-year term on the Orleans County Jury Board, effective January 1, 2016 through December 31, 2017.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 68-116

APPOINTING MEMBERS TO SAFETY COMMITTEE

RESOLVED, that this Legislature appoints the following members to the Safety Committee for a two-year term beginning January 1, 2016 through December 31, 2017:

Ryan Woolston	CSEA Union Representative
David B. Callard	Legislature Chairman
Lynne M. Johnson	Vice Chairman (Chairman's Designee)
Mike Christopher	OCSEA Union Representative
Jeff Cole	OCDSA Union Representative
Chuck Nesbitt	Chief Administrative Officer
Jim Noreck	Buildings and Grounds
Dale Banker	Director of Emergency Management
Jack Welch	Director of Personnel and Self-Insurance

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved a resolution to appoint a commissioner of Elections; seconded by Legislator Johnson. Chairman Callard expressed that Sylvia was an excellent selection. She has served Orleans County for many years in the past and did a wonderful job. He is confident that she will do a wonderful job as she replaces Commissioner Piedimonte. The following resolution was adopted:

RESOLUTION NO. 69-116

APPOINTING COMMISSIONER OF ELECTIONS

WHEREAS, the Republican Commissioner of Elections has announced his retirement effective January 30, 2016; and

WHEREAS, a recommendation has been received from the Orleans County Republican Committee recommending that Sylvia Shoemaker be appointed as Commissioner of Elections effective February 1, 2016 to fill the unexpired term of Commissioner Piedimonte; therefore, be it

RESOLVED, that this Legislature appoints Sylvia Shoemaker as the Commissioner of Elections for the term of January 1, 2016 through December 31, 2016, at an annualized salary of \$18,860 which will be prorated.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Sylvia was applauded and gathered for a picture with Janice Grabowski, Democrat Commissioner and Legislators Eick and Miller of the Elections Committee.

RESOLUTION NO. 70-116

AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 February 10, 2016:

Fund/Department	Check Number (s):	Amount:
General	2738-2887	\$368,631.19
Highway	681-687; 1628-1657	\$40,822.23
Job Development	1994-2004	\$10,205.23
Self Insurance	1106; 56378-26382	\$4,820.01

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 Superintendent of Highways, 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 February 24, 2016:

Fund/Department	Check Number (s):	Amount:
General	2899-3018	\$311,234.14
Highway	688-693; 1658-1676	\$18,815.17
Job Development	2006-2015; 2018	\$10,231.05
Self Insurance	1170; 56443, 56446, 56448- 56450; 56456	\$20,321.48

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson presented an add on resolution in its entirety to oppose Governor Cuomo's proposed increase in the minimum wage. Legislator Johnson asked to add Orleans Community Health in the distribution of this adopted resolution. She stated she was at a Hospital Board meeting and this is one more thing that could cripple our only county hospital. Legislator DeFilipps seconded the motion. Legislator Allport during discussion stated that it amazes him that the people in government don't know how the free capitalist system works. He said that they always say that this guarantees a working wage but all it does is it causes a vicious cycle. Employers, whether mandated or not, have to raise their wages if a person enters with a college degree at an entry level to compete. A minimum wage job is not to raise a family on. This is not what entry level to the workforce is. So, Legislator Allport further explained that this is the vicious cycle, that once wages are raised, product prices are then raised, and minimum wage will then be raised again. Legislator Johnson believes that we stand to lose businesses over this. She has spoken to restaurant owners where most of the wait staff is at minimum wage. So they will either close, or pass it on to the customer in order to survive. The following resolution was adopted:

RESOLUTION NO. 71-116

OPPOSING GOVERNOR CUOMO'S PROPOSED INCREASE IN THE MINIMUM WAGE

WHEREAS, Governor Cuomo's Executive 2016-17 State Budget Proposal includes increasing the minimum hourly wage from \$9.00 to \$15.00 over the period from December 31, 2016 to July 1, 2021; and

WHEREAS, Orleans County has experienced the loss of local jobs when New York's minimum wage was previously increased, which made New York State non-competitive with the minimum wage paid in other states; and

WHEREAS, it is the belief of this Legislature that the proposed government mandated minimum wage increase will cost upstate New York hundreds of thousands of jobs since the onerous tax structure in New York State already places a tremendous burden on small businesses; and

WHEREAS, this proposed increase in minimum wage will also create pressure on local governments, as employers, to increase wages in order to attract workers; and

WHEREAS, this wage pressure, together with a possible .12% tax cap on property taxes for next year, would create great pressure to cut non-mandated programs, such as valuable youth employment and senior programs to keep seniors at home and out of nursing homes; now, therefore, be it

RESOLVED, that the Orleans County Legislature urges the Governor to reconsider this proposal, and asks our state delegation to oppose this increase; and, be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, InterCounty of Western New York, all Orleans County Towns and Villages, Orleans Community Health System, and all others deemed necessary and proper.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called for old business. Legislator Allport stated that last year this Board passed a resolution opposing the state's plan to close workshops (like our ARC affiliated workshop). Shortly after we passed our resolution, NYSARC and other ARC's from around the state went to Albany to protest this action. Legislator Allport stated that Legislation is working its way through Albany to oppose closing these workshops and allow individuals who are working in these center based workshops to stay

or choose to work in the public sector. He said this is good news and he hopes they have enough to override a veto from the Governor.

Taylor Quarles, who is working on the proposed Apex Lighthouse Wind Project, came to introduce himself and provided a brief update. He said they are working hard through the Article X process, which is new to everyone. On October 31, 2014 they submitted their public involvement plan. They carried out public informational activities for over a year, which was over double the time that was required of them for this. In November of 2015 they submitted their preliminary scoping statement which outlines what will be in the final application. Mr. Quarles said that this had a public comment period through January 12th again double of its original requirement for public comment. His company is working hard in responding to those comments in a subsidence manner which they have until February 11th to do so. They are looking forward to working with the towns, agencies and members of the public to finalize what is going to be submitted in the final application which will include all of the details these folks are waiting for explained Mr. Quarles. This final application is planned for submission sometime this summer. Mr. Quarles stated that between now and then, he is hoping to meet with everyone individually. He knows of numerous constituents that are in favor of the project that are also very eager to meet with the board members individually. Mr. Quarles indicated they have an office in downtown Barker that is open four days a week, a website at lighthousewind.com, and an email address of info@lighthouse.com.

Paul Lauricella, Yates, stated that he supports the minimum wage resolution. He said government always comes back with cutting valuable services for seniors and youth, which is their typical “tug at your heart strings” response. Mr. Lauricella feels the government does not want to give up on some of these programs either. It is all about taxes in the state and local levels which need to be lowered. He said what does it matter if everyone’s wages are raised when the taxes on everything is high. Chairman Callard said the onus is on the state because what it will do to the local municipalities is to force reduction in services while the state continues to place the burden on the local tax payer. Chairman Callard stated that it is a vicious cycle. The State needs to look at the duplication of services and efficiencies that could help save taxpayer money. Mr. Lauricella stated as a citizen we only have control locally. Legislator Allport stated that the services we provide in our County, with the exception of road patrol, 911 call center, and a portion of the highway department that can’t be turned over to the local towns and villages on

mandates of maintenance; everything else is mandated by the State. Legislator Allport stated he would never support not continuing with road patrol and 911 services. Chairman Callard asked Mr. Lauricella what he would do. He suggested that Sheriff Deputies could be placed in the towns so they are closer to crime if it happens and do not need to travel across the county.

Legislator DeRoller reported that a large focus has been on two infrastructure areas which include bridges, our Erie Canal bridges and other high span bridges. We have 27 total bridges in Orleans County which 25 of those are over 100 years of age. We have 20 high span bridges with approach issues and 7 lift bridges which incorporate 40% of the lift bridges in New York State. We have two closed, one reduced lane, 6 structurally deficient, 14 obsolete, 16 with low limits, and the list goes on. It is a real burden to this county stated Legislator DeRoller. Staff has been working diligently with our state representatives and agencies and getting information on our website about our infrastructure issues. Legislator DeRoller also stated that we have 12.7 miles of parkway, two lanes that are in terrible shape. He said that \$2.6 million has been committed to do work on the parkway starting in Monroe County where the traffic counts are high and moving this way where it is not being used as much due to its condition. He said \$2.6 million in paving from the O'Rourke Bridge up to Route 390 and then out to Route 237 is the plan. Our focus then would be from Route 237 out to Lakeside State Park to fill that gap. Legislator DeRoller expressed that all hands have been on deck to make people aware of this. All ten towns and four villages have resolutions on the books concerning these infrastructure issues. Knowing the importance of these assets, Legislator DeRoller stated they are trying to get people to the table to obtain funding.

Legislator Allport noted that we heard a lot about the snow storm along the east coast a week ago and a picture was sent to him of the Tomb of the Unknown Soldier that remained guarded the entire time the snow fell. He expressed that the commitment to duty and dedication that our military has and he thought that it was a disgrace that our news media never covered this. What these individuals do to get the privilege of this detail and their commitment to stand guard and protect that tomb at Arlington Cemetery should not go unrecognized. He feels that it is a shame that our government does not acknowledge these individuals.

Legislator DeRoller moved to adjourn; second by Legislator Allport.. Meeting adjourned at 5:30 p.m.

LEGISLATURE MEETING

February 24, 2016

Vice Chairwoman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Chairman David Callard.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
V/Albion	Support of Local Transportation Funding (Supporting
T/Yates	Orl. Co. Leg Resolution No. 20-116)

Orleans County Youth Board calls for nominations for Youth Recognition Awards, the Helen R. Brinsmaid Award and the Eileen Heye Adult Volunteer Recognition Awards. All nominations are due March 18, 2016. The 34th Annual Youth Recognition Banquet is scheduled for Thursday, May 12, 2016. Nomination Forms are available through the Orleans County website by locating the Youth Bureau through the Resident Services choice under Departments menu or call 344-3960.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements for December 2015 and January, 2016. The Nursing Home funds hit the account in December. In February \$9,074,000 has been collected in taxes.

Vice Chairwoman Johnson called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired about the type of beeps that are heard after the monitors are called on emergency calls. Sheriff Bower indicated that those beeps trip the low band radio that also sends out the page. Mr. Lofthouse asked if other counties have this. Sheriff Bower stated that is what our county is doing.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 72-216

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$948.00	Barton & Loguidice, DPC	Prof. Services for East Scott Road over Fish Creek – Inv #81376
\$15,077.31	Redman Construction	Final Construction payment for Oak Orchard Bridge

and be it

FURTHER 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>
\$63,298.85	Keeler Construction	Construction Knowlesville Culverts – Final Pay #3 – 11/15/15-2/12/16

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$4,940.54	Medina Lumber & Hardware	Change Order: steel and accessories – Inv #20141

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 73-216

AMENDING RESOLUTION NO. 19-116 AND AUTHORIZING TRANSFER OF FUNDS WITHIN THE HIGHWAY BUDGET

WHEREAS, the Legislature approved the purchase of (2) two new dump trucks on Resolution No. 19-116 through Southworth-Milton CAT through budget code DM5130.270 for a total cost of \$363,654.20 to be paid in five equal payments of \$36,365.42, and be it

FURTHER RESOLVED, that the Legislature hereby does approve amending resolution No. 19-116 to be paid entirely from account DM9785.601 Debt Service; and be it

FURTHER RESOLVED, the Treasurer is authorized to transfer funds within the Highway Budget as follows due to auditor's recommendation.

<u>FROM:</u>		
DM5130.270	Capital Equipment	\$72,730.84
<u>TO:</u>		
DM9785.601	Principal Debt Service	\$72,730.84

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 74-216

APPROVING PURCHASE BETWEEN THE HIGHWAY DEPARTMENT AND ELDERLEE INC.

RESOLVED, that this Legislature authorizes the Highway Department to purchase heavy posts and blockouts from Elderlee Inc., 729 Cross Road, Oaks Corners, New York 14518 due to a claim for stolen property, file #Orle-2015-003-00. Total cost of the recovering damages are \$92,550; to be reimbursed through insurance recovery money and to be paid from account D5120.436 (Bridge Materials). Pricing is based on the OGS contract #PC66722. County Cost is \$0.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 75-216

APPROVING AGREEMENT BETWEEN BUILDINGS & GROUNDS AND OTIS ELEVATOR COMPANY

RESOLVED, that this Legislature approves an agreement (proposal #AF6762) between Highway/Building & Grounds and Otis Elevator Company, 2 Townline Circle, Rochester, NY 14623 to provide

maintenance and inspection of elevators in the County Jail, County Office Building, Mental Health Building, County Clerk's Building and the County Courthouse effective January 1, 2016 through December 31, 2019 in the amount of \$9,336.36 per year (\$778.03/mo); and be it

FURTHER RESOLVED, that this Legislature authorizes the contractor's price adjustment on the effective date of any labor rate adjustment under Otis's contract with the International Union of Elevator Constructors (IUEC) contract to reflect increases or decreases in material and labor costs.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 76-216

**AUTHORIZING PURCHASE AND APPROVING AGREEMENT
BETWEEN BUILDINGS AND GROUNDS AND OLD DUTCHMAN'S
WROUGHT IRON**

RESOLVED, that this Legislature authorizes a purchase from Old Dutchman's Wrought Iron, 2800 Millersport Highway, Getzville, NY 14068, for fabrication and installation of Series 250 aluminum railing system to be installed at the Courthouse Square, per written Quote #8217 submitted in the amount of \$9,211. Project to be paid from the 1620.470 Capital Construction project account; and be it

FURTHER RESOLVED, that this Legislature approves an agreement between Buildings and Grounds and Old Dutchman's Wrought Iron, 2800 Millersport Highway Getzville, NY 14068, for the installation of these replacement railings at the Courthouse Square.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 77-216

**AUTHORIZING PURCHASE AND APPROVING AGREEMENT
BETWEEN BUILDINGS AND GROUNDS AND GP LAND & CARPET
CORP**

RESOLVED that this Legislature authorizes Buildings & Grounds to purchase Carpet – Milliken Southern Analog Carpet tiles and Mannington VCT, vinyl base material and adhesive, with labor/installation included from GP Land & Carpet Corp., 5905 Lake Road South, Brockport, NY 14420 at the cost of \$5,646.55 (NJPA Contract #022712-MAC) (Proposal #816-0211-1) for Orleans County Real Property's office due to safety issues and shall be paid from the Buildings and Grounds Budget Account A1620.403 - Maintenance Projects; and be it

FURTHER RESOLVED that this Legislature approves an agreement between Buildings & Grounds and GP Land & Carpet Corp., 5905 Lake Road South, Brockport NY 14420 for the installation of the carpet in the Orleans County Real Property Tax Office.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 78-216

AUTHORIZING FILLING OF VACANCIES IN THE ELECTIONS DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of two vacant part-time Clerk positions (1450.11 and 1450.12) in the Elections Office at \$10.13 per hour effective February 25, 2016.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 79-216

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

RESOLVED, that this Legislature authorizes the abolishment of a full-time Employment and Training Coordinator position (6210.08) in the Job Development Agency effective February 24, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Workforce Coordinator position in the Job Development Agency, at grade 18 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Job Development Agency effective February 25, 2016.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 80-216

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR THE MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA) FUNDING

RESOLVED, that this Legislature authorizes Office for the Aging to apply for the MIPPA grant in the amount of \$9,917 to educate and assist Medicare beneficiaries with limited incomes, outreach and assistance with Medicare Part D for beneficiaries in rural areas, and assist with Low Income Subsidy and Medicare Savings Applications effective September 30, 2015 through September 29, 2016; County cost of \$0; and be it

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

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 81-216

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Orleans County Health Department, Albion, NY for the provision of licensed nursing assessments for DSS Medicaid Personal Care Aide clients; to be effective January 1, 2016 through December 31, 2016 at rates established by the NYS Department of Health. County cost \$0.

Villa of Hope Youth and Family Services, Rochester, NY for the provision of residential foster care services; to be effective March 13, 2016 through March 12, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Willcare, Inc. to provide personal care aide services to Medicaid clients at rates to be set by the NYS Department of Health for the period the period January 1, 2016 through December 31, 2016

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 82-216

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

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

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

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

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 83-216

AUTHORIZING ABOLISHING AND CREATING POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operation of County business and reorganization to more effectively utilize positions; now be it

RESOLVED, that the Legislature does hereby abolish a full-time Keyboard Specialist position (6010.0603) upon the position being vacated; and be it

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Clerk position at the Grade 7 of the CSEA Salary Schedule effective February 25, 2016.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 84-216

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

RESOLVED, that this Legislature approves the following appointments to the County of Orleans Industrial Development Agency:

Name:	Address:	Expiration
E. John DeFilipps	4726 South Manning Rd, Holley, NY	December 31, 2017
Kenneth DeRoller	2498 Kendall Rd, Kendall, NY	December 31, 2017
Kenneth Rush	1986 Main St, Waterport, NY	Serves at the pleasure

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 85-216

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between Mental Health and the following agencies:

Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611 providing specialized financial management services and preparation and submission of CFR reports retroactive beginning January 1, 2016 and ending December 31, 2016 at a cost of \$27,000. County cost is \$1,890.

Language Line Services, 1 Lower Ragsdale Road, Monterey, CA 93940; to provide telephone interpretation provider services following the term of the New York State Office of General Services contract dated October 25, 2012 through October 24, 2017 at a cost of \$0.75/minute of translation services. County cost \$.08/minute of translation services.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 86-216

AUTHORIZING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND FINGER LAKES PERFORMING PROVIDER SYSTEM (FLPPS)

RESOLVED, that this Legislature approve an agreement between Mental Health and Finger Lakes Performing Provider System (FLPPS), 2100 Brighton Henrietta Town Line Road, Suite 100, Rochester, NY 14623, providing participation in achieving outcome measures related to the health care system improvements under the Delivery System Reform Incentive Payment (DSRIP) program for the period of March 1, 2016 through December 31, 2016; anticipated payments to the Mental Health Department will be performance-based up to a maximum of \$28,630; and be it

FURTHER RESOLVED, that the Chairman of the Legislature be authorized to execute subsequent contracts received during the remainder of 2016 subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 87-216

AUTHORIZING SETTING UP NEW MONEY IN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes setting up new money in the Mental Health budget to purchase a new Surface Pro tablet, as follows:

<u>From</u>	Misc Reserve	\$658.34
<u>To:</u>		
A4310.220	Office Equipment	\$658.34

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 88-216

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Office of the Aging, 14016 Rt 31 West, Albion, NY 14411 to provide chronic disease and accident prevention along with safety programs for Orleans County residents sixty and above effective January 1, 2016 through December 31, 2016. Reimbursement from New York State Health Department. County cost \$0.

Planned Parenthood, 114 University Ave, Rochester, NY 14605 to provide sexually transmitted infections testing to the uninsured or under insured residents of Orleans County effective January 1, 2016 through December 31, 2020. Fees for testing on page 12. All to be billed at the prevailing Medicaid rate, reimbursed from State Aide Grants. County cost \$0.

Oak Orchard Community Health Center Inc., at 300 West Ave, Brockport, NY 14420 to provide for translation services and liaison between the Orleans County Department of Health and the Migrant population effective October 1, 2015 through September 30, 2016 Contract funded through New York State Migrant Grant. Contract period to run concurrent with the New York State Contract. County cost \$0.

Pamela Gallo, 6630 Conner Rd, East Amherst, NY 14051 Contract 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 at the Orleans County Health Department effective January 1, 2016 through June 30, 2016

Reimbursement at 59.5% from NYS Department Of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement.

Stepping Stones Learning Center, 41 Colebrook Dr, Rochester, NY 14617 Contract to provide appropriate special education related services (speech, music, physical therapies and evaluations) for eligible preschool children of Orleans County with disabilities through the 3-5 program placed by the Board Of Education effective September 1, 2015 through June 30, 2019. Rates are set by NYS Department of Education. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement.

United Memorial Medical Center, 127 North St, Batavia, NY 14020 to provide sexually transmitted infections testing to the uninsured or under insured residents of Orleans County effective January 1, 2016 through December 31, 2020. Various Fees for testing on page 12 of contract. All to be billed at the prevailing Medicaid rate, reimbursed from State Aide Grants. County cost \$0.

Building Blocks Comprehensive Services., Inc. at 275 Parrish St. Suite A, Canandaigua, NY 14424 Contract 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 at the Orleans County Health Department effective January 1, 2016 through June 30, 2016. Reimbursement at 59.5% from NYS Department of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 89-216

AUTHORIZING PURCHASE FROM HEALTH DEPARTMENT BUDGET FOR RABIES VACCINE

WHEREAS, the Orleans County Health Department needs to purchase Human Rabies Vaccine for post exposure treatment to the residents of Orleans County; now, therefore be it

RESOLVED, that this Legislature allows the Health Department to make purchases of human rabies vaccine, when needed, up to the amount of \$83,708.00 from Health Department budget account A4010.409 – Vaccines & Medications as approved in the 2016 Orleans County Budget.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 90-216

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

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Ronald Bierstine, 1764 Oak Orchard Road, Albion, NY 14411, to provide dock worker and custodial services at Orleans County Marine Park from April 15, 2016 to September 25, 2016 at a cost not to exceed \$15,559 to be paid from Marine Park Budget account A7180.432-Misc. Contracts/Agreements.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 91-216

APPROVING AGREEMENT WITH TIMOTHY NEWTON CONSTRUCTION FOR MOWING AT ORLEANS COUNTY PARKS

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Timothy Newton Construction, 2374 Eagle Harbor-Waterport Rd., Albion, NY 14411, for mowing and trimming at the Orleans County Marine Park; Point Breeze site; boat dock rental site and Rte. 98/18 site from April 15, 2016 to October 31, 2016 at a cost of \$280 per mowing at all sites, to be paid from Marine Park Budget account A7180.432-Misc. Contracts/Agreements.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 92-216

**AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE
FILE REDUNDANCY PROJECT**

RESOLVED, that this Legislature authorizes the purchase of one (1) server and accessory equipment from CDW-G, 75 Remittance Drive, STE 1515; Chicago, IL 60675-1515 for the Computer Services Capital Project File Redundancy project in the amount of \$5,592.97 (PO# 57055) to be paid from Computer Services Account A1680.270 – Capital Equipment which will maximize the architecture to minimize data loss and provide backup and failover tolerances; and provide a greater fault tolerance and user accessibility.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 93-216

**AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE
SECURITY ACCESS CONTROL UPGRADE PROJECT**

RESOLVED, that this Legislature authorizes the purchase of hardware, professional installation service, software and conversion training from LINSTAR Inc., 430 Lawrence Bell Drive, Buffalo, NY 14221 for the Computer Services Security Access Upgrade project in the amount of \$8,906.26 (PO# 57059) to be paid from Computer Services Account A1680.270 – Capital Equipment which will upgrade the aging security hardware and software of the current access control systems, extend the life of the current hardware infrastructure and maintain the safety and security posture of Orleans County Government, its personnel and its building assets.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 94-216

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF
INSURANCE PLAN AND OLIVER WYMAN**

WHEREAS, it is necessary to determine the liability of the workers' compensation costs associated to the individual members of the Orleans County Self Insurance Plan per Local Law 4 of the year 2015; and

WHEREAS, a Request For Proposal was issued December 28, 2015 for Actuarial Services for the Orleans County Self Insurance Plan which had a due date of February 2, 2016; and be it

RESOLVED, that this Legislature authorizes the agreement with Oliver Wyman Actuarial Consulting Inc, 48 South Service Rd, Ste 310, Melville, NY 11747 for an Actuarial Services to estimate the Plan's unpaid retained workers compensation loss and allocated loss adjustment expenses and to identify the portion that is attributable to the Orleans County Self Insurance Plan's members with an evaluation date of December 31, 2015, 2016 and 2017 with two optional one-year renewals for years ending December 31, 2018 and 2019 at an annual cost of \$11,000 for each year of the agreement, which will be a direct expense to the Orleans County Self Insurance Plan.

Moved, DeFilippis, second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 95-216

AMENDING THE 2015-2016 MANAGEMENT COMPENSATION PLAN AND APPROVING THE MANAGEMENT COMPENSATION PLAN FOR 2017 AND 2018

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

RESOLVED, that as of January 1, 2016 the Management Compensation Plan for 2015 and 2016 be updated to reflect a continued savings from the implementation of a high deductible plan and complete health insurance reorganization will be invested back into compensation for management employees allowing for increases of 2% in January 2017 and 2% in January 2018; and be it

FURTHER 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 January 1, 2016; 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, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 96-216

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

RESOLVED, that the following terms of auction for County-owned property for the auction to be held Wednesday, June 22, 2016 at 11:00 a.m. at the Albion Elk Lodge #1006, 428 West State Street, Albion, New York, be approved by this Legislature as follows:

TERMS OF AUCTION
ORLEANS COUNTY TAX PROPERTY AUCTION
ALBION ELK LODGE#1006
ALBION, NEW YORK
June 22, 2016
11:00 AM

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

TERMS AND CONDITIONS
OF THE
ORLEANS COUNTY AUCTION OF TAX FORECLOSED PROPERTY

1. Orleans County acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of

- law have been extinguished by the tax sale proceedings; and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
 3. All real property, including any buildings thereon, is sold “AS IS” and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water assessments are the responsibility of the purchaser, whether they are received or not; (d) the levied 2016 Town and County tax bill including any releived taxes, 2015/2016 village taxes, 2015/2016 school tax, any village or town water and sewer rents and assessments, in addition to any other applicable charges (including, but not limited to, omitted and pro rata taxes, demolition charges, interest and penalties); and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the public auction.
 4. The purchaser shall be solely responsible for the payment of: the levied 2016 Town and County tax bill including any releived taxes; any Village taxes levied after May 31, 2016, the 2016/2017 school taxes, the 2017 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.
 5. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date of the auction. Upon delivery of the quitclaim deed by the County of Orleans to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
 6. No personal property is included in the sale of any of the parcels owned by Orleans County, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
 7. All informational tools, such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. **THE COUNTY, THE AUCTIONEER, AND THE AUCTION SERVICE MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.**

8. The County of Orleans reserves the right, in its sole discretion, to withdraw from the auction any of the properties listed on the schedule of real property.
9. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and sold subject to the provisions of law applicable thereto.
10. All bidders are required to register and provide suitable personal identification prior to the auction. Auctioneer reserves the right to decline registration if identification is not sufficient.
11. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.
12. Bidder acknowledges receipt of the pamphlet entitled “Protecting Your Family From Lead in Your Home.” Bidder also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards, mold, asbestos or any other hazardous substances.
13. The former owner of the property, or his agent, shall not be deemed to be the successful bidder on the property or purchase same at the public auction, unless the bid amount exceeds the amount of the purchase price to affect the release of County’s interest. If the former owner or his agent reacquires the property, all liens existing prior to the foreclosure, will be reinstated and the purchaser (former owner) must sign the deed to reinstate the liens.
14. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for recording the deed in the Orleans County Clerk’s Office. The purchaser executing the auction terms and conditions of sale may not assign or otherwise transfer his right to complete the bid, unless the County agrees in writing. The deed prepared will be in the name of the successful bidder (and spouse) only. No third party bidding will be accepted, unless the bidder identifies that he is bidding as an agent for a disclosed principal.
15. The auctioneer’s decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.
16. The Purchaser will execute an Offer to Purchase form immediately upon being declared the high bidder. The approval of each bid by Resolution of the County Legislature *will not constitute a Contract*

of Sale and the County reserves the right to reject any bid prior to the closing of title and the recording of the deed.

17. The Purchaser shall be responsible for the payment of an eleven percent (11%) buyer's premium should buyer be paying by credit card or a ten percent (10%) buyer's premium should the buyer be paying by cash or by bank check in addition to the accepted purchase price and the closing fees/costs. The "buyer's premium" is the fee/commission earned by the auctioneer. An additional one and one half percent (1.5%) of the purchase price will be added to each parcel for advertising expenses. Accepted purchase price is the amount bid by a perspective bidder, which has been approved by the Orleans County Legislature.
18. All required deposits must be paid in full for all successful bids immediately upon being declared the successful bidder. Any successful bidder, who fails to tender the deposit immediately upon being declared the successful bidder, will be forbidden to participate in this or any other auction. Any parcels which the County did not receive deposits for, as per these terms and conditions, will be considered to be defaulted, and resold and the bidder will be disqualified from further bidding.
19. 25% of the total contract price (total contract price is the combination of the high bid and the buyer's premium, as defined in section 17 of these terms and conditions), shall be paid as a down payment on the day of the auction upon execution of an Offer to Purchase Form. Total contract prices selling for \$250.00 or less must be paid in full at auction, including all closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax [\$4.00 for the first \$1,000; \$2.00 for each \$500 thereafter of the purchase/bid price]; (b) Filing Fee for the Real Property Transfer Report [\$125.00 if the parcels classification code is 100-199, 200-299 or 411-C; \$250.00 for all parcels otherwise classified]; (c) Filing Fee for combined Gains Transfer Tax Affidavit [\$5.00]; (d) all fees required by the Orleans County Clerk for recording of the deed [\$50.00 to record a one page deed; \$5.00 for each additional page] *Closing costs may be subjected to an increase in fees as required by law, without notice.* All deposits must be made in cash or guaranteed funds payable to the "Orleans County Treasurer" and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No exceptions.

20. All bids shall be subject to approval by the Orleans County Legislature, which shall have the right, in the Legislature's sole discretion, to reject any bid for any reason whatsoever.
21. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all deposits tendered, and you will not be permitted to close on any other parcels for which you are the successful bidder.
22. The entire balance of the accepted purchase price, the buyer's premium, as defined in section 17 of these terms and conditions, and all closing costs/fees must be paid by cash or guaranteed funds payable to received by the Orleans County Treasurer's Office on or before July 29, 2016. The County is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the total contract price plus closing costs and fees as herein provided, the deposit shall be forfeited. The County reserves the right, in its sole discretion, to extend the time of payment upon such terms and conditions it deems appropriate.
23. If the successful bidder fails to tender such amount due by the close of business on July 29, 2016, then the County may, but is not obligated to offer any unsold property to the second highest bidder. All terms and conditions for the sale set forth herein above shall apply to the second highest bidder and/or any other purchaser.
24. All sales shall be final, absolute and without recourse, once title has closed and the deed has been recorded. In no event, shall Orleans County and/or Haroff Auction & Realty, Inc. and/or Absolute Auctions & Realty, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, success or assigns, against Orleans County and/or Haroff Auction & Realty, Inc. and/or Absolute Auctions & Realty, Inc. arising from this sale.
25. The County of Orleans will execute no warranties concerning the parcel or title thereto and will not deliver or be responsible for abstracts, title insurance, title searches, surveys, maps or other documents concerning a parcel whatsoever.
26. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the accepted purchase price, buyer's premium,

and closing fees/costs. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE ORLEANS COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording the deed.

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

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 97-216

APPROVING AGREEMENT BETWEEN THE TREASURER'S OFFICE AND ABSOLUTE AUCTIONS AND REALTY, INC AND HAROFF AUCTION AND REALTY, INC.

RESOLVED, that this Legislature approves an agreement between the Treasurer's Office and Absolute Auctions and Realty, Inc. and Haroff Auction and Realty, Inc. for professional auction and licensed real estate broker services for the County In Rem Auction; for their professional services rendered through December 31, 2016 for the County In Rem Auction to be held on Wednesday, June 22, 2016; and be it

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

Moved, DeFilipps; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 98-216

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND NEW YORK STATE DIVISION OF HOMELAND SECURITY
AND EMERGENCY SERVICES**

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

RESOLVED, that the Orleans County Sheriff is authorized to participate in and accept the grant agreement between the NYS Division of Homeland Security and Emergency Services and the Sheriff's Office for Operation Stonegarden FY2015 in the amount of \$76,220; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SG15-1013-D00; contract #C838759 in the amount of \$76,220 for the Sheriff's Office to enhance cooperation and coordination between Federal, State, local and tribal law enforcement agencies in joint operations along the Canadian border effective September 1, 2015 through August 31, 2018.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeFilipps moved a resolution to ask the state to increase Indigent Legal Defense system funding; seconded by Legislator Allport. Vice Chairwoman Johnson indicated that several of the Legislators attended the NYSAC conference and this was a resolution that was forwarded by many counties across the state and this resolution calls for 100% funding from the state for the indigent services. The following resolution was adopted:

RESOLUTION NO. 99-216

**RESOLUTION CALLING ON THE STATE TO INCREASE INDIGENT
LEGAL DEFENSE SYSTEM FUNDING**

WHEREAS, the United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

WHEREAS, in 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS, the decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with the vast majority of costs for this state responsibility; and

WHEREAS, the shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover over 80% of the cost; and

WHEREAS, implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

WHEREAS, Assembly member Patricia Fahy and Senator John DeFrancisco recently sponsored a same-as bill (A.6202B/S.6341) recognizing that indigent defense is a State fiscal responsibility and requiring the State, not the county, to pay for such service; and

WHEREAS, we commend Assembly member Fahy and Senator DeFrancisco for championing a state fiscal takeover of indigent defense services, which will directly lead to improvements to this vital service for residents in need, and provide meaningful fiscal mandate relief for counties and real property taxpayers; and

WHEREAS, the State and multiple counties were sued, and ultimately settled, Hurrell-Harring, et. al v. State of New York, which sought to transform the indigent defense system and called for more government funding to be invested in the system; and

WHEREAS, the Hurrell-Harring settlement requires the parties involved in the suit to provide additional indigent defense services and costly increases including first arraignment counsel, case load caps for public defenders, and additional staff and support for public defenders; and

WHEREAS, the proposed 2015-16 Budget only allocates increased funding to the five counties involved in the Hurrell-Harring lawsuit for expanding indigent defense; and

WHEREAS, the remaining 52 counties need increased funding so that expanded indigent defense services are uniform throughout the State; and

WHEREAS, the Governor has stated recently that the entire New York State justice system needs to be examined to insure it provides the most equitable and fair treatment possible; and

WHEREAS, the state can improve the public defense system by incrementally increasing state funding, designing a cost-effective way to finance the system over time, and relieving counties of a responsibility delegated to them since 1965; and now therefore be it

RESOLVED, that the Orleans County Legislature supports increased state funding to the indigent legal defense system and for the state to ensure counties will not be forced to pay for the additional requirements resulting from the Hurrell-Harring settlement; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, and all others deemed necessary and proper.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 100-216

APPOINTING MEMBERS TO THE RADIO SYSTEM ADVISORY BOARD

WHEREAS, the Orleans County Radio System Advisory Board, per grant guidelines, must organize once per year; now be it

RESOLVED, that this Legislature appoints the following members to the Radio System Advisory Board for a one year term beginning January 1, 2016 through December 31, 2016:

David B. Callard	Legislature Chairman
Lynne M. Johnson	Legislature Vice Chairman
E. John DeFilipps	Chairman, Public Safety Committee
Chuck Nesbitt	Chief Administrative Officer
Randy Bower	Sheriff
H. Dale Banker	Director of Emergency Management
Gerald R. Gray	Highway Superintendent
Allen Turner	Sheriff's Dispatch
Rolland Nenni	Chief of Police Albion/Holley
Kevin Doherty	Radio System Manager
Gerald Bentley	Fire Advisory Board
Michael Schultz	Fire Chiefs' Association

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 101-216

AUTHORIZING EMAIL DELIVERY OF LOCAL LAWS TO COUNTY LEGISLATORS

WHEREAS, pursuant to Chapter 397 of the Laws of 2015, the New York State Legislature amended Subdivision 4 of Section 20 of the Municipal Home Rule Law to provide that county legislative bodies may elect to receive introduced local laws via email delivery in lieu of regular mail delivery; and

WHEREAS, to reduce mailing costs and expedite the receipt and review of introduced local laws by County Legislators, it would be advantageous for the Orleans County Legislature to authorize email delivery of local laws; therefore be it

RESOLVED, that pursuant to Subdivision 4 of Section 20 of the Municipal Home Rule Law, the Orleans County Legislature hereby authorizes the email delivery of introduced local laws, with introduced local laws to be e-mailed to the e-mail in-box of each County Legislator in the Portable Document Format (PDF) at least ten calendar days, exclusive of Sunday, prior to its final passage.

Moved DeFilipps; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 102-216

**AUTHORIZING PAYMENT OF CLAIMS FOR MARCH AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 9, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	3035-3187	\$320,949.29
Highway	694-699; 1677-1703	\$46,006.76
Job Development	2021-2026	\$764.03
Self Insurance	1108; 56502-56506	\$5,166.26

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 23, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	3204-3319	\$198,045.90
Highway	700-702; 1704-1719	\$29,908.03
Job Development	2029-2032	\$8,012.30
Self Insurance	56608-56612; 1109	\$6,174.35

Moved, Allport; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

The following add on resolution was presented and adopted:

Legislator Eick moved to amend previous appointments to the Genesee Transportation Council; seconded by Legislator Miller. Legislator DeRoller added that this is an extremely important function that we need to participate in and knows that everyone here concurs with this. CAO Nesbitt stated that it is indicative of our focus as a county government for the need for improved communications with the Department of Transportation and our regional NPO in attempting to get additional infrastructure funding for roads and bridges in Orleans County. Genesee Transportation Council is a federal regional NPO that oversees federal money through their transportation bill that is distributed throughout the regional. CAO Nesbitt stated that he previously served on this council during his past employment and feels it is necessary that he participates in this again with it being a major focus in our county. The following resolution was adopted:

RESOLUTION NO. 103-216

AMENDING RESOLUTION NO. 21-116 APPOINTING MEMBERS TO THE GENESEE TRANSPORTATION COUNCIL

WHEREAS, that Resolution No. 21-116 appointed members to the Genesee Transportation Council; now be it

RESOLVED, that Resolution No. 21-116 be amended and the following members be appointed to the Genesee Transportation Council for two-year terms effective January 1, 2016 through December 31, 2017:

Genesee Transportation Council Board

<u>Name</u>	<u>Representation</u>
David B. Callard	Legislature
Charles H. Nesbitt, Jr.	Alternate

Genesee Transportation Council Planning Committee

<u>Name</u>	<u>Representation</u>
Charles H. Nesbitt, Jr	Orleans County
Gerald Gray	Alternate
James Bensley	Alternate

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Vice Chairwoman Johnson called on discussion of old business. Legislator Allport stated that we passed a resolution at the tail end of last year opposing zone pricing for gasoline and wanted to update the board as of today. He reported that the Assembly passed their bill (A.00103) but the Senate bill (S.332) is still stuck in the consumer protection committee. They are both relatively the same and now we await the Senate to enact their bill to make it fair across the state. This has support throughout the state as far as pricing of the gasoline and the delivery costs.

Vice Chairwoman Johnson asked if the public would like to make any comments. Mark O'Brien, Director of Mental Health, reported that on Wednesday March 2nd, on Channel 2 News at 11 p.m. members of the Orleans County Suicide Coalition will be interviewed, including a very brave woman who lost her daughter and husband to suicide. It will highlight the impact on suicide in rural counties and what is being done.

With there being no further business, Vice Chairwoman Johnson entertained a motion for adjournment; Legislator DeFilipps moved to adjourn; second by Legislator DeRoller. Meeting adjourned at 4:52 p.m.

LEGISLATURE MEETING

March 23, 2016

Chairman Callard called the meeting to order at 4:33 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator DeFilipps.

The Clerk had no communications to present nor did the Treasurer have a Treasurer's Report today. Chairman Callard called for any open discussion from the Legislators and then the public concerning resolutions and there were none.

The following resolutions were presented for adoption:

RESOLUTION NO. 104-316

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$7,397.02	Barton & Loguidice, DPC	Prof. Services for East Scott Road over Fish Creek – Inv #81415 – Prof Serv through 1/23/16
\$1,033.00	Barton & Loguidice, DPC	Prof. Services for East Scott Road over Fish Creek – Inv #81770 – Prof Serv through 2/20/16

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.254, Capital Project – Infrastructure Project – Mental Health Generator:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$2,097.64	Suburban Electric	Mental Health Generator Transfer Switch charge for labor and materials – Inv #139469

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator Eick moved to add three resolutions to the agenda; second by Legislator Johnson. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 105-316

APPROVING AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND DORITEX CORPORATION

RESOLVED, that this Legislature approves an agreement between the Highway Department and Doritex Corporation, 11980 Walden Ave, Alden, NY 14004 for the provision of textile cleaning services at a cost of \$2,295.80 per year; with no more than an 8% increase each year effective May 1, 2016 through April 30, 2019.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 106-316

AWARDING BIDS FOR VARIOUS MATERIALS AND COMMODITIES FOR HIGHWAY DEPARTMENT

WHEREAS, the Orleans County Highway Department sought bids for various materials and commodities for the years 2016-2017; and

WHEREAS, such bids have been received, opened and reviewed to determine the lowest responsible bidder for each material and commodity; be it

RESOLVED, that the bids for the various materials and commodities be awarded to the low bidders named on schedules for the dollar amounts per unit shown on such schedules, subject to the approval of the County Attorney.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 107-316

**AUTHORIZING PURCHASE AND APPROVING AGREEMENT
BETWEEN BUILDINGS AND GROUNDS AND GERSTER TRANE**

RESOLVED, that this Legislature authorizes an agreement from Gerster Trane, 45 Earhart Drive, Buffalo NY 14221 for the purchase and service of installing the Niagara AX Framework Head-end/HVAC Controls with an annual cost of \$9,818 beginning April 1, 2016 - March 31, 2022- Project to be paid in quarterly payments of \$2,454.50 from the capital budget account 1620.470 Buildings & Grounds (US Communities Contract #15-JLP-023) to be installed at each of the following locations and integrated to control equipment per the proposal # 48-20008/-16-001 at the following county locations:

Courthouse: 4 Air Handlers, 2 Boilers, 1 Chiller, 16 Vav's, 7 Exhaust Fans.
Mental Health Bldg: 2 Air Handlers, 2 Boilers, 1 Chiller, 26 Vav's.
COB: 2 Air Handlers, 2 Boilers, 1 Chiller, 2 Exhaust Fans.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

RESOLUTION NO. 108-316

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

RESOLVED, that this Legislature approves the Appendix X agreement extensions between the Orleans County Board of Elections and the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2016 through March 31, 2017 that funds are available to the local board of elections for the following:

Contract #C003236 — HAVA Operations Expenses Shoebox Program — Original Funding amount of \$179,599.49 (Res. No. 160-412); current balance \$152,314.33.

Contract #T002560 — Voter Education and Poll Worker Training Program — Original Funding amount of \$23,131 (Res. No. 123-307); current balance \$4,226.02.

FURTHER RESOLVED, that this Legislature authorizes the

Chairman to execute the Appendix X extensions and acknowledges that all other provisions of said agreements shall remain in full force and effect.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 109-316

AUTHORIZING DIRECTOR OF JOB DEVELOPMENT TO APPLY FOR GLOW WDB YOUTH PROGRAM SERVICES GRANT

RESOLVED, that this Legislature authorizes the Director of Job Development to apply for WIOA Youth Program Services grant for Program Year 2016 through the GLOW Workforce Development Board (WDB) up to the maximum amount allowable and as outlined in the GLOW WDB Request for Proposals, effective July 1, 2016 through June 30, 2017; and be it

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

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 110-316

AUTHORIZING THE ORLEANS COUNTY LEGISLATURE TO EXECUTE ATTESTATION CONFIRMING THAT 2% FUNDING INCREASES WILL BE USED TO SUPPORT SALARY AND SALARY-RELATED FRINGE BENEFIT COSTS OF CERTAIN ORLEANS COUNTY OFFICE FOR THE AGING STAFF AND/OR STAFF AT NOT-FOR-PROFIT PROVIDERS CONTRACTED BY THE ORLEANS COUNTY OFFICE FOR THE AGING

Pursuant to Part I of Chapter 60 of the New York State Laws of 2014.

WHEREAS, the New York State 2015-2016 enacted budget included funding for the provision of a 2% increase in annual salary and salary-related fringe benefit costs for Direct Support and Direct Care staff

and Clinical staff at municipal and not-for-profit providers effective January 1, 2015; and

WHEREAS, additionally, the statute provides for an additional 2% increase for these staff effective April 1, 2015; and

WHEREAS, the statute requires each provider to submit an attestation confirming that the funding increases will be used solely to support salary and salary-related fringe benefit increases; now be it

RESOLVED, that the Orleans County Legislature, and hereby is, authorized and directed to execute an attestation certifying that the State-aid funding for Direct Care Worker Program provided to Orleans County will be used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals as defined by the Director of the New York State Office for the Aging. County Cost \$0.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 111-316

APPROVING AGREEMENTS BETWEEN OFFICE FOR THE AGING AND ERIENIAGARA MLTCP, INC

RESOLVED, that this Legislature does hereby authorize the following agreement between the Orleans County Office for the Aging and ErieNiagara MLTCP, Inc., 2424 Niagara Falls Blvd, Niagara Falls, NY 14304 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from April 1, 2016 to May 31, 2017 to clients needing services, ErieNiagara, MLTCP, Inc. will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one year renewals, to be reviewed in 2021. County cost \$0 – Revenue Source.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 112-316

**AUTHORIZING EXTENSION OF TEMPORARY POSITION IN
OFFICE FOR THE AGING**

WHEREAS, Resolution 87-315 authorized a temporary part-time Aging Services Specialist position in the Office for the Aging effective April 1, 2015 through March 31, 2016; and

WHEREAS, the following position changes presented herewith will be contingent upon the availability of receiving additional OFA funding; now be it

RESOLVED, that this Legislature authorizes the extension of the temporary part-time Aging Services Specialist position in the Office for the Aging Department, to be effective through December 31, 2016.

Moved, Miller second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTON NO. 113-316

**APPROVING APPOINTMENTS TO THE AGING ADVISORY
COUNCIL**

RESOLVED, that this Legislature approves the following appointments to the Office for the Aging Advisory Council for a three year term, effective April 1, 2016 through March 31, 2019. (* denotes final term)

*Nancy Mack, 345 South Main Street, Albion, NY 14411

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 114-316

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

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

Children's Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services; to be effective May 1, 2016 through April 30, 2017 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

ARC of Orleans County, Albion, NY for the provision of Consumer Directed Personal Care Assisted Program; to be effective May 1, 2016 through April 30, 2017 at rates established by the NYS Department of Health. County cost is \$0

Greater Rochester Collaborative MSW Program, Rochester, NY for an intern agreement among Nazareth College, Brockport College, and Orleans County Department of Social Services; to be effective June 12, 2016 through June 11, 2017. County cost will be \$0.

Orleans County Attorney, Medina, NY for the provision of 1.25 part-time attorneys assigned to Social Services(Child and Family Services); to be effective January 1, 2016 through December 31, 2016 at a cost of \$90,546. County cost is \$31,085

Orleans County Attorney, Medina, NY for the provision of 1 part-time attorney assigned to Social Services(Child Support); to be effective January 1, 2015 through December 31, 2015 at a cost of \$53,262. County cost is \$18,109

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 115-316

APPROVING LEASE AND SERVICE AGREEMENTS BETWEEN THE ORLEANS COUNTY DEPARTMENT OF SOCIAL SERVICES AND MAILFINANCE

RESOLVED, that this Legislature approves a lease agreement between the Orleans County Department of Social Services and MailFinance, 478 Wheelers Farms Rd, Milford, CT 06461 to provide a 63

month lease on a postage meter to be used by the Department of Social Services at a monthly cost of \$220.37 billed quarterly effective May 1, 2016 through August 1, 2021; and be it

FURTHER RESOLVED, that this Legislature approves a service agreement between the Orleans County Department of Social Services and Lineage, 150 Lawrence Bell Drive, Suite 100, Williamsville, NY 14221 for a postage meter with cost included in the monthly lease payment to MailFinance effective May 1, 2016 through August 1, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the Chairman to execute the appropriate agreements for the lease and service of the postage meter and equipment.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 116-316

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

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operation of County business due to recent retirements and resignations; and be it

RESOLVED, that this Legislature does hereby abolish a full-time Sr. Caseworker position (6010.0207) upon the position being vacated; and be it

RESOLVED, that this Legislature does hereby abolish a full-time Legal Assistant position (6010.2011) upon the permanent appointment of the Sr. Legal Assistant; and be it

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Caseworker position at the Grade 16 of the CSEA Salary Schedule effective March 30, 2016; and be it

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Sr. Legal Assistant position at the Grade 15 of the CSEA Salary Schedule effective March 24, 2016.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 117-316

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

WHEREAS, the annual Salary Review Policy has begun; and

WHEREAS, a position duty statement was submitted to the Personnel Director and it has been determine that the position should be a new title; now be it

RESOLVED, that this Legislature does here by abolish a full-time Senior Keyboard Specialist position (6510.03) in the Veterans Service Agency upon the permanent appointment of the Veteran Service Agency Assistant; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full time Veterans Service Agency Assistant position at the Veterans Service Agency at Grade 12 of the CSEA Salary Schedule effective March 24, 2016; and be it

FURTHER RESOLVED, that this Legislature does hereby fill this newly created vacant position effective March 24, 2016.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 118-316

**APPROVING AGREEMENTS BETWEEN HEALTH DEPARTMENT
AND VARIOUS AGENCIES**

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

Bornhava, 25 Chateam Terrace, Buffalo, NY 14226 to provide appropriate special education related services (speech, music, physical therapies and

evaluations) for eligible preschool children of Orleans County with disabilities through the 3-5 program placed by the Board Of Education effective January 1, 2016 through June 30, 2019. Rates are set by NYS Department of Education. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement.

Venesky & Company, 6114 Rt. 31, Cicero, NY 13039 to provide the compilation and entry of information needed to complete the required Medicaid Cost Report for the Pre-School program for calendar years 2016 through 2018. This project will be \$4,500 for 2016, with an increase of \$500 in 2017, and \$500.00 in 2018 . County cost 100%.

Erie County Public Health Lab,503 Kensington Ave, Buffalo NY 14214 to provide Lab Services for Public Health Nursing and the Environmental Health Water Program effective January 1, 2016 through December 31, 2016. Contract reimbursement from NYS Water Grant fees and State Aid. Reimbursement in accordance with the most current fee schedules for environmental and clinical testing services. County cost \$0.

3D Delivery, Inc- d/b/a Genesee Delivery at 58 Kingsbury Ave. Batavia, NY 14020 to provide Delivery Services for the Orleans County Health Departments various programs regarding Lab samples taken within the Environmental and Nursing Divisions, cost is \$1.60 per mile, effective January 1, 2016 through December 31, 2016 and reimbursement through State Aid. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 119-316

AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH EMPLOYEE

RESOLVED, that this Legislature authorizes Out of State Travel for Mary Ellen Messmer, Supervising Public Health Nurse in the Public Health Department to attend the TB Intensive Workshop in Newark New Jersey from April 4th through April 9th, 2016. All costs covered by New York State Department of Health Scholarship. County cost \$0.

Moved, Allport; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator DeRoller moved to approve the Household Hazardous Waste Collection Agreement along with the costs for collection of hazardous household items as listed; second by Legislator Allport. Legislator DeRoller commended everyone in the Legislature for making this an annual event as long as we can find the funding to support this event. Legislator Allport reported that our collection event will be held on August 6th. The following resolution was adopted:

RESOLUTION NO. 120-316

APPROVING HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENT

WHEREAS, this Legislature desires to conduct a Household Hazardous Waste Collection on August 6, 2016 to provide County residents safe and convenient disposal of household hazardous wastes, and

WHEREAS, the County cost is dependent upon the amount of waste collected according to the following formula as identified in the vendor's proposal:

Aerosol Cans	\$.75 per pound
Anti-Freeze	\$.16 per pound
Chemicals (labpacks)	\$1.00 per pound
Corrosive Acids	\$1.00 per pound
Corrosive Bases	\$1.00 per pound
Fluorescent Tubes	\$.75 per pound
Household Cleaners	\$1.00 per pound
Miscellaneous Chemicals (reactives)	\$2.95 per pound
Oil Base Paints (liquids)	\$.20 per pound
Oil Base Paints & Varnishes (sludges)	\$.19 per pound
Oil Filters	\$.09 per pound
Organic Liquids	\$.19 per pound
Oxidizers	\$1.00 per pound
Pesticides/Insecticides	\$1.05 per pound
Pesticides/Insecticide (dioxin precursors)	\$1.05 per pound
Poisons	\$1.00 per pound
Resins & Adhesives	\$.35 per pound
Waste Oil	\$.09 per pound

RESOLVED, that this Legislature approves an agreement with Environmental Enterprises, Inc, 4650 Spring Grove Road, Cincinnati, Ohio 45232 for the 2016 Orleans County Household Hazardous Waste Collection Program.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator DeRoller moved a resolution to publicize the 30 day notice for comments on the newly consolidated Agricultural District. He reported that three districts are being consolidated into one all encompassed district in Orleans County. Legislator Allport second the motion and the following resolution was adopted:

RESOLUTION NO. 121-316

AUTHORIZING PUBLICATION OF NOTICE OF 30-DAY COMMENT PERIOD FOR REVIEW OF ORLEANS COUNTY CONSOLIDATED AGRICULTURAL DISTRICT NO. 1 (C-1)

RESOLVED, that this Legislature hereby authorizes the publication of the Notice of 30-Day Comment Period for the consolidation and eight-year anniversary review of Orleans County Consolidated Agricultural District No. 1 (C-1) in portions of all towns in Orleans County.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 122-316

SETTING DATE OF PUBLIC HEARING FOR CONSOLIDATED AGRICULTURAL DISTRICT NO. 1 (C-1)

RESOLVED, that the public hearing for the eight year review of Orleans County Consolidated Agricultural District No. 1 (C-1), which encompasses portions of all towns, will be held 27th day of July at 4:15 PM at the Legislative Chambers, 3 South Main Street, Albion, New York, and be it

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

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 123-316

AUTHORIZING PURCHASE AND APPROVING AGREEMENT BETWEEN PLANNING AND DEVELOPMENT DEPARTMENT AND CORROSION PRODUCTS AND EQUIPMENT FOR FISH GRINDER FOR COUNTY MARINE PARK

WHEREAS, the fish grinder at the County Marine Park has been identified as a valuable service that supports the local sport fishing economy and help keeps waters and shorelines clear of fish carcasses; and

WHEREAS, replacement of the existing fish grinder at said Marine Park was included in the most recent County Capital Plan due to its unreliability, age, and increasing cost of maintenance; now be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to purchase JWC Model 3-HYDRO-IX-1206 industrial grinder in the amount of \$22,324 (PO #57204) to be paid from Marine Park Account A7180.270 – Capital Equipment; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an agreement with Corrosion Products & Equipment, Inc, 110 Elmgrove Park, Rochester, NY 14624 to provide the installation of this industrial grinder at the Orleans County Marine Park.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 124-316

AUTHORIZING PURCHASE AND APPROVING LEASE CONTRACT BETWEEN ORLEANS COUNTY AND AMERICAN CAPITAL 1

WHEREAS, this Legislature is aware of the current state of the aging telephone systems in the Orleans County Government and the devastating consequences of phone system loss, and

WHEREAS, this Legislature desires to replace the multiple, disparate phone systems with a robust unified phone, messaging and voicemail platform infrastructure; now be it

RESOLVED, that this Legislature approves the lease agreement between Orleans County and American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, establishing a lease program for the purchase of a Digium Voice Over Internet Protocol phone system being sold by CDW-G, 75 Remittance Drive, Suite #1515, Chicago, IL 60675-1515, a qualified Digium (Quote WQ63564179) reseller, for \$89,353.58, and as specified in the lease contract, to pay four (4) yearly lease payments of \$23,863.28, (remit to KS StateBank) with a \$1.00 buyout option at the end of the lease. This agreement is to be initially paid from Computer Services Account A1680.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Business Lease Agreement with American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, subject to the review and approval of the County Attorney and Chief Administrative Officer, effective April 1st, 2016 through the end of the lease contract period dated March 31st, 2020.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 125-316

AUTHORIZING PURCHASE AND APPROVING BUSINESS AGREEMENT BETWEEN ORLEANS COUNTY AND TIME WARNER CABLE, BUSINESS CLASS DIVISION

WHEREAS, this Legislature is aware of the need for greater telecommunications and data communications between the multiple campuses of Orleans County Government, and

WHEREAS, this Legislature desires to establish a more robust system in place to allow more reliable and economical infrastructure improvements; now be it

RESOLVED, that this Legislature approves the agreement between Orleans County and Time Warner Cable, Business Class Division to establish and provision a point to point circuit between the Public Safety

Building, 13925 Route 31 West, Albion, NY and the Clerks Building, 3 South Main Street, Albion, NY, for a contract period of five (5) years minimum at a cost of \$13,680.00 per contract year to be paid from Computer Services Account A1680.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Business Agreement with Time Warner Cable, Government & Education, 425 Michigan Avenue, Buffalo, NY 14203, subject to the review and approval of the County Attorney and Chief Administrative Officer, effective May 1st, 2016 through the end of the contract period dated April 30, 2021.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 126-316

AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE ACCOUNT TO CENTRAL REPAIR ACCOUNT

WHEREAS, funds in the amount of \$22,900.19 from the 2015 Equipment Repair/Communications Repair Accounts have been reverted to the County's Reserve Account; and

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

RESOLVED, that the County Treasurer is hereby authorized to set up funds from the reserve account in the amount of \$19,758.08 to Equipment Repair Account A1615.443 – Central Repairs to Office Equipment, and the amount of \$3,142.11 to Account A1615.453 – Communications Repair Account.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 127-316

APPROVING AQUISITION OF A CHEVY TAHOE FOR THE SHERIFF'S OFFICE/PATROL WITH JOE BASIL CHEVROLET AND AUTHORIZING LEASE AGREEMENT WITH FIRST NIAGARA LEASING INC.

RESOLVED, that this Legislature authorizes the acquisition of a 2016 Chevrolet Tahoe 4wd, 4 door in the amount of \$45,850.35 from Joe Basil Chevrolet, Inc, 5111 Transit Rd, Depew, NY 14043, to be used for patrol and to be paid from Sheriff's budget A3110.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute a Lease Agreement between the Sheriff's Office and First Niagara Leasing Inc, 726 Exchange Street, Ste, 900, Buffalo, NY 14210; authorizing 3 annual lease payments of \$15,864.17 at an interest rate of 3.849%.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 128-316

APPROVING AQUISITION OF A TRANSPORT VAN FOR SHERIFF'S OFFICE/JAIL AND AUTHORIZING LEASE AGREEMENT WITH FIRST NIAGARA LEASING INC.

RESOLVED, that this Legislature approves the acquisition of a 2016 Chevrolet Express Cargo Van for the Orleans County Jail, equipped with prisoner transport insert, from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY 14043, at a total purchase cost of \$57,392.08 to be paid from account A3110.270-Capital Equipment; and be it

FURTHER RESOLVED, that this Legislature authorizes a four-year lease agreement between the Sheriff's Office and First Niagara Leasing, Inc., 726 Exchange Street, Suite 900, Buffalo, NY 14210, in annual payments of \$14,348.02 to be paid for in 2016, 2017, 2018 and 2019 from Sheriff's budget account from A3110.270 - Capital Equipment in the amount of \$3,338.02; and \$11,000 from Jail Budget A3150.270 – Capital Equipment; and be it

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

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislature Johnson moved for the Sheriff to apply for grant funding through the NYS Canal Corporation; second by Legislator Allport. Legislator DeRoller expressed that this is a positive move. The following resolution was adopted:

RESOLUTION NO. 129-316

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

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Canal Corporation in the amount of \$10,000 for the period April 1, 2016 through March 31, 2017 for the purpose of funding marine patrols on the Erie Canal and Canalway Trail.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 130-316

AUTHORIZING THE JAIL SUPERINTENDENT TO APPLY FOR BUREAU OF JUSTICE ASSISTANCE FY16 GRANT

RESOLVED, that this Legislature authorizes the Orleans County Jail Superintendent to apply for the State Criminal Alien Assistance Program (SCAAP) grant (FY16) through the Bureau of Justice Assistance, 810 Seventh St NW, Washington D.C., 20531 to provide federal payments to stated and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 131-316

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE FOR ANIMAL CONTROL AND MARINE PATROL

RESOLVED, that this Legislature does hereby authorize the

filling of the following vacancies in the Sheriff's office:

Animal Control Officer, part-time position (3510.02) in the Animal Control Department of the Sheriff's Office at Grade at an hourly rate of \$13.92 effective March 24, 2016.

Deputy Sheriff - Marine Patrol Officer, part-time seasonal position (3110.75) in the Marine Patrol Division of the Sheriff's Office at an hourly rate of \$13.41 effective March 24, 2016.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 132-316

APPROVING PURCHASE FROM SHERIFF'S OFFICE BUDGET FOR STOP DWI PROGRAM

RESOLVED, this Legislature does hereby approve the purchase of equipment and supplies, to be used by local village police departments for DWI patrols and road checks, from Galls, LLC, 1340 Russell Cave Rd, Lexington, KY 40505. The quoted purchase cost of \$7,500 is to be paid from the STOP DWI Account A3315.432.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 133-316

APPROVING APPOINTMENTS TO THE STOP-DWI COMMITTEE

RESOLVED, that this Legislature approves the following appointments to the STOP-DWI Committee:

Randall Bower	Sheriff
Mike Mele	Chief Deputy
Chuck Nesbitt	Chief Administrative Officer
John DeFilipps	County Legislator/Public Safety Chairman
Joseph Cardone	District Attorney
Luci Taylor-Welch	Director of Probation
Roland Nenni	Albion & Holley Police Chief
Chad Kenward	Medina Police Chief

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Kathy Hodgins GCASA
Jocelyn Sikorski Genesee County Youth Bureau
and be it,

FURTHER RESOLVED, that this Legislature approves the appointment of Randall Bower as Chairman of the STOP-DWI Committee.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 134-316

APPROVING CONTRACT EXTENSION AGREEMENT WITH THE ORLEANS COUNTY DEPUTY SHERIFF'S ASSOCIATION

RESOLVED, that this Legislature does hereby approve the extension of the existing collective bargaining agreement between Orleans County and the Orleans County Deputy Sheriff's Association (OCDSA), extending the existing terms through 2016 with a 2% increase for the year 2016.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator Johnson moved to approve a resolution to support Probation Departments and Alternatives to Incarceration Programs to hopefully reduce reliance on prisons and jails; and hopefully to gain more power locally to our Probation Department seeing local costs cover the bulk of these efforts; second by Legislator Allport. Legislator DeRoller made mention that the Interlock program has always been a challenge and he is glad to see that the requirements for the dual supervision may be eliminated. The following resolution was adopted:

RESOLUTION NO. 135-316

SUPPORTING EFFORTS TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS AND JAILS

WHEREAS, county Probation Departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law, and the Family Court Act; and

WHEREAS, it is the mission of Probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, state funding for Probation was drastically reduced between 1990 and 2015 from a 46.5% State share in 1990 to less than 12% in 2015, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and

WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that Probation does to protect the public; now therefore be it

RESOLVED, that the New York State Association of Counties (NYSAC) supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

- Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.
- In response to Violation of Probation Petitions:
 - Require counties to develop swift, certain graduated responses
 - Require the courts to dispose of the VOP's within 90 days
- Enable Probation to administratively modify Conditions of Probation in the provision of graduated responses.
- Establish a dedicated funding stream for juvenile services provided directly to Probation through DCJS/OPCA.

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- Eliminate the requirement for dual supervision of Ignition Interlock parolees by delegating direct supervision to NYS Parole only of defendants sentenced to DOCS.

and be it,

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Deputy Secretary for Public Safety Terrance O’Leary, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, and all others deemed necessary and proper.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 136-316

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

WHEREAS, Resolution No. 134-313 approved an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds in the amount of \$78,219 to assist the County in improving the quality of indigent legal services, initially effective June 1, 2012 through May 31, 2015, and Resolution 259-715 extending that contract to November 30, 2015; now be it

RESOLVED, that this Legislature approves extending the agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to continue to provide funds in the amount of \$78,219 through May 31, 2016.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 137-316

AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT AND SHERIFF’S OFFICE

WHEREAS, new funding opportunities have become available in the amount of \$105,000 to continue participation in the State Homeland Security Program grant cycle (SHSP/LETTP) for FY2016; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH16-1046-D00, contract #C972460 in the amount of \$78,750 for the Emergency Management Office to use for regional preparedness efforts to address homeland security needs in the County based on the County Emergency Preparedness Assessment (CEPA) as allowed under FY2016 SHSP allocation effective September 1, 2016 through August 31, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE16-1039-D00; contract #T972462 in the amount of \$26,250 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under FY16 SLETPP allocation effective September 1, 2016 through August 31, 2019.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 138-316

AUTHORIZATION TO COMPLETE EMERGENCY WORK WITH THE MICROWAVE PATH

RESOLVED, that this Legislature approves the emergency service call by Finger Lakes Communications Co., Inc. to complete re-alignment work on the microwave path and repair a defective GPS2 unit in Clarendon, at a total cost of \$9,445 (PO#57144) to be paid from Emergency Management Account A3640.418 - Other Contractual.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 139-316

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC

RESOLVED, that this Legislature approves a renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide Government Affairs Services for Orleans County, in the amount of \$5,000 per month; effective April 1, 2016 through March 31, 2017 to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 140-316

APPOINTING NEW MEMBERS TO THE ORLEANS COUNTY BOARD OF ETHICS

WHEREAS, this Legislature adopted Resolution No. 171-408 enacting Local Law 3 of 2008, Providing for a County Board of Ethics consisting of five members with staggered terms; and

RESOLVED, that this Legislature appoints the following new members to the County Board of Ethics with the following term expiration:

Name:	Address:	Term expires:
Julie Christensen	c/o 1932 Kendall Road, Kendall NY	12/31/2018
Darlene Waters	10481 Mill Rd, Medina, NY	12/31/2018

Replacing Jeffrey Evoy and Steve Lasch

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 141-316

AUTHORIZING PAYMENT OF CLAIMS FOR APRIL AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 13, 2016:

Fund/Department	Check Number (s):	Amount:
General	3335-3541	\$727,197.43
Highway	703-711, 1720-1748	\$146,147.61
Job Development	2036-2046	\$3,885.08
Self Insurance	1110-1111	\$103.16

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 27, 2016:

Fund/Department	Check Number (s):	Amount:
General	3559-3706	\$338,856.37
Highway	712-7201; 1749-1766	\$103,995.22
Job Development	2049-2057	\$15,317.70
Self Insurance	56713-56717	\$17,474.97

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

The following three add on resolutions were presented for adoption:

RESOLUTION NO. 142-316

**AUTHORIZING PAYMENT OF TOURISM MATCHING FUNDS TO
GREATER NIAGARA REGION**

WHEREAS, Resolution No. 393-1115 authorized application for, and receipt of, State I Love New York Matching Funds which, in part, are committed to regional tourism promotion; now be it

RESOLVED, that this Legislature hereby authorizes payment of \$44,786 to the Greater Niagara Region, 210 E. Main St., Batavia, NY 14020, to be paid from Tourism Account 6410.468 - I Love New York Matching Funds, as it becomes available, with said amount to be expended for regional tourism promotion programs which may include the following:

- 4-County Country Byways
- 2-County Genesee/Orleans Program
- 5-County Greater Niagara Region
- 8-County Peace Garden Trail
- Lake Ontario Sportfishing Promotion
- Canal New York Business Alliance
- 26-County Haunted History Trail
- Seaway Trail National Scenic Byway

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator Johnson moved the following resolution to authorize 43 desktop computers to be leased and approve an agreement for these leased computers. She wished to amend the resolution (fourth paragraph) to add one laptop computer to the lease which would increase our yearly payment by \$250 therefore making the final yearly lease amount total \$8,293.65. Legislator Allport second the motion and the following resolution was adopted:

RESOLUTION NO. 143-316

AUTHORIZING COMPUTERS TO BE LEASED FROM A CERTIFIED ASBO FINANCIAL INSTITUTION THROUGH AN AUTHORIZED RESELLER AND APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND AMERICAN CAPTIAL 1

WHEREAS, Orleans County has committed to the procurement of quality hardware for ongoing computer operations and Computer Services has aligned Orleans County with Dell as a workstation of choice, and

WHEREAS, the New York State Legislature has ceased agreement with Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547 for aggregate purchases of hardware; and

WHEREAS, CDW-G, 75 Remittance Drive, Suite # 1515, Chicago, IL 60675-1515 is now a qualified reseller of Dell computer equipment and American Capital 1 is now a qualified financier of computer hardware; now be it

RESOLVED, that this Legislature approves the lease agreement between Orleans County and American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, establishing a lease program for the purchase of 43 desktop computers, 1 laptop computer, monitors and ancillary equipment being sold by CDW-G, 75 Remittance Drive, Suite #1515, Chicago, IL 60675-1515, (Quote# CDWG GWZJ000/GXFM560) a qualified Dell reseller, for \$30,908.64, and as specified in the lease contract, to pay four (4) yearly lease payments of \$8,293.65, (remit to KS StateBank) with a \$1.00 buyout option at the end of the lease. This agreement is to be paid annually from multiple Orleans County department accounts Axxxx.222 – Office Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Business Lease Agreement with American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, subject to the review and approval of the County Attorney and Chief Administrative Officer, effective May 1, 2016 through the end of the lease contract period dated April 30, 2019.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

RESOLUTION NO. 144-316

APPROVING MASTER CONTRACT FOR GRANTS BETWEEN THE COUNTY OF ORLEANS AND NEW YORK STATE DEPARTMENT OF STATE DIVISION OF LOCAL GOVERNMENT AND AUTHORIZING DEVELOPMENT OF A STEERING COMMITTEE

RESOLVED, that this Legislature approves a Master Contract for Grants, Contract No. C1000613, between the County of Orleans and the New York State Department of State Division of Local Government, 99 Washington Avenue, Suite 1015, Albany, NY 12231 for a project named “Orleans County Law Enforcement Study” where Orleans County will act

as the lead applicant for all four villages in Orleans County and hire a consultant to study the relative efficiency of current local law enforcement operations and compare them with alternative policing models, up to and including full consolidation of the four police departments into the Orleans County Sheriff's Office with a goal of finding sustainable options to reduce the annual tax levy while not compromising public safety at a cost of \$72,000. Contract period effective April 1, 2016 through March 31, 2019. County Cost \$36,000; and be it

FURTHER RESOLVED, that the Chairman is authorized to form a steering committee that will represent elected officials, the Sheriff's Office, police chiefs responsible for the village police departments, law enforcement officers from each organization, and members of the community.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Chairman Callard called for old business. With there being none, Chairman Callard asked the public for comments. Allen Lofthouse, Kendall, questioned upon the renewal of the Park Strategies contract today, if the county received \$50,000 worth of profit growth last year. Chairman Callard replied that they are concerned with return on investment (ROI) and it is to our benefit to be contracted with Park Strategies for the benefit of the county and its constituency.

Legislator Eick moved to enter into executive session at 4:55 p.m. per Open Meetings Law §105 (h) to discuss potential sale of real property, Old Holley High School; second by Legislator Allport. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:15 p.m.; second by Legislator DeRoller. Motion Carried.

With there being no further business, Legislator Allport moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:16 p.m.

LEGISLATURE MEETING

April 27, 2016

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Allport.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer forwarded a listing of Real Property Tax Refunds in the amount of \$6,189.39 that has been reviewed and authorized by her office. Jack Welch, Director of Personnel and Self Insurance has provided notice that the New York State Civil Service Commission took action on one resolution amending the appendices of the Orleans County Civil Service Rules to include adding the job title of Public Health Director to Appendix B – Non-Competitive Class. The 34th Annual Youth Recognition Banquet is Thursday, May 12th at Hickory Ridge Golf and Country Club. ABATE of New York Inc. Orleans County Chapter is requesting use of the Courthouse steps to conduct their Motorcycle Safety and Awareness Rally on Sunday, May 1, 2016 from Noon till 3 p.m. They are requesting use of power. This is their annual promotion event for motorcycle safety, awareness, and rider education along with alerting the public to the renewed presence of motorcycles on the highway. The Board approved this request. Orleans County Office for the Aging and The ARC of Orleans will hold their Spring Jubilee celebrating Older Americans Month on Friday, May 6, 2016 at the Trolley Building at the 4-H Fairgrounds. Drug Take Back Day is scheduled for Saturday, April 30, 2016 from 10 a.m. till 2 p.m. at three Orleans County drop off locations: Holley Fire Department; Medina Fire Department and Orleans County Public Safety Building. Orleans County Department of Social Services is requesting use of the Courthouse lawn to place a banner from May 1st to May 15th for Foster Parent Month. The Board approved this request. The ARC of Orleans County would like to hold their Annual Chicken BBQ/Basket Raffle Fundraiser at the Albion Academy Nutri-fair site on Saturday, September 10th, 2016 from 12:30 – 5:30 p.m. This fundraiser benefits the Nutrition Program in Partnership with the Office for the Aging. The Board approved this request.

Legislator Johnson presented a proclamation for Motorcycle Awareness and Safety Month held in the month of May in Orleans County. Matt Tracy, Vice President of the Orleans County Chapter of ABATE of New York, Inc. accepted this and announced that they will be holding their

annual Motorcycle Rally on Sunday, May 1st at the Orleans County Courthouse at 2 p.m. Mr. Tracy thanked everyone for their support for the awareness of Motorcycles, and for their safety in Orleans County.

Legislators Miller and Eick presented a proclamation for the 56th Anniversary of Western New York Armed Forces Week – May 1-7, 2016. Earl Schmidt, Orleans County Director of Veterans Service Agency and Frank Berger, an Orleans County Veteran and past Orleans County Legislative Chairman received the proclamation.

Legislator DeFilipps presented a special recognition certificate, along with Chairman Callard, to Melissa Ierlan for her dedication as the Clarendon Town Historian and preservation of history in Orleans County. Ms. Ierlan has been repainting the aging historical markers across her town and outside town boundaries. Melissa Ierlan has stated that she has completed fifteen signs. Chairman Callard shared his appreciation for her volunteerism in getting these signs painted.

Legislator DeRoller presented a special recognition to the Oak Orchard Neighborhood Association (OONA), along with Jim Bensley, Director of Planning, for their forthright donation for a swing set to be installed for the Marine Park. Mr. Bensley shared a summary of the improvements and shared his appreciation in that they can do all of the updates, including installing a new swing set, at one time and not have to do it in phases. Mr. Bensley credited Lynne Menz, also an OONA member who suggested that OONA be asked to help make this happen.

Treasurer Heard distributed an Analysis of Monthly Cash Receipts and Disbursements through March of 2016. She expressed that it was one of the best reports in her 20 some years due to the largest cash balance we have had on a monthly report in a very long time. It was noted that around April 1st she paid out \$3 million in school, village, and sales tax.

Chairman Callard called for open discussion from the Legislators. Legislator DeFilipps expressed that he likes seeing the participation as we move forward by the Department Heads along with County and Town governments.

Legislator Eick updated the Board on the updates to the Veterans Service Agency. Earl Schmidt announced the Open House on June 27th from 5 to 7 p.m. which will be a meet and greet with light refreshments but no ceremony.

Legislator Johnson provided an update on the broadband. The first round of bidding that the RFP's were in was from April 1st to April 15th. But, this past winter Time Warner Cable and Charter Communications began looking at a merger which entails many levels of approval. She indicated that the Justice Department signed off this week approving this. Because of Niagara and Orleans Counties, and most counties in New York State, have a foot print of Time Warner in their County. The FCC has mandated through the merger, that Time Warner expand to 145,000 homes that have not ever been served. So until that determination has been made to expand, Niagara/Orleans was blocked to participate in the first round of funding. The merger is moving forward and the last part of this is the approval of the FCC. Once approved, Time Warner has forty-five days to submit the actual address points of the 145,000 funds that will be fed back into these maps. The second round of funding will be in June. If the blockage is lifted from this merger, we are ready to submit.

Chairman Callard requested Legislator Johnson to give an update on the progress of our lake levels. She provided a bit of history on the IJC. She said she met with Congressman Collins last week and he assured her that it is a dead dog at this time and Governor Cuomo is not going to sign off on this. Congressman Collins also stated that at this time we should not pursue it anymore and feels the issue is going to die. Legislator Johnson said she will continue to monitor it. Chairman Callard stated that it died before and resurfaced and we will continue to monitor it because it will surely affect our shoreline and the negative impacts to our taxpayers and businesses.

Legislator Johnson acknowledged that on both these projects, Chairman Callard had the foresight to realize that a voice would be more powerful if we teamed up with a neighboring county. Chairman Ross, the retired Niagara County Chairman agreed and NORA came about. Chairman McNall, the newly elected Chairman of the Niagara County Legislature is also very supportive of having this joint alliance.

Chairman Callard stated that he met with Chairman McNall who is interested in coming to visit our Legislature in the next few months. Chairman Callard also welcomed Shelby Councilman Ken Schaal and Village of Medina Trustee Owen Toale to the chambers today.

Chairman Callard opened the floor for public comment as it relates to today's resolutions: Allen Lofthouse, Kendall, inquired about Resolution

No. 168 and asked if we are still using the Nursing Home to house the Elections and Public Health Department offices. He inquired about the cost. Mr. Nesbitt indicated it is about \$100,000 per year. Mr. Lofthouse asked if this is the final Bond payment in this resolution for the Nursing Home. Mr. Nesbitt stated that it will pay off the final debt of the Nursing Home. Mr. Lofthouse then stated that the only thing we owe is for the rent of these offices, which was agreed.

Paul Lauricella, Yates, inquired if there are any other buildings within the county campuses to house the Elections office instead of paying \$30,000 for a feasibility study. Chairman Callard stated that we have no other place to move either the Board of Elections or Public Health to. Chairman Callard indicated that the study is the first step in the discussion and need to be very sure of the cost. We don't want to enter into a building project without making sure that it is cost effective. A preliminary review shows it could be possible without any impact to the tax rate. A thorough professional analysis of our needs and results in cost will just reaffirm our belief that it could be done. A necessary first step stated Chairman Callard.

Mr. Lauricella then asked about the solar feasibility study and was concerned with recent solar company bankruptcy filing. Chairman Callard felt that was not going to be an issue with this project. Mr. Nesbitt stated that we are not tied into any specific company related to this. NYSERDA is providing many incentives. We are strictly looking at the benefits at this time. We can lock in the cost of our electricity at a flat number over the next thirty years therefore we could pay off the Bond. Over this thirty year period the county would benefit to the good by 1.6 or 1.9 million dollars, Mr. Nesbitt indicating these are preliminary numbers provided.

Mr. Lauricella asked if any other municipalities have studied solar benefits. Mr. Nesbitt stated there are a number of municipalities similarly situated like us that has done this to create a long term fiscal benefit to their county. Chairman Callard stated that the technologies are improving and the incentives are at the maximum at this time to make it cost effective at this time.

Mr. Nesbitt added that Orleans County passed a resolution of intent a while back so we could continue to study this and we then were grandfathered under the current system. With getting on the books with our resolution, we can sell back to the grid at the highest rate we pay at our buildings. We need to have this in place by December 31st of 2017

and study to see if we can turn our \$10,000 into \$2 million over a thirty year period. We are looking at IDA properties at this time for this project, stated Mr. Nesbitt.

Bruce Schmidt, Gaines, shared his concern with moving the Legislature Chambers and offices due to the historical nature it has in the Courthouse square and Clerk's Building, as being proposed in Resolution No. 188-416. He felt to explore other facilities owned by taxpayers, such as our schools, to house trainings if needed. This does occur in other localities. He referenced the new build numbers for the Charlie Howard Museum. He expressed that in his opinion history is lost when people are moved to new facilities. Chairman Callard stated that his point will be well taken and is the purpose of the study. This building's historic value will not disappear expressed Chairman Callard.

The following resolutions were presented for adoption:

RESOLUTION NO. 145-416

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$1,232.00	Labella Associates	Prof. Serv. for Repl. of Waterport Carlton Bridge – Inv#69275 – 1/1/16-3/18/16
\$49,785.50	Labella Associates	Prof. Serv. for Repl. of Carton Road Bridge – Inv #69285 – 1/1/16-3/18/16
\$4,752.00	Labella Associates	Prof. Serv. for Repl. of East Scott Road Bridge – Inv #69286 – 1/1/16-3/18/16
\$346.50	Labella Associates	Prof. Serv. for Repl. of Oak Orchard Bridge – Inv#69287 – 1/1/16-3/18/16

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

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<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$8,135.04	Labella Associates	Prof. Services for Repl. of Platten Rd. Culverts – Inv #69284 – 1/1/16-3/18/16
\$1,540.00	Labella Associates	Prof. Services for Repl. of Knowlesville Rd Culverts – Inv# 69274 – 1/1/16-3/18/16

Moved, Eick; second, Miller
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 146-416

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE MARCHISELLI PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a “Project” start package for the Bridge Preventative Maintenance of Six locations in Orleans County in the Towns of Albion, Carlton, Ridgeway and Yates, PIN 4760.68, BINS: 3319330, 3366350, 3318980, 3318930, 3318940, and 3318820 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary “Engineering” and “Right of Way” Incidentals; and be it

RESOLVED, that the Orleans County Legislature, hereby approves the above subject project; and be it

FURTHER RESOLVED, that the Orleans County Legislature hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary “Engineering”, and “Design” for the Project or portions thereof; and be it

FURTHER RESOLVED, that the sum of \$85,422 is hereby appropriated from the Orleans County Legislature and made available to cover the cost of participation in the above phase of the Project with a contract end date of January 29, 2026; and be it

FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Orleans County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Orleans County Legislature with NYSDOT 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 be it

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 be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 147-416

APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND UNION CONCRETE AND CONSTRUCTION CORPORATION

RESOLVED, this Legislature accepts the low bid submitted by Union Concrete and Construction Corporation, 105 Center Rd, West Seneca, NY 14224 and authorizes the Chairman to execute an agreement with Union Concrete and Construction Corp. for the Replacement of East Scott Road Bridge over Fish Creek; Job #1792.001; BIN #3318920 at a bid cost of \$724,346.50; agreement effective as soon as County gives notice to proceed; and be it

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

Moved, Eick; second, Miller,
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 148-416

APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND CRANE-HOGAN STRUCTURAL SYSTEMS

RESOLVED, this Legislature accepts the low bid submitted by Crane-Hogan Structural Systems, 3001 Brockport Rd, Spencerport, NY 14559 and authorizes the Chairman to execute an agreement with Crane-Hogan for the Replacement of Carton Road Bridge over Sandy Creek in the Town of Kendall; BIN #3319180 at a bid cost of \$793,729.10; agreement effective as soon as County gives notice to proceed; and be it

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

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 149-416

AUTHORIZING PURCHASE OF A ZERO TURN MOWER FROM BUILDINGS & GROUNDS BUDGET

RESOLVED, that this Legislature authorizes the Buildings & Grounds Department to purchases a John Deere Z997R Diesel W60” 7guage side discharge deck Zero Turn Mower from Lakeland Equipment Corp., 3237 Union St, North Chili NY 14514, (payable to Deere & Company) from the NJPA – contract #NY PC66663 at a cost of \$ 18,256.70 minus with a trade-in of the 2008 John Deere 007 mower of \$4,000 to equal a balance of \$14,256.70 (PO#57426) to be paid from the Buildings and Grounds account A1620.470 – Capital Construction Project Equipment.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 150-416

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND WENDEL FOR PROFESSIONAL SERVICES TO EXAMINE FEASIBILITY OF DEVELOPMENT OF A SOLAR FEASIBILITY ANALYSIS

RESOLVED, that this Legislature approves an agreement with Wendel, 375 Essjay Rd, Suite 200, Williamsville, NY 14228 in an amount not to exceed \$10,500 for professional services related to study and development of a solar array to benefit the County of Orleans; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds for the purpose of payment to complete this study as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$10,500
<u>To:</u>		
A1620.418	Other Contractual Expenses	\$10,500

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 151-416

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective May 6, 2016 through May 5, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Orleans County Attorney, Medina, NY for the provision of .75 part-time attorney assigned to Social Services (Child Support); to be effective

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January 1, 2016 through December 31, 2016 at a cost of \$54,328. County cost is \$18,472.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 152-416

AUTHORIZING CREATING AND FILLING POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operations of County business and reorganization to more effectively utilize positions; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Clerk position (6010.0409) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective April 28, 2016; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0402) in the Department of Social Services at Grade 13 of the CSEA Salary effective April 28, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation and filling of a part-time temporary Social Welfare Examiner position in the Department of Social Services at Grade 13 of the CSEA Salary Schedule from May 1, 2016 through August 31st, 2016 for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% federal funds.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 153-416

APPROVING THE 2016 YOUTH BUREAU RESOURCE ALLOCATION PLAN

WHEREAS, the Orleans County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid

from the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines; and

WHEREAS, the Orleans County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county comprehensive youth services planning efforts during 2016 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Orleans County appropriation; and

WHEREAS, guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Orleans County Youth Bureau and the Committee on Economic Assistance and Opportunity does recommend approval at this time; now be it

RESOLVED, that the Orleans County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2016 Orleans County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 154-416

AMENDING RESOLUTION NO. 27-116 BETWEEN MENTAL HEALTH AND THE MENTAL HEALTH ASSOCIATION IN GENESEE AND ORLEANS COUNTIES

WHEREAS, Resolution No. 27-116 approved an agreement between Mental Health and the Mental Health Association in Genesee and Orleans Counties providing mental health support services and Drop-In Center at a cost of \$68,945 with a County cost of \$0; and

WHEREAS, additional funds, due to costs associated with the relocation of their agency, will be made available to the Mental Health Association in Genesee and Orleans Counties, in the amount of \$10,128: \$2,500 to be reallocated from the Suicide Coalition and \$7,628 from the NYS Office of Mental Health Article 28 reinvestment funds; now be it

RESOLVED, that this Legislature authorizes the addition of the \$10,128 increase to this agreement, now totaling \$79,073. County cost is \$0.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 155-416

AUTHORIZING CREATING AND FILLING POSITIONS IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, the Mental Health Department has a vacancy for a permanent part time Receptionist position; and

WHEREAS, due to the high volume of front desk calls, scheduling of clients, and the demands of walk-in appointments, a temporary part time receptionist position is needed for the successful operation of the Department until the permanent position is filled; now be it

RESOLVED, that this Legislature authorizes the creation and filling of a temporary Part Time Receptionist position in the Mental Health Department at Grade 7 of the CSEA Salary Schedule, effective May 2, 2016 through July 29, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of a permanent Part Time Receptionist position (4310.40) in the Mental Health Department at Grade 7 of the CSEA Salary Schedule effective April 28, 2016.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 156-416

APPROVING RE-APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the re-appointment of Donald Allport to the Community Services Board, waiver to serve a third term to begin May 29, 2016 and ending May 28, 2020.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 157-416

**APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY
HEALTH DEPARTMENT AND VARIOUS AGENCIES**

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

Monroe County Public Health, 111 Westfall Rd, Room 962C, Rochester, NY 14620 to provide "14" full autopsy examinations and 5 blood description autopsy exams. All autopsy's over the approved 14 full autopsy's and the approved 5 blood description autopsy's for 2016 will be charged at a rate as approved by the Monroe County Legislature in the 2016 budget as listed in the Public Health Medical Examiner Fees and Charges Schedule. If the county does not utilize all autopsy services, they may use the balance on other services. 2016 fees and charges attached Contract amount is 37,400. County cost is \$37,400.

NYS Department of Health - Center for Environmental Health, Corning Tower BLDG, Room 1629, Empire State Plaza, Albany, NY 12237 to provide funding through the Orleans County Health Department for the Lead Education Testing and Supplies and Medical Services when needed. Reimbursement through NYS Lead Grant. Contract to run October 1, 2015 through September 30, 2020 at \$43,371 per year. County cost is \$0.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 158-416

**APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY
HEALTH DEPARTMENT AND NATIONAL ASSOCIATION OF
COUNTY AND CITY HEALTH OFFICIALS AND AUTHORIZING
THE TREASURER TO SET UP NEW MONEY IN THE HEALTH
DEPARTMENT BUDGET**

WHEREAS, The Orleans County Health Department has been awarded funding as a result of housing the Medical Reserve Corps

(VALOR) that is registered in good standing and undertake activities and oversee such for capacity building; now be it

RESOLVED, that this Legislature approves an agreement between the Health Department and National Association of County and City Health Officials, 1100 17th St NW, 7th Floor Washington, DC 20036-4636 to house the Medical Reserve Corps (VALOR) in Orleans County effective January 1, 2016 through July 31, 2016 Contract amount: \$15,000.00; County cost is \$0.

RESOLVED, that the County Treasurer is authorized to set up new monies in the 2016 Public Health Department budget as a result of the awards from the National Association of County and City Health Officials as follows:

<u>Revenue:</u>		
A4489	Bioterrorism Preparedness	\$ 15,000
<u>Appropriations:</u>		
4010.434	Advertising	\$ 360
4010.452	Personal Service Contracts	\$ 1,900
4010.478	Health Promotion Supplies	\$ 12,740

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 159-416

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND KANSAS HEALTH RESEARCH, INC.; AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT BUDGET AND AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH EMPLOYEE

RESOLVED, that this Legislature approves an agreement between Orleans County Health Department and Kansas Health Institute (KHI), 212 SW Eighth Ave, Suite 300 Topeka, KS 66603-3936 for participation in a Shared Services Learning Community program administered by The Center which is funded by the Robert Wood Johnson Foundation through periodic follow-up activities, Contract period is April 1, 2016 through October 30, 2017 and contract amount is \$10,000 – payments to be

divided over two years (\$7,000 in 2016; \$3,000 in 2017). County cost is \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department budget as a result of the contract with Kansas Health Institute (KHI) as follows:

Revenue:

A1608	Robert Wood Johnson Foundation	\$ 7,000
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Appropriations:

4010.100	Personal Services	\$ 1,922
4010.463	Travel other than Mileage	143
4010.478	Health Promotional Supplies	4,100
4010.810	NYS Retirement	298
4010.820	Medicare	28
4010.830	FICA	119
4010.840	Workman's Comp	23
4010.860	Health Insurance	367

and be it

FURTHER RESOLVED, that this legislature does hereby approve Paul Pettit, Public Health Director, to travel out of state as part of this agreement to the 2016 National Meeting in St. Louis, Missouri, September 7, 2016 – September 9, 2016. All expenses covered by the Kansas Health Institute. County cost \$0.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 160-416

AUTHORIZING PURCHASE FROM THE PUBLIC HEALTH DEPARTMENT AND EMERGENCY MANAGEMENT OFFICES BUDGETS; AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department and the Orleans County Emergency Management Office to purchase an EOC Ready App License with Spanish translation from Quick Series Publishing, Inc in the amount of \$10,845 to be purchased from Health Department Budget account A4010.487 –

Environmental Health Supplies in the amount of \$5,970; and Emergency Management Budget account A3640.486-2015 – Special Grants - Homeland Security FY 2015 in the amount of \$4,875. County cost is \$0 due to being funded by grants awarded from Health Research Inc., Office of Homeland Security, and State Aid.

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up FY 2015 Homeland Security Grant Funds in the Emergency Management Budget to cover the cost of the EOC Ready App as follows:

Revenue:

A4309.2015	State Homeland Security Grant Program	\$4,875
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Appropriation:

3640.486.2015	Special Grants- SHSP FY15	\$4,875
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Moved DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 161-416

AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH EMPLOYEE

RESOLVED, that this Legislature authorizes Out of State Travel for Brenden Bedard, Director of Community Health Services in the Public Health Department to attend the HPV Advisory Cohort I & II in Atlanta, Georgia from June 8th through June 10th, 2016. All costs covered by NACCHO. County cost \$0.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

Legislator DeRoller moved to accept a donation from OONA for a playground donation and to set up the money appropriately in the Marine Park Budget. He commended the organization for the contribution. Legislator Johnson seconded the motion. Chairman Callard asked when this project will be completed. Due to Spring rains, they are waiting for the ground to firm up and our Highway Department will need to bring in fill to even up the ground. Legislator DeRoller added that the Marine Park

upgrade project nears \$22,000 and will be ready for the concert series at the Marine Park. The following resolution was adopted:

RESOLUTION NO. 162-416

ACCEPTING PLAYGROUND DONATION FROM OAK ORCHARD NEIGHBORHOOD ASSOCIATION AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MARINE PARK BUDGET

WHEREAS, Orleans County endeavors to replace the aging and obsolete playground at the County Marine Park; and

WHEREAS, the Oak Orchard Neighborhood Association has graciously and unhesitatingly provided a donation for the cost of the swing set so that the project can be completed in a single phase; now be it

RESOLVED, that this Legislature hereby accepts this generous gift and authorizes the Treasurer to set up new money in the Marine Park Budget as follows:

<u>From:</u>		
A2705	Donations	\$3,248.87
<u>To:</u>		
A7180.470	Capital Projects	\$3,248.87

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 163-416

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE PLANNING DEPARTMENT BUDGET TO PAY WENDEL FOR NORA BROADBAND EXPANSION PROJECT

WHEREAS, Resolution 194-515, dated May 27, 2015 authorized said transfer, but invoice wasn't received until 2016, so funds now need to be set up in 2016 budget to pay invoice; now be it

RESOLVED, that the Treasurer is authorized to transfer funds into the Planning budget for the NORA Broadband Expansion Project.

From:
A1990.435 Contingency \$3,750

To:
A8020.418 Other Contractual Expenses-NORA Broadband \$3,750
Expansion Project

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 164-416

**APPROVING AGREEMENT BETWEEN TOURISM DEPARTMENT
AND WIGHT-OX ENTERPRISES, LLC**

RESOLVED, that this Legislature approves the agreement between the Tourism Department and Wight Ox Enterprises, LLC, 949 Streeter Brook Rd., Little Genesee, NY 14754 to provide:

- 13 total national airings on the Hunt Channel during the 2nd quarter of 2016 (Season 4) at a cost of \$6,500
 - 624 total airings of 30 second video ads on 9 regional cable stations airing Rush Outdoors Television Show, October 2016 through September 2017 (Season 5) at a cost of \$4,500
 - Additional digital media ads provided throughout the contract
- all to be paid from Tourism Account 6410.468 – I Love NY Matching funds.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

Legislator Johnson moved to support an increase in the share of revenue counties retain for providing State DMV services by passing bill 4964 it would raise the current 12.7% county share up to a 25% share and this legislative body supports this; seconded by Legislator DeFilippis. Chairman Callard felt this was disproportionate and knowing the quality of work our DMV does, we deserve 100%. The following resolution was adopted:

RESOLUTION NO. 165-416

**SUPPORTING AN INCREASE IN THE SHARE OF REVENUE
COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES**

WHEREAS, in New York State 51 of 62 counties are mandated to operate a local Department of Motor Vehicles (DMV) office; and

WHEREAS, local DMV Offices provide customer service and process many no-fee transactions on behalf of New York State; and

WHEREAS, under current law the State of New York takes 87.3% of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by local DMV offices has increased in the same time period; and

WHEREAS, the Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, increasing the county DMV revenue sharing rate with the state will not result in any increased cost or fees to local residents or taxpayers and will provide counties with the needed revenue to continue to provide necessary local government services; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services including overhead and staffing to fulfill these DMV needs for state residents, yet the State takes 87.3% of the revenue generated from providing said services; and

WHEREAS, the New York State Association of County Clerks strongly supports S4964A, which would increase the DMV revenue to counties and provide a more equitable share in order to run DMV offices and help offset county property taxes; and

WHEREAS, the State Senate recognized this inequity placed on counties and attempted to reduce the burden of local taxpayers by overwhelmingly passing bill 4964 which would raise the 12.7% county share up to a 25% share; now be it

RESOLVED, that the Orleans County Legislature, calls upon Governor Andrew M. Cuomo and members of the State Legislature to require an increase of the county DMV revenue share with the State; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Robert G. Ort, Assemblyman Steve Hawley, Assemblywoman Jane L. Corwin, New York State Association of Counties (NYSAC), New York State Association of County Clerks (NYSACC), and all others deemed necessary and proper.

Moved, Johnson; second, DeFilippis.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 166-416

APPROVING EXTENSION OF THE DEFERRED COMPENSATION PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS

WHEREAS, Resolution #149-411 approved the Renewal of the Deferred Compensation plan with Nationwide Retirement Solutions for a period of five years, with the option to renew for two one-year extensions; and

WHEREAS, the Deferred Compensation Trustee (County Treasurer) desires to extend the existing Agreement currently in place; adding a Roth 457 option and an Investment Advisors (ProAccount) option for the Administration of the County of Orleans 457 Deferred Compensation Plan, administered by Nationwide Retirement Solutions, for a period of one year commencing May 1, 2016 through May 1, 2017, at no cost to the County; now be it

RESOLVED, that the Chairman of the Legislature, is hereby authorized and directed to sign said one year renewal contract with Nationwide Retirement Solutions.

Moved, Johnson; second, DeFilippis.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 167-416

AUTHORIZING SETTING UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT

WHEREAS, the energy savings realized in 2015 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the Treasurer has made the Lease payment and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

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

<u>From:</u>		
Reserve for Debt		\$46,449
<u>To:</u>		
A9901.556	Transfer to Debt Service	\$46,449

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies in the Debt Service Fund, as follows:

<u>From:</u>		
V5031	Revenue	\$46,449
<u>To:</u>		
V9710.601	Principal	\$25,000
V9710.701	Interest	\$21,449

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 168-416

AUTHORIZING SETTING UP RESERVE MONIES FOR THE 2007 NURSING HOME BOND PAYMENT

WHEREAS, the final Debt Service payment for the Village of Orleans Nursing Home is now due; and

WHEREAS, the Treasurer reserved the funds at year end, and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

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

<u>From:</u>		
Reserve for Debt		\$859,759.38

<u>To:</u>		
A9901.556	Transfer to Debt Service	\$859,759.38

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies in the Debt Service Fund, as follows:

<u>From:</u>		
V5031	Revenue	\$859,759.38

<u>To:</u>		
V9710.610	Principal	\$680,000.00
V9710.701	Interest	\$179,759.38

Moved, Johnson; second, DeFilippis.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 169-416

**APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE
AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve agreements between the Orleans County Sheriff's Office and the following agencies:

Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, NY, for the pre-purchase of gasoline in the amount of \$10,000, for use by the marine navigation patrol for the 2016 season. Reimbursement through grant funding.

Genesee Valley Farm and Crematory, 3520 South Main Street Road, P.O. Box 1604, Batavia, NY 14021, for the disposal of animals in the amount

of \$18 per dog and \$9 per cat or small animal, effective January 1, 2016 through December 31, 2020, with termination of this agreement by either party upon thirty (30) days written notice to the other.

Moved, DeFilipps; second, Eick.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 170-416

AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND THE SHERIFF'S OFFICE

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

RESOLVED, that the Orleans County Sheriff is authorized to participate in and accept the grant agreement between the NYS Division of Homeland Security and Emergency Services and the Sheriff's Office for Operation Stonegarden FY2016 in the amount of \$76,220; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SG16-1004-D00; contract #C838769 in the amount of \$76,220 for the Sheriff's Office to enhance cooperation and coordination between Federal, State, local and tribal law enforcement agencies in joint operations along the Canadian border effective September 1, 2016 through August 31, 2019.

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 171-416

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET AND TO APPROVE PURCHASES

WHEREAS, Resolution No. 357-1015 approved an agreement between the Orleans County Sheriff's Office/Jail and the Bureau of Justice

Assistance for the State Criminal Alien Assistance Program (SCAAP)
FY2015 grant; now be it

FURTHER RESOLVED, that the County Treasurer is authorized
to set up new money in the Sheriff/Jail Budget, for State Criminal Alien
Assistance Program (SCAAP) Funding, as follows:

<u>Revenue:</u>		
A3351	SCAAP	\$14,900
 <u>Appropriation:</u>		
A3150.250	Other Equipment	\$14,900

and be it

FURTHER RESOLVED, that this Legislature authorizes the
purchases of Guard 1 Plus Professional Edition Software from SI
Technologies, Inc. d/b/a Security Integrations- NYS Contract #PT63302 in
the amount of \$6,696.55 (PO#57349) [**See Resolution No. 242-616 –
purchase cancelled**] and the purchase of a non contact visitation table
from Moduform Library Bureau- NYS Contract #PC66306 in the amount
of \$5,404 (PO# 57350) to be paid from Sheriff/Jail Budget Account
A3150.250-Other Equipment.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 172-416

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND BRITE COMPUTERS

RESOLVED, that this Legislature approves an agreement between
the Sheriff's Office and Brite Computers, 7647 Main Street Fishers,
Victor, NY 14564 for two years of NetMotion Mobility XE Premium
Maintenance for 25 device licenses of Mobility with the Analytics Module
and Policy Module, retroactive for period beginning October 7, 2015
through October 6, 2017 at a cost of \$3,245.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 173-416

AUTHORIZING CONTINUATION OF THE ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING APPOINTMENTS TO THE ALTERNATIVES TO INCARCERATION BOARD

RESOLVED, that this Legislature authorizes the continuance of the Alternatives to Incarceration Program, at a reimbursable cost of \$5,531 to the county, leaving a county cost of \$7,580.72, effective July 1, 2016 through June 30, 2017; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute grant agreement CL11-1015-D06; contract #T523462 and all related documents associated with this grant, subject to review by the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the Alternatives to Incarceration Board, term expiring June 30, 2017:

<u>NAME</u>	<u>REPRESENTATION</u>
James P. Punch	County & Supreme Court Judge
Joseph Cardone	District Attorney
Sanford Church	Public Defender
Dawn Keppler	Magistrates
Lucille A. Taylor-Welch	Probation Director
Charles Nesbitt, Jr.	Chief Administrative Officer
Randall Bower	County Sheriff
Lynne Johnson	County Legislator/Public Safety Committee
John DeFilipps	Public Safety Committee Chairman
Mike Mele	Chief Deputy/ATI Coordinator
Bonnie Ruhlen	Crime Victim
Mark O'Brien	Director of Community Services
Kathy Hodgins	GCASA

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 174-416

AUTHORIZING FILLING OF VACANCIES IN THE SHERIFF'S OFFICE/JAIL

April 27, 2016
Resolutions 145-190

RESOLVED, that this Legislature authorizes the filling of the following vacant four (4) Part-time Correction Officer positions (3150.28; 3150.35; 3150.36; 3150.41) at the Orleans County Jail at an hourly rate of \$13.92 effective April 28, 2016.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 175-416

AUTHORIZING SALARY ADJUSTMENT BASED ON SHORT NOTICE STAFFING REQUIREMENTS AT THE ORLEANS COUNTY JAIL

WHEREAS, staffing deficiencies occur in the Orleans County Jail due to shift vacancies; and

WHEREAS, short notice staff call ins of part-time Correctional Officers are necessary for the safe operations of the Orleans County Jail; and

WHEREAS, staffing deficiencies occur in the Orleans County Jail due to shift vacancies during designated holidays; now be it

RESOLVED, that this Legislature authorizes a salary adjustment in the form of a second rate to part-time Correctional Officers that are called in not more than 8 hours before a shift change and shall be compensated \$19.22 per hour effective May 1, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes a salary adjustment in the form of a second rate to part-time Correctional Officers that are scheduled to work the following holidays, New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Labor Day, Memorial Day, Independence Day, Columbus Day, Election Day, Veteran's Day, Thanksgiving Day and Christmas Day and shall be compensated \$19.22 per hour effective May 1, 2016.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 176-416

AUTHORIZING SETTING UP NEW MONEY IN AND PURCHASE FROM THE SHERIFF'S OFFICE BUDGET

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

Revenue:

A2701	Refund Prior Years	\$7,576.20
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Appropriation:

A3110.418	Other Contractual Expenses	\$7,576.20
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FURTHER RESOLVED, that this Legislature approves the purchase of Patrol Rifle Optic Pro Sights from AmChar Wholesale, Inc, 100 Airpark Drive, Rochester, NY 14624, in the amount of \$7,576.20 and to be paid from Sheriff's Budget account A3110.418-Other Contractual Expenses.

Moved; DeFilipps, second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 177-416

APPROVING AGREEMENT WITH ORLEANS COUNTY SHERIFF'S EMPLOYEES ASSOCIATION

RESOLVED, that this Legislature approves an agreement with the Orleans County Sheriff's Employees Association (OCSEA) covering the years 2016 through 2018; said agreement includes a 2% increase for 2016, 2017, and 2018, the addition of a new title, re-organization of the salary scale and positions within the scale, and a residency requirement for any new employees hired following ratification of this agreement.

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 178-416

REQUESTING ENACTMENT OF HOME RULE LEGISLATION TO AMEND THE NEW YORK STATE CORRECTIONS LAW TO

AUTHORIZE THE ORLEANS COUNTY JAIL TO HOLD PERSONS UNDER ARREST FOR ARRAIGNMENT IN ANY COURT LOCATED IN THE COUNTY OF ORLEANS.

WHEREAS, Pursuant to New York State Corrections Law 500-c and interpretation of the New York State Commission of Corrections, a County Sheriff operating a Correctional Facility may not house persons arrested and detained prior to arraignment; and

WHEREAS, the Orleans County Jail is designed with several holding areas intended for reception and holding of arrested persons awaiting transportation to court arraignment; and

WHEREAS, the design of the secure automobile entrance, booking and receiving stations and the proximate holding cells at the Orleans County Jail provide a highly safe and secure setting for arrested persons, law enforcement personnel and the general public, and this Board desires to ensure that said facilities are able to be lawfully utilized; and

WHEREAS, Article IX of State Constitution and Section 40 of the New York State Municipal Home Rule Law requires a home rule request be made to the State Legislature; and

WHEREAS, The Chairman of this board has determined to make a home rule request for the enactment of Bills into law; now be it

RESOLVED, that the Orleans County Legislature does hereby concur in the home rule request of the Chairman of the Legislature to amend the New York State Corrections Law to allow the Orleans County Jail to be used for the detention of persons under arrest being detained for arraignment in any court located in the County of Orleans; and be it

FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to file this home rule request resolution with Assemblyman Hawley of the New York State Assembly and Senator Ort of the New York State Senate.

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 179-416

APPROVING PROBATION DIRECTOR TO ACCEPT GRANT FUNDING THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to accept monies (\$149,616) from the NYS Division of Criminal Justice Services for the block grant funding effective July 1, 2016 through June 30, 2017 for the following:

Regular State Aid (RSA) to reimburse the county for probation services.

Probation Eligible Diversion (PED) to provide supervision and treatment to high risk offenders (Drug Court) eligible for services that are in jeopardy of incarceration.

Intensive Supervision Program (ISP) to provide Intensive Supervision to eligible felons who would otherwise be sentenced to incarceration in our local jail or with the New York State Department of Corrections.

Enhanced Sex Offender Supervision (ESSO) of level 2 and level 3 SORA Registerable Sex Offenders.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 180-416

APPROVING PROBATION TO CONTINUE PARTICIPATION FOR GRANT FUNDING THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION (ATI) FUNDING

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to continue in the participation in the grant opportunity in the amount of \$5,531 from the NYS Division of Criminal Justice Services for the Article 13-A Classification Alternatives to

Incarceration ATI award for the delivery of Pre-Trial Services with grant period effective July 1, 2016 through June 30, 2017; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute the grant agreement CL11-1112-D07; contract #T523463 and all related documents associated with this grant, subject to review by the County Attorney.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 181-416

AUTHORIZING DISTRICT ATTORNEY TO ACCEPT THE LEGISLATIVE INITIATIVES GRANT WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the Orleans County District Attorney's Office was awarded a Legislative Initiatives Grant with the Division of Criminal Justice Services; and

WHEREAS, said Legislative Initiatives Grant provides for a budget of ten thousand dollars (\$10,000) to be used toward the purchase of equipment to enhance Grand Jury evidence display; be it

RESOLVED, that the District Attorney is authorized to accept the Legislative Initiatives Grant in the amount of \$10,000, with the Division of Criminal Justice Services and execute agreement to use said funds for the purchase of equipment for the enhancement of evidence display in the Grand Jury room at the Public Safety Building; and be it

FURTHER RESOLVED, that the Orleans County Treasurer is hereby authorized to set up this new money in the District Attorney's budget as follows:

<u>Revenue:</u>		
A3031	DA Initiatives Grant	\$10,000
<u>Appropriation:</u>		
A1165.486	Special Grants	\$10,000

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

Legislator DeFilippo moved a resolution to call upon New York State to fully reimburse counties for the increase of the District Attorney's Salary which is going to be set by the State; seconded by Legislator Johnson. Chairman Callard indicated that this is another example of another unfunded mandate. Legislator DeRoller added that he spoke with Assemblyman Hawley who is currently working diligently on a new resolution that will be presented in the assembly for the state to pay for the DA salary increase and stop this unfunded mandate. The following resolution was adopted:

RESOLUTION NO. 182-416

CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE

WHEREAS, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, this salary increase recommendation occurred well after all counties set their 2016 budgets in law; and

WHEREAS, the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000.00 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

WHEREAS, on April 1st the state approved the Commission's recommendation; and

WHEREAS, State Judicial Law 183-a links judicial salaries with county district attorneys' (DA's) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on full time or part time status; and

WHEREAS, for over 50 years, the state has funded all salary increases that they imposed on the counties; and

WHEREAS, DA's are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law; and

WHEREAS, on April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries; and

WHEREAS, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

WHEREAS, for many counties this salary increase represents approximately 1/3 of their total allowable property tax growth for all government operation in 2016; now be it

RESOLVED, that the County of Orleans calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Robert G. Ort, Assemblyman Steve Hawley, Assemblywoman Jane L. Corwin, New York State Association of Counties, and all others deemed necessary and proper.

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 183-416

AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, new funding opportunities have become available in the amount of \$21,063 to continue participation in the Emergency Management Planning Grant cycle (EMPG) FY2016; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant EM16-1041-D00, contract #T838765 in the amount of \$21,063 for the Emergency Management Office to use for

replacement dispatch work stations and off-road vehicle according to grant guidance, effective October 1, 2015 through September 30, 2017.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 184-416

SUPPORTING STATE LEGISLATION S 1000-B FUNKE/A 5133-A MORELLE RELATING TO PERMANENT TOTAL DISABILITY BENEFITS RECEIVED BY DISABLED VOLUNTEER FIREFIGHTERS

WHEREAS, volunteer firefighters in Orleans County and across New York State put themselves in life-threatening situations without reservations at a moment's notice to protect our communities; and

WHEREAS, sometimes, while answering the call of duty, these brave men and women fall victim to serious injuries that leave them disabled and unable to provide for their families; and

WHEREAS, as of March 2015, New York State had 38 total/permanently disabled volunteer firefighters that are dependent on volunteer firefighter disability benefits that has no cost of living adjustment provision from the Workers Compensation Board of New York State; and

WHEREAS, New York State Senator Richard Funke and Assemblyman Joseph Morelle have introduced companion bills in the state legislature to adjust the benefits received by disabled volunteer firefighters on February first of each year based on the consumer price index; now be it

RESOLVED, with the brave men and women who protect our communities in mind, the Orleans County Legislature adds its support to S 1000-B Funke/A 5133-A Morelle; and be it

FURTHER RESOLVED, this honorable body calls on its fellow county governments across New York State to add their support; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Robert G. Ort,

Assemblyman Steve Hawley, Assemblywoman Jane L. Corwin, New York State Association of Counties, and all others deemed necessary and proper.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 185-416

AUTHORIZING TREASURER TO SET UP GRANT MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 363-1015 authorized the Director of Emergency Management to enter into an agreement with Tim Warth, dba Radio Technologies at 15 Pamda Drive, Rochester, New York, 14617 for professional communication consultant services at a cost not to exceed \$60,000; be it

RESOLVED, that this Legislature authorizes the Treasurer to set up new monies FY12 State Interop Communications Grant Funds as follows:

<u>Revenue:</u>		
A4309.0012	FY12 Statewide Interoperable Communications Grant	\$60,000
<u>Appropriation:</u>		
3640.486.0012	Special Grants/FY12 Interop Communications	\$60,000

and be it

FURTHER RESOLVED, that this Legislature authorizes payment milestones of April, May and August, 2016, upon substantial completion of the work contemplated.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 186-416

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds for Panic Buttons from Delcom Products, Port Chester, NY at a cost of \$2,890.20 and a 3 year License Subscription at a cost of \$6,750, from E-Panic, Birmingham, Alabama, in accordance to DHSES grant guidelines; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up FY 2015 Homeland Security Grant Funds in the Emergency Management Budget as follows:

Revenue:

A4309.2015	State Homeland Security Grant Program	\$9,641
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Appropriation:

3640.486.2015	Special Grants- SHSP FY15	\$9,641
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Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 187-416

AUTHORIZING EXECUTION OF CHANGE NOTICE NO. CN-006 RELATIVE TO ORLEANS COUNTY – MULTI-NET REBANDING AGREEMENT DATED SEPTEMBER 12, 2008

WHEREAS, the EF Johnson rebanding activity has now been finalized and the County is prepared to formally acknowledge final acceptance of EF Johnson’s work under the Rebanding Agreement and that EF Johnson has completed its obligation, now therefore, be it

RESOLVED, that the Chairman is authorized to execute Change Notice No. CN-006.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 188-416

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND WENDEL FOR PROFESSIONAL SERVICES TO EXAMINE FEASIBILITY OF AN ADDITION TO THE COUNTY OFFICE BUILDING

RESOLVED, that this Legislature approves an agreement with Wendel, 375 Essjay Rd, Suite 200, Williamsville, NY 14228 in an amount not to exceed \$30,000 for professional services related to study and development of a concept for an addition to the County Office Building to house Elections, Public Health, IT, Legislative Chambers and administrative office and large multipurpose rooms to accommodate training for large groups, conference rooms, and offices.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 189-416

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN ORLEANS COUNTY, NIAGARA COUNTY, SENECA TELECOMMUNICATIONS LLC AND RESOLUTE PARTNERS LLC FOR THE NORA RURAL BROADBAND INITIATIVE

WHEREAS, through the NIAGARA-ORLEANS REGIONAL ALLIANCE (hereinafter "NORA");, an intermunicipal collaboration between the Counties of Niagara and Orleans, an initiative has been undertaken to deliver broadband Internet services to the unserved areas of each county; and

WHEREAS, Seneca Telecommunications, LLC, d/b/a Seneca Solutions is a tribally owned, Native American 8a Small Disadvantaged Business located on the Cattaraugus Territory of the Seneca Nation of Indians outside of Buffalo New York. Seneca is an experienced government contractor with strong credentials and past performance in broadband construction, Information Technology and Construction Management with the management expertise and resources to oversee large programs; and

WHEREAS, Resolute Partners, LLC, is a Delaware based

information technology company and is one of the largest wireless Internet Service Providers (WISP) in the US military. Resolute brings extensive knowledge, experience and insight in the rural broadband, network construction and network operations and management, including specific expertise with regards to the Seneca Nation's rural broadband project located on its Cattaraugus Territory; and

WHEREAS, Seneca Solutions and Resolute together have the ability to engineer, install, maintain and service an Internet solution as demonstrated by its efforts on the Cattaraugus rural WiFi project; and

WHEREAS, as part of the effort to bring high-speed broadband service to the region, NORA embarked on a multi-year effort to quantify the extent of its needs and position itself to receive funding from the New York State Broadband Office; and

WHEREAS, these efforts have ranked Niagara and Orleans Counties as several of the highest scoring counties out of the entire State; and

WHEREAS, since the NORA alliance sits in two different Regional Economic Development Councils, both Councils have made this effort a priority; Niagara and Orleans Counties have indicated that their grant writing teams are available to assist Seneca and Resolute in acquiring broadband funding; and

WHEREAS, the NYS Broadband office has been allocated \$500M in funding from the State of New York in an effort to ensure every New Yorker has access to affordable, high-speed broadband services in urban and rural communities; and

WHEREAS, pursuant to Orleans County Resolution 270-715, representatives of Seneca Solutions, Niagara and Orleans Counties, entered into an agreement to work together to obtain funding for, design, install, operate and maintain a Rural Broadband network for both Niagara and Orleans Counties; and

WHEREAS, it is necessary to extend the duration of the Memorandum of Understanding [MOU] that was entered into pursuant to Resolution 270-715 to enable each party to complement the unique capabilities of the other and provide Niagara, Orleans and NORA

(sometimes hereinafter collectively the "Client") with the best combination of expertise to achieve the Client's objective; now, be it

RESOLVED, that this Legislature approves an extension of the Memorandum of Understanding between Orleans County, Niagara County, Seneca Telecommunications LLC, d/b/a Seneca Solutions, Salamanca, New York and Resolute Partners, LLC, Southington, Connecticut as a NORA Broadband Initiative to work together to obtain funding for, design, install and operate and maintain a Rural Broadband network for both Niagara and Orleans Counties with the term of this Memorandum to be effective for 365 days of signed agreement by all parties and all parties may extend the relationship upon mutual consent as more particularly provided in the MOU.

Moved, Johnson; second, DeFilippis.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

RESOLUTION NO. 190-416

AUTHORIZING PAYMENT OF CLAIMS FOR MAY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 May 11, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	3719-3888	\$292,974.77
Highway	721-728; 1767-1788	\$51,783.48
Job Development	2060-2068	\$3,251.70
Self Insurance	1112-56823-56824	\$20,739.86

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 Superintendent of Highways, 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 May 25, 2016:

Fund/Department	Check Number (s):	Amount:
General	3902-4042	\$359,952.19
Highway	729-735; 1789-1805	\$27,699.79
Job Development	2071-2081	\$9,650.52
Self Insurance	1113, 56825-56829	\$5,183.07

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

Chairman Callard called for old business, with there being none, he opened the floor for public comment.

Ben Yazman, Apex Clean Energy, followed up on mailed correspondence which introduced exploratory research into a project in the Town of Barre. He said he is available to meet and speak with them concerning this project.

Paul Lauricella, Yates, expressed he would like to see the DMV revenue resolution go through because our DMV department does very well for our County.

Legislator Miller added that when registrations come in your mail, if you return them in the envelope provided, they will be returned to Utica, New York which we receive no revenue returns to Orleans County. He encouraged people to re-address those to our local DMV office in Albion so that revenue will stay in our County. Legislator Johnson announced that our Deputy County Clerk Susan Rustay who oversees the DMV office is here and was asked to speak on behalf of the hard work occurring at our local DMV. Mrs. Rustay shared her appreciation to the constituents who help keep the revenue in our county. She appreciates the walk-ins and patience of those that have to wait in the longer lines at times to keep revenue in our county. She shared her appreciation to the Legislative Board for being fully staffed which allows better customer service to our residents. She feels that the increased revenue will also help with the tax

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burden that is placed on our taxpayers. Chairman Callard thanked Mrs. Rustay for a very well managed DMV office.

With no further business, Legislator Johnson moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:32 p.m.

LEGISLATURE MEETING

May 25, 2016

Chairman Callard called the meeting to order at 4:31 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Annual Financial Report Update Document for the County of Orleans for the Fiscal Year ending December 31, 2015 has been filed by the Orleans County Treasurer. Land Use Training for Municipal Officials will be presented by Orleans County Department of Planning and Development and Niagara County Department of Economic Development on Thursday, June 2, 2016 at the Hoag Library from 5 p.m. – 9:30 p.m. In-service credit will be given. Special letter of appreciation was received by James Maier on behalf of Earl Schmidt and his dedication to the veterans in the Veterans Service Agency, which was read by Clerk Hanlon. Director Schmidt was applauded for his efforts.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through April, 2016. It was not as exceptional as last month. She received the Tobacco money which added approximately half million dollars for a prior year disputed payment. School and Village relievis were paid, along with sales tax for first quarter, reported Treasurer Heard.

Chairman Callard called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired about Resolution No. 205-516, by asking if the county has a comprehensive plan. Mr. Nesbitt indicated that the County does have one but it is outdated. Legislator DeRoller stated it is thirty years old. Mr. Bensley added that it is not considered an active plan because of its age. Mr. Lofthouse asked if someone is pushing to get this done. Legislator DeRoller indicated that he is pushing to revisit this, to have a comprehensive plan with an agricultural focus. He stated that the Industrial Development Agency/Orleans County Economic Development Agency has changed their brand a bit and have tailored it to an Ag focus. A Resolution is on the agenda today to move that forward by hiring another person to help with this task.

Legislator Eick moved to add four resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 191-516

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$3,019.54	Barton & Loguidice	Prof. Services through 3/26/16 for East Scott Road Bridge-Inv#82508

FURTHER 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>
\$13,237.29	National Grid	Additional utility work for Platten Road Culverts – Inv #500013020

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

RESOLUTION NO. 192-516

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform Project Engineering and Design for Preventative Maintenance repairs to Orleans County Bridges at six different locations. The project locations are in the Towns of Albion, Carlton, Ridgeway and Yates; BINS: 3319330, 3366350, 3318980, 3318930, 3318940 and 3318820; and be it

FURTHER RESOLVED, this agreement is effective April 1, 2016 through December 31, 2018, NYS Contract #D035278, Pin 4760.68, at a maximum cost of \$85,422 with an 80% federal funded reimbursement at \$81,151 and a final County cost of \$4,271; to be paid out of the D5120.470.2277 Capital Plan TIP Bridge account.

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

RESOLUTION NO. 193-516

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve a Supplemental #1 agreement for “Additional Construction Inspection Services” with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 for the Carton Road over Sandy Creek Bridge in the Town of Kendall which will provide one additional full-time Construction Inspector and one part-time daily Construction inspector; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$27,500 BIN #3319180 and to be paid out of the Capital Infrastructure Project Account #H-5120.250.

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

RESOLUTION NO. 194-516

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES, D.P.C.

RESOLVED, that this Legislature does hereby approve a Supplemental #1 agreement for “Additional Construction Inspection Services” with the Highway Department and Labella Associates, 300 State Street, Suite 201, Rochester, New York 14614 for the East Scott Road over Fish Creek Bridge in the Town of Ridgeway which will provide one additional full-time Construction Inspector and one part-time daily Construction Inspector; and be it

FURTHER RESOLVED, this agreement is effective as soon as County gives notice to proceed through December 31, 2016. Bin #3318920, at a cost not to exceed \$27,500; to be paid from Capital Infrastructure Project Account H-5120.250.

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

RESOLUTION NO. 195-516

AUTHORIZING REPAIR SERVICE FROM THE HIGHWAY DEPARTMENT BUDGET

RESOLVED, that this Legislature approves a service repair bill from Southworth-Milton, Inc., P.O. Box 3851, Boston, MA 02241-3851 for the repair of the 2013 CAT Paver at a total cost of \$5,731.38 to be paid from the Highway Budget Machine Maintenance Account #DM5130.444 – Repairs to Equipment & Property.

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

Legislator Eick moved to approve an agreement to rent a road roller from Vantage Equipment for the Highway Department. Legislator Eick added that one month rental will be paid by Orleans County and the other two months will be paid by our Towns that use it complete their road projects. Legislator Miller second the motion and the following resolution was adopted:

RESOLUTION NO. 196-516

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND VANTAGE EQUIPMENT

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Vantage Equipment, 5985 Court Street Road, Syracuse, New York 13206 for a Roller Rental for the months June, July and August 2016 at \$3,300 a month; and be it

FURTHER RESOLVED, there will be a partial reimbursement through the Consolidated Highway Improvement funds and town payments.

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

RESOLUTION NO. 197-516

AWARDING BID FOR PLATTEN ROAD CULVERTS OVER OAK ORCHARD CREEK TRIBUTARIES

WHEREAS, in June 2016, the Highway Department will be requesting bids for Construction for the Replacement of the Platten Road Culverts over Oak Orchard Creek Tributaries in the Town of Yates, Project #215370; and

WHEREAS, due to construction time constraints, once bids have been publicly opened and reviewed to determine the lowest bidder, the County needs to award the bid by a pre-approve resolution; therefore be it

RESOLVED, that this award preapproves the lowest bidder; subject to the Chairman of the Legislature, County Attorney and Chief Administrative Officer approval.

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

RESOLUTION NO. 198-516

AUTHORIZING SETTING UP NEW MONEY IN THE FUEL FARM BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Fuel Farm budget due to additional environmental liability insurance, as follows:

Revenue:

Fuel Farm Capital Reserve	\$2,053
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Appropriation:

DM5140.431	Fuel Farm Insurance	\$2,053
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Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 199-516

**APPROVING AGREEMENTS WITH THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agency:

Ontario County Department of Social Services, Canandaigua, NY for the provision of Youth Care Facility for detention of PINS and JD youth; to be effective January 1, 2016 through December 31, 2016. County Cost 51%.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2016 through June 30, 2017 at rates established by the New York State Office of Children and Family Services. Reimbursement will vary by child's eligibility for State and Federal funding.

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

Legislator Allport moved to create and fill positions in the Mental Health Department. He added that a Clinical Therapist position is being created to cover the expanded work of ten hours in the Jail, which will be a good program that our Mental Health Department and Sheriff's Office is working together on. This position will also cover fourteen hours in the Albion Central School District, which now places our Mental Health Services in all five of our school districts. We will also have 1.5 days at Medina Hospital which is a service that is desperately needed there. Legislator Allport commended the Mental Health Department for their dedication in placing needed services in our County. Legislator DeRoller seconded the motion and the following resolution was adopted:

RESOLUTION NO. 200-516

**AUTHORIZING CREATING AND FILLING OF POSITIONS IN THE
MENTAL HEALTH DEPARTMENT**

RESOLVED, that this Legislature authorizes the creation of a Clinic Therapist position in the Mental Health Department at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position, effective May 26, 2016; and be it

FURTHER RESOLVED, as a result of a resignation, that this Legislature authorizes the filling of a vacant Supportive Case Manager position (4310.22) in the Mental Health Department at Grade 18 of the CSEA Salary Schedule, effective May 26, 2016.

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

RESOLUTION NO. 201-516

AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET

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

<u>Revenue:</u>		
A1625	Misc. Revenue	\$26,840.31
<u>Appropriation:</u>		
A4310.418	Other Contractual	\$26,840.31

and be it,

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for pass through money received for Suicide Coalition as follows:

<u>Revenue:</u>		
A1625	Misc. Revenue	\$3,500
<u>Appropriation:</u>		
A4310.418	Other Contractual	\$3,500

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

RESOLUTION NO. 202-516

**APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

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

Albion Water Treatment at 961 Wilson Road, Waterport, NY 14571 to provide water sampling for the environmental division. Reimbursement from New York State Water Grant, State Aide and Private pay. County Cost \$0.

University Of Albany at 1400 Washington Ave, UNH 212, Albany NY 12222 to provide an association with University of Albany Masters of Public Health Program. Internship will allow for the ability of an Intern to fulfill requirements for a Masters Degree and allow the Public Health Department to utilize their service. Contract to run from June 1, 2016 through December 31, 2021. County Cost \$0.

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

RESOLUTION NO. 203-516

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

RESOLVED, that this Legislature does hereby authorize the abolishing of a vacant part-time Case Manager in the Public Health Department at Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Case Manager in the Public Health Department at Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant full-time Case Manager, effective May 26, 2016.

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

RESOLUTION NO. 204-516

**AUTHORIZING SETTING UP MONEY FROM MISCELLANEOUS
RESERVE INTO THE HEALTH DEPARTMENT BUDGET**

RESOLVED, that the County Treasurer is authorized to set up money from the miscellaneous reserve, into the following appropriations in the Public Health 4010 Budget:

Revenue:

Miscellaneous Reserve	\$22,205.46
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Appropriation:

A4010.250	Other Equipment	\$3,700.00
A4010.411	Office Supplies	181.00
A4010.434	Advertising	1,114.46
A4010.452	Personal Service Contracts	560.00
A4010.460	Training & Education	1,650.00
A4010.478	Health Promotional Supplies	1,800.00
A4010.487	Environmental Health Supplies	12,300.00
A4010.489	Nursing Supplies	900.00

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

RESOLUTION NO. 205-516

**AUTHORIZING CREATING AND FILLING POSITION OF PLANNER
IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

WHEREAS, the Department of Planning and Development has been tasked with an expanded work program including but not limited to the preparation of a County comprehensive plan and local waterfront revitalization plans, increased technical support to municipalities, engagement in community economic development efforts, additional writing and administration of grants, enhancement of its geographic information system, and organizing County household hazardous waste collection events on an annual basis; be it

RESOLVED, that this Legislature authorizes the creation of a full-time Planner position in the Department of Planning and Development, at grade 20 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position in the Department of Planning and Development effective July 1, 2016.

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

RESOLUTION NO. 206-516

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE TOURISM BUDGET

RESOLVED, that the County Treasurer is authorized to Transfer Funds within the Tourism Budget to migrate contract position to part-time status for Senior Account Clerk as follows:

<u>From:</u>		
A6410.466	Consultant Fees	10,499
<u>To:</u>		
A6410.100	Personal	\$9,753
A6410.820	Medicare	141
A6410.830	Social Security	605

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

RESOLUTION NO. 207-516

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE TOURISM BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for funds received from advertisement revenue from the Travel Guide from the Town of Yates as follows:

<u>Revenue:</u>		
A2000	Ad Revenue	\$275
<u>Appropriation:</u>		
A6410.411	Supplies	\$275

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for additional funds received above budget from I Love NY award (budgeted \$57,000/received \$58,626) – increase I Love NY expense to correspond to award as follows:

<u>Revenue:</u>		
A3715	I Love NY	\$1,626
<u>Appropriation:</u>		
A6410.468	I Love NY Expense	\$1,626

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

RESOLUTION NO. 208-516

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2016; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment
October 1, 2015 through March 31, 2016**

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	210,216,635	420,433,270	116,197,027	27.64%	17,126.40	4,733.30	12,393.10
Barre	96,733,087				5,903.71		5,903.71
Carlton	192,067,292				17,966.16		17,966.16
Clarendon	154,831,527				9,223.75		9,223.75
Gaines	116,551,683	233,103,366	22,294,919	9.56%	10,425.56	997.14	9,428.42

Kendall	150,529,707				14,455.62		14,455.62
Murray	177,340,639	354,681,278	52,875,440	14.91%	15,903.48	2,370.87	13,532.61
Ridgeway	220,369,844	440,739,688	91,126,630	20.68%	15,430.61	3,190.41	12,240.20
Shelby	182,173,553	364,347,106	73,313,450	20.12%	11,611.85	2,336.52	9,275.33
Yates	151,946,656	303,893,312	28,321,731	9.32%	12,327.32	1,148.86	11,178.46
Total	1,652,760,623				130,374.46	14,777.10	115,597.36

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved a resolution calling on the State of New York to fully reimburse municipal Self Insured Workers' Compensation Plans. She requested Jack Welch, Director of Personnel and Self-Insurance to provide an explanation on this matter. Director Welch expressed that the State Legislature had decided that there are certain cancer conditions, the Legislators in their wisdom, say occurs as a result of fighting fires for volunteers but not for paid firemen. Director Welch indicated that this is going to create an enormous problem with volunteer firemen because insurance companies will question if this risk should be insured with an arbitrary decision because of no medical cause or relationship with this disease. If this expense is going to be placed on our towns, we are asking the state to reimburse self insurance plans of the state to cover those insured cancer cases that are now automatically going to be insured under the workers' comp board. Legislator Johnson added that Director Welch brought this back from his association. Legislator Johnson moved this resolution; second by Legislator DeFilipps. The following resolution was adopted:

RESOLUTION NO. 209-516

CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE MUNICIPAL SELF INSURED WORKERS' COMPENSATION PLANS

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC) has become aware of Senate Bill S03891 and Assembly Bill A05518; and

WHEREAS, NYSASIC, as the professional organization representing the majority of self insured counties and many other municipalities in the State of New York, strongly oppose this legislation; and

WHEREAS, the proposed legislation states the following:

“Provides that any (i) melanoma; or (ii) condition of cancer affecting lymphatic, digestive, hematological, urinary, prostate, neurological, breast and reproductive systems, resulting in total or partial disability or death to a volunteer firefighter, who successfully passed a physical examination on entry into firefighter service, which examination failed to reveal any evidence of such melanoma or condition, shall be presumptive evidence that it was incurred in the performance and discharge of duty unless the contrary be proven by competent evidence.” ; and

WHEREAS, the proposed legislation provides that in the event that an individual passes his or her physical examination on entry into firefighter service that any melanoma or other cancer condition that is subsequently diagnosed is presumed to arise in the performance and discharge of that individual’s duties as a volunteer firefighter; and

WHEREAS, this legislation is problematic for several reasons: First, the physical examination required for entry into a volunteer fire department is quite limited in scope. Such physical examinations do not include the detail or the diagnostic testing typically associated with diagnosing cancer or ruling out the presence of cancer. For example, such physical examinations do not include comprehensive blood testing, PET scans, CT scans, MRI’s, colonoscopies, mammograms, pap smears, prostate examinations, etc. To the contrary, such physical examinations are typically quite limited and are quite cursory in nature; and

WHEREAS, many of the conditions covered by the proposed legislation may be present and remain undiagnosed even though an individual may still pass the physical examination associated for entry into firefighter service; and

WHEREAS, many of the conditions identified in the proposed legislation often develop with age and/or are either genetic or hereditary in nature. Thus, even if a comprehensive physical examination with diagnostic testing is performed when an individual first enters firefighter service, it would be both disingenuous and unwise to presume that in the event that such an individual eventually is diagnosed with cancer, such as

prostate cancer or breast cancer many years later, that the development or cause of that cancer is in any way connected to the individual's firefighter service; and

WHEREAS, such legislation would essentially place counties in the position of insuring that in the event that a volunteer firefighter contracts cancer of any kind that they will need to provide indemnity, medical and, potentially death benefits, unless they can prove that such cancer condition is unrelated with competent evidence. Providing such a presumption and placing the cost of rebutting such a presumption on county taxpayers would pose an undue financial burden and hardship. In addition, such a presumption would likely force counties and volunteer fire departments to change their procedures relating to physical examinations for volunteer firefighters in order to ensure that applicants are cancer free. Such comprehensive physical examinations would prove costly and could have a chilling effect on recruitment and the membership of volunteer fire departments; and

WHEREAS, the proposed legislation is unnecessary as the Volunteer Firefighters' Benefits Law already provides such benefits in the event that a volunteer firefighter (or his or her dependents in connection with a death claim) can prove that the cancer condition arose in the line of duty. Shifting the burden of proof based upon a flawed presumption that has no medical basis would be ill advised; now be it

RESOLVED, that the Orleans County Legislature urges the State of New York not to pass Senate Bill S03891 and Assembly Bill A05518 in its current language; and be it

FURTHER RESOLVED, that in the event that there is a desire that the aforementioned legislation be passed, the Orleans County Legislature urges Senate Bill S03891 and Assembly Bill A05518 to be modified so that municipal self-insured workers' compensation plans shall be reimbursed the costs of claims which are associated with Senate Bill S03891 and Assembly Bill A05518 by the State of New York. This will facilitate the continued operation and existence of the very volunteer fire departments and volunteer fire companies whose members would be assisted by the bills, since the taxing authorities which support these volunteer fire departments and volunteer fire companies will otherwise be financially stressed by the claims precipitated by these bills; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York Andrew Cuomo, Senator Robert Ort, Speaker of the New York State Assembly Carl Heastie, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, NYSASIC, and all others deemed necessary and proper.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve the restructuring of the County Treasurer's Office due to the Deputy County Treasurer retiring. She explained the positions that were being approved today and Orleans County Treasurer Susan Heard indicated she will see a savings of \$36,000. Legislator DeFilipps seconded the motion and the following resolution was adopted:

RESOLUTION NO. 210-516

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

WHEREAS, that due to the retirement of the Deputy County Treasurer, the Treasurer's office will be restructuring; now be it

RESOLVED, that this Legislature does hereby abolish a part time Principal Account Clerk position (1325.08) in the Treasurer's Office at Grade 15 of the CSEA Salary Schedule effective May 26, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part time Senior Account Clerk Typist in the Treasurer's Office at Grade 10 of the CSEA Salary Schedule effective May 26, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant part time position effective May 26, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full time Accountant (position 1325.0X) in the Treasurer's Office at Grade 17 of the CSEA Salary Schedule effective June 13, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant full time position effective June 13, 2016.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 211-516

**APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE
AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves agreements between the Sheriff's Office and the following various agencies:

Barre Animal Hospital, 15445 East Lee Road, Holley, NY 14470 for emergency veterinary services effective January 1, 2016 through December 31, 2016, as per contracted cost schedule.

Orleans County Animal Control Officer Kathleen Smith for compensation for collection and preparation of rabies specimens at a rate of \$25.00 per specimen for contract period January 1, 2016 through December 31, 2017

and be it

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

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 212-516

**APPROVING AGREEMENTS BETWEEN SHERIFF'S OFFICE/JAIL
AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves agreements between the Sheriff's Office/Jail and the following various agencies:

Stericycle, 4010 Commercial Avenue, Northbrook, IL 60062, for disposal of hazardous medical waste for the Jail at a cost of \$99.22 per month for the contract period May 1, 2016 through April 30, 2021.

Genesee County Sheriff's Office for the mutual housing of Orleans County inmates in the Genesee County Jail and the housing of Genesee County inmates in the Orleans County Jail at a cost of \$75 per inmate/per day, effective January 1, 2016 through December 31, 2017.

Wayne County Sheriff's Office, 7376 Route 31, Suite 1000, Lyons, NY 14489, for the housing of Orleans County inmates in the Wayne County Jail when needed, at a cost of \$85 per inmate/per day, to be billed on a thirty-day basis, effective January 1, 2016 through December 31, 2018, subject to annual renewal by consent of the parties.

and be it

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

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to approve an agreement with New York State Canal Corporation and the Sheriff's Office; second by Legislator Johnson. Legislator DeRoller invited Sheriff Bower to comment on this grant. Sheriff Bower indicated that this grant was applied for this year, but has been offered for years. There is a county cost of \$2,000 however the way the grant was written, our existing boat will be considered an in-kind contribution towards the \$2,000 so it will end up with no county cost. The following resolution was adopted:

RESOLUTION NO. 213-516

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

WHEREAS, in prior Resolution #129-316, the Orleans County Sheriff's Office has applied for available funds to provide marine patrol services along the Canals and Canalway Trail; now be it

RESOLVED, that the Orleans County Sheriff is authorized to participate in and accept the grant agreement between the NYS Canal Corporation and the Sheriff's Office for FY2016/2017 funding in the amount of \$8,000; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an agreement between the New York State Canal Corporation, 200 Sothern Boulevard P O Box 189 Albany, NY 12209 and the Sheriff's Office in the amount of \$8,000 for the Sheriff's Office to establish regular patrols to enforce NYS Marine Laws and to monitor traffic activity along the canal effective April 1, 2016 through March 31, 2017; subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 214-516

AUTHORIZING SHERIFF TO APPLY FOR GOVERNOR'S TRAFFIC SAFETY GRANTS

RESOLVED, that the Sheriff is authorized to apply for the New York State Governor's Traffic Safety Child Passenger Safety Grant in the amount of \$6,100 for funding period of October 1, 2016 through September 30, 2017 to support child passenger activities which include fitting stations, training and education along with child passenger safety check events and care seat distribution programs for families in need; and be it

FURTHER RESOLVED, that the Sheriff is authorized to apply for the New York State Governor's Traffic Safety Police Traffic Services Grant (PTS) in the amount of \$10,600 for funding period of October 1, 2016 through September 30, 2017 to be used to conduct traffic enforcement, including participation in the Click it or Ticket seat belt enforcement mobilization, in an effort to improve traffic safety within local communities.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 215-516

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

WHEREAS, that due to the ratification of the Orleans County Sheriff Employees (OCSEA) Contract; and

WHEREAS, the Supervisory requirements of the Commission of Corrections, there is a need for an increase in supervision of staff; now be it

RESOLVED, that this Legislature does hereby authorize the creation of three full-time Correction Sergeant First Class positions in the Sheriff's Office/Jail at Grade 7 of the OCSEA Salary Schedule effective April 28, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant positions effective April 28, 2016; and be it

FURTHER RESOLVED, that his Legislature does hereby authorize the filling of the three vacated Correction Sergeant positions effective May 26, 2016; and be it

FURTHER RESOLVED, that his Legislature does hereby authorize the abolishment of three (Positions #'s 3150.27, 3150.33 3150.13) full-time Correction Officers positions upon the promotions of Correction Sergeant positions.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 216-516

AUTHORIZING CREATION AND FILLING OF POSITIONS IN THE SHERIFF'S OFFICE/MARINE PATROL

RESOLVED, that this Legislature does hereby authorize the creation of two part-time seasonal Deputy Sheriffs' positions in the Marine Patrol Division of the Sheriff's Office, at \$13.41 per hour; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created, vacant positions, effective May 26, 2016.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 217-516

AUTHORIZING REIMBURSEMENT TO OFFICERS OF THE SHERIFF'S OFFICE AND JAIL FOR CELL PHONE USAGE

RESOLVED, that this Legislature authorizes payment from the Sheriff's Office and Jail budgets, respectively, to the Sheriff, Undersheriff, Chief Deputy, and Jail Superintendent as partial reimbursement for cell phone charges, incurred in conducting daily business, in the amount of \$50.00 per officer per month effective April 1, 2016.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 218-516

AUTHORIZING SETTING UP NEW MONEY IN AND PURCHASE FROM THE SHERIFF'S OFFICE BUDGET

WHEREAS, the Orleans County Sheriff's Office was awarded a Legislative Initiatives Grant with the New York State Division of Criminal Justice Services; and

WHEREAS, this Legislature approved the agreement and acceptance of funding in the amount of \$10,000 for the enhancement of Anti-Crime Initiatives in Resolution No. 293-815; now be it

RESOLVED, that the Sheriff's Office use said funds for the purchase of radar and traffic management equipment for aiding law enforcement and public safety initiatives throughout the county; and be it

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

<u>Revenue:</u>		
A3032	Sheriff Initiative Grant	\$10,000
<u>Appropriation:</u>		
A3110.486	Special Grants	\$10,000

FURTHER RESOLVED, that this Legislature approves the purchase of a SMART Traffic Trailer from Kustom Signals, Inc., 9652 Loiret Blvd., Lenexa, KS in the amount of \$10,000 to be paid from budget line 3110.486.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 219-516

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for funding through the New York State Department of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY 12242 for the CTZ10 Red Team Program for reimbursement of wages for two deputies for the period June 6-9, 2016.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 220-516

MODIFYING RESOLUTION NO. 273-814 TO ACCEPT ADDITIONAL FUNDING WITH THE NEW YORK STATE OFFICE OF VICTIM SERVICES

WHEREAS, Resolution No. 273-814 approved an agreement with the New York State Office of Victim Services for the 2016-2017 contract year in the amount of \$64,496.67; now be it

RESOLVED, that this Legislature authorizes modification of Resolution No. 273-814 to accept a 15% increase for the 2016-2017 contract year award in the amount of \$11,381.77 which provides for our new annual award for this 2016-2017 funding period of \$75,878.44; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute necessary paperwork to accept this grant award subject to the review of the County Attorney and Chief Administrative Officer.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 221-516

**APPROVING AMMENDMENT TO RESOLUTION NO. 70-209 FOR
RADIO SYSTEM ADVISORY BOARD**

WHEREAS, Resolution No.70-209 approved 12 members to the
Radio System Advisory Board; now be it

RESOLVED, that this Legislature amends Resolution No. 70-209
to add the Medina Police Chief, Chad Kenward, as a member and
representative respectively on the Radio Advisory Board; bringing the
Radio Advisory Board to 13 members.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 222-516

**AUTHORIZING PAYMENT OF CLAIMS FOR JUNE AGAINST THE
COUNTY**

WHEREAS, claims for the General Fund, Job Development
Agency, the Highway Department, and account S1710 of the Self-
Insurance Fund will be audited by this Legislature, and claims for
recurring Utility/Community College bills 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 Superintendent of
Highways, 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 June 8, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	4051-4192	\$249,364.48
Highway	736-753; 1806-1810	\$1,183,322.68
Job Development	2084-2093	\$23,741.79
Self Insurance	1114, 56874	\$136.15

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 Superintendent of Highways, 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 June 22, 2016:

Fund/Department	Check Number (s):	Amount:
General	4200-4344	\$217,471.78
Highway	754-766;1811-1839	\$429,224.43
Job Development	2096-2106	\$11,342.90
Self Insurance	1115; 56967-56968	\$42,045.13

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

The following add on resolutions were presented for adoption:

RESOLUTION NO. 223-516

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND INTERPRETEK

RESOLVED, that this Legislature approves the agreement between the Mental Health Department and Interpretrek, 75 Highpower Road, Rochester, NY 14623 to provide sign language interpreting services from June 1, 2016 through December 31, 2106 at a cost per the fee schedule identified in the Community Interpreting Service Agreement. County cost \$0.

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

RESOLUTION NO. 224-516

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND HEALTH CENTER NETWORK OF NEW YORK (HCNNY)

WHEREAS, HCNNY is serving as a contractor to Health Research, Inc. (HRI), representing NYS Department of Health, in their

grant project funded by Center for Disease Control and Prevention; now be it

RESOLVED, that this Legislature approves an agreement with Health Center Network of New York (HCNNY), 103 Woerner Avenue, Liverpool, NY 13088 for Orleans County Public Health to work collaboratively with Oak Orchard Health at improving prevention and control of hypertension and diabetes. Contract term is March 1, 2016 through June 29, 2018 at \$3,200 per year for a total of \$9,600. County cost \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the 2016 Public Health budget as a result of the agreement as follows:

<u>Revenue:</u>		
A4404	Health Systems Learning Collaborative	\$4,200
<u>Appropriations:</u>		
4010.250	Other Equipment	\$ 700
4010.463	Travel other than mileage	\$ 500
4010.478	Health Promotional Supplies	\$3,000

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

RESOLUTION NO. 225-516

ALLOWING ACCESS TO GROUP BENEFITS VIA PAYROLL DEDUCTION FOR CERTAIN EMPLOYEES ON AN EMPLOYEE PAID BASIS

RESOLVED, that this Legislature appoints Crown Benefits Group Inc. as our Broker of Record concerning all aspects of our Health, Life, Short Term Disability, and Long Term Disability insurance programs; and be it

FURTHER RESOLVED, that Crown Benefits Group Inc. may begin offering employee paid Life, Short Term Disability, and Long Term Disability insurance programs to the management group as described in the Management Compensation Plan via payroll deduction effective July 1, 2016. No county cost.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 226-516

APPROVING ACQUISITION OF A CHEVY TAHOE FOR THE SHERIFF'S OFFICE/PATROL WITH JOE BASIL CHEVROLET AND AUTHORIZING LEASE AGREEMENT WITH FIRST NIAGARA LEASING, INC.

RESOLVED, that this Legislature authorizes the acquisition of a 2016 Chevrolet Tahoe 4WD, 4-door in the amount of \$50,912.30 from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY 14043, to be used for patrol and to be paid from Sheriff's budget A3110.270 Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute a Lease Agreement between the Sheriff's Office and First Niagara Leasing, Inc., 726 Exchange Street, Ste 900, Buffalo, NY 14210; authorizing three annual lease payments, commencing in 2016, of \$17,399.84 at an interest rate of 2.55% subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called for old business, with there being none; he asked if the Legislators or public wished to comment.

Owen Toale, Village of Medina Trustee, thanked Kelly Kiebala and her staff of the Job Development Agency for their hard work and doing an amazing job on the Job Fair held in Medina. There were 15 businesses represented looking for employees with nearly 350 people attending. He stated that all of the area businesses were ecstatic with the results they received from this Job Fair. Pride Pak, the new business coming into Medina, has forty to forty-five job openings and received 130 applications. He thanked many other organizations including Chamber of Commerce, and the United Methodist Church in Medina for the use of their facility. Medina Fire Department did blood pressure checks, and did receive applications for call men. This was tremendous for our residents and our businesses and encouraged other municipalities to host an event like this.

May 25, 2016
Resolutions 191-226

Chairman Callard asked Mr. Toale to extend to the Village Board how pleased they were of the wonderful attendance and their effort in making the Job Fair take place.

Chairman Callard further stated that he went to the Finger Lakes Regional Planning Council and Kelly Kiebala is co-chairing a subcommittee for Tourism, along with Lynne Menz also serving as a co-chair of this Tourism subcommittee. He also stated that Lynne Johnson has also been newly appointed to serve on a subcommittee that will deal specifically with Broadband, Jim Whipple is serving on the Agricultural subcommittee and Chairman Callard indicated he is serving on the transportation subcommittee. He was proud to report that this places five of our county employees on these various subcommittees to benefit Orleans County. Chairman Callard expressed a special thank you to Kelly Kiebala for her involvement in the Job Fair.

Legislator Eick mentioned that he visited the Veterans Service Agency and stated that our Buildings and Grounds did a fabulous job in the renovations. Director Schmidt expressed his appreciation with Jerry Gray and his staff. There will be an open house at the Veterans Service Agency on June 27th from 5 to 7 p.m.

Chairman Callard also reported that Legislator Johnson returned this afternoon from Albany advocating for our local Medina Hospital.

With there being no further business, Legislator Eick moved to adjourn; second by Legislator Johnson. Meeting adjourned at 5:00 p.m.

SPECIAL LEGISLATURE MEETING

June 8, 2016

Chairman Callard called the special meeting to order at 3:20 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present with the exception of Legislator Allport.

The following resolution was presented for adoption:

RESOLUTION NO. 227-616

AWARDING BID AND APPROVING AGREEMENT FOR PLATTEN ROAD CULVERTS OVER OAK ORCHARD CREEK TRIBUTARIES

WHEREAS, Resolution No. 197-516 pre-approved the award for Platten Road Culverts to the lowest bidder and after the bid opening held on June 3, 2016, the Legislature does hereby award the bid and approves the agreement with Keeler Construction, 13519 West Lee Road, Albion, New York 14411, for the Replacement of the Platten Road Culverts over Oak Orchard Creek Tributaries in the Town of Yates at a bid cost of \$817,673.00 to be paid out of the Capital Infrastructure Project account #H5120.250; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the Chairman of the Legislature, County Attorney and Chief Administrative Officer.

Moved, Miller; second, Johnson,
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

Legislator DeFilipps moved to adjourn; second by Legislator DeRoller.
Meeting adjourned at 3:23 p.m.

LEGISLATURE MEETING

June 22, 2016

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$778.09, that has been reviewed and authorized by her office.

Legislators DeFilipps and Johnson presented Special Recognition Certificates to Hayden London, Alex Plummer and Josh Tombari for being a part of saving a life at Golden Hill State Park. Also present for this presentation was Sheriff Randall Bower, who presented the boys with "Forward Thinking" t-shirts and Lt. Rindsfleisch of the Niagara County Sheriff's Office.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through May, 2016. The cash report continues to look good. She stated that the County Auction results were presented earlier for the board to review.

Chairman Callard presented the following speech, "The Answer is Change":

Every year it seems that the Empire Center for Public Policy puts out a list of the highest tax rates in the state - and every year the citizens of Orleans County are treated to a rehash of news articles highlighting certain parts of the study and scolding local officials, whether they be village, town, county, or school, for their role in achieving that dubious ranking. Most recently there was an article on village taxes within the county reporting them among the worst in the state. What is lacking in this news article, however, was the whole story.

Villages are constantly being ranked regardless of size. Given that premise - one benchmark that is always used is the Top 20 Property Tax Bills on Median-Value Homes. That list has never included an Orleans County village, but that is never mentioned. Or more significantly, included in the report, but is never mentioned in articles, is that **the county taxes paid per capita in Orleans County are the SECOND**

LOWEST of the 57 counties in New York State. Again - the second lowest taxes paid per person in New York State. People tend to be negative without acknowledging all of the facts. This is something the state government does all the time when deriding the counties. The town of Ridgeway is a solid 816th out of 932 for towns in taxes per capita. The Medina School district is also very solid at 625th out of 702 for local spending per pupil among school districts. Even the Village of Medina's 238th out of 557 in taxes per capita doesn't seem so earth shattering considering the high level of services. Let's face it; casting blame without an acknowledgement of all the facts is something we get plenty of from people in Albany. We don't need to do it here as well. It would be responsible to cite those other stats as they give a fuller picture.

Orleans County pays over \$16,000,000 to the state in unfunded mandates - our entire tax levy. But articles and the critics constantly disregard that fact, and seldom if ever criticize the Governor and the New York State Legislature for the property taxes at the county level alone and even more at the school level. According to every academic study ever undertaken on the subject, the fundamental differences between New York State and the other states in the country boil down to two basic things: 1) the way New York State funds Medicaid and 2) the way New York State funds education. Sure we have lots of other over-regulation and taxation issues beyond those two. But, those are the really big ones. New York is the only state in the country to require a significant local share of Medicaid be paid by the counties and the average state funds two-thirds of public education through income taxes while New York State funds about one-third. It's really that simple.

Indeed the village governments of Orleans County face tremendous challenges, not the least of which is the high property tax rates. The dissolution efforts in the Village of Medina, though rejected by Medina residents, if nothing else, forced a conversation, a necessary conversation. In some areas of our local governments, we are doing business in the 21st century on 20th century terms. In some cases, we are holding on to old ways of doing business that could be changed for the betterment of the community at large. This isn't to say that people are wrong for feeling that they want to hold on to their village, or their town, or their school district.

What it does tell us, is that it's time for us to challenge ourselves, people on both sides of the argument, east and west, north and south. Challenge ourselves to take a hard look at what we are doing and ask ourselves "If

given a clean slate, would we build our service delivery models the way they are now, or completely different?” Inevitably, we are going to find areas where we can build a better mousetrap together. We have the ability to fix what ails us to some degree. We can work with our friends and neighbors and make changes that will raise all boats. We can realign service models, adjust cost centers, and change the landscape profoundly. If we are going to seek honesty about mandates and education funding from the state, we also need to be honest with ourselves. This is a conversation that should take place in earnest and should seek solutions that remove Orleans County and its villages, towns and school districts from such a list forever.

Apologies to those that believe the answer is to complain that the county should give away more sales tax. The answer to this challenge is not to have the taxpayers of the county surrender cash to the village governments, to throw at their existing service models, buying them time until the inflation and expense curve catches up with them again as some suggest. The answer is change. Change that we can all buy into that alters the equation. It requires compromise. It requires faith. And, it requires casting off old notions of provincialism.

Truth be told about sales tax, when examining statistics from 2013 on New York State Counties, there are fourteen counties under 50,000 in population like Orleans County and four in the Finger Lakes Region, of which we are a part. Orleans County ranks as the fourth highest for the percentage of sales tax shared. However, two of the fourteen counties have cities (Cortland and Montgomery) that are able to preempt and capture much larger shares of the overall revenue. Dropping those two counties lifts Orleans County to number two in the state among small counties without a city in terms of sharing sales tax, second to Schuyler County, the home of Watkins Glen International Speedway.

Delving further into those same statistics, it’s evident that eight of the fourteen counties do not share sales tax revenue at all, zero percent. So, the majority of small counties in New York State do not share sales tax. **Orleans County is the only county in the Finger Lakes Region under 50,000 in population that actually shares sales tax revenue.**

The local law enforcement community in Orleans County is about to embark on a comprehensive study of the way we are doing business. Orleans County and our partners, the Villages of Albion, Medina, Holley, and Lyndonville, along with the Orleans County Sheriff’s Office, and all

the law enforcement unions in the county have agreed to undertake a process to look at new service models and explore what can be done. There are ways to change the way we do business that could guarantee that our communities are never negatively reported on the annual list put out by the Empire Center again.

This is going to be hard and it will require that we work together. This legislature is bound and determined to make positive change for all within our county. We can begin to say goodbye to the dark cloud over our heads. Those that offer only criticism and opposition absent of solutions will be forgotten. This legislature will be remembered for leading and making a difference.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Lyndonville, inquired about Resolution No. 247-616, by asking what are the energy efficiency and sustainability requirements. This word sustainability keeps coming up. Mr. Nesbitt spoke that sustainability is building a building that is easy to maintain in the long haul at the least amount of tax payer response. Paul asks if the requirements are mandated somewhere. Mr. Nesbitt stated that this sustainability means that we do not want to pay more than we can afford, even to maintain this building, looking at the impact on the future financially on the county. Paul asked what this is going to cost. Mr. Nesbitt said there is an application in the senator and assemblyman for some money available through state assistance for municipalities. Some will be existing debt service, monies that are being spent now, but the debts are being paid off. Others are energy savings that we expect to get out of this and the rent that we pay now.

Chairman Callard state that more specifically we need to complete this stage of the study to determine the final cost to see if it is feasible. We will fine tune the costs and meet that so that it will not raise taxes.

Chairman Callard, as a point of interest, Law Enforcement Study group will have their first meeting on June 29th and then on June 30th, there will be a meeting about solar energy and the cost of that.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Miller. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 228-616

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$161,783	Crane-Hogan Structural Systems	Construction - Carton Road Bridge Replacement – 6/6/16-6/15/16 – Payment 1

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

RESOLUTION NO. 229-616

**AUTHORIZING PAYMENT FOR REPAIR SERVICE FROM THE
HIGHWAY BUDGET**

RESOLVED, that this Legislature approves payment of a service repair bill from Hunter Keystone Peterbilt, LP, Dept. 101, PO Box 820849, Philadelphia, PA 19182-0849 for the repair of the 2005 Peterbilt Dump Truck at a total cost of \$18,083.27 to be paid from the Highway Budget account #DM5130.444 – Repairs to Equipment and Property.

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

RESOLUTION NO. 230-616

**APPROVING AGREEMENT BETWEEN BUILDINGS AND
GROUNDS AND LABELLA ASSOCIATES AND AUTHORIZING
TREASURER TO TRANSFER FUNDS INTO THE BUILDINGS AND
GROUNDS BUDGET**

RESOLVED that this Legislature authorizes an agreement between Buildings & Grounds and LaBella Associates, 300 State Street #201, Rochester, NY 14614 to do a Mechanical Infrastructure study on the Orleans County Jail for \$14,500, for plans to replace or upgrade of the

sanitary sewer lines in the jail kitchen and to improve the dehumidification and exhaust for the County Jail cell shower areas to be paid from Buildings and Grounds Account A1620.482 – Engineering Services; and be it

RESOLVED, that the Orleans County Treasurer is authorized to Transfer Funds to complete this study as follows:

<u>FROM:</u>		
Future Infrastructure Reserve		\$14,500
<u>TO:</u>		
A1620.482	Engineering Services	\$14,500

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

RESOLUTION NO. 231-616

APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUND AND SHRED-IT USA INC.

RESOLVED, that this Legislature approves an agreement between Buildings and Grounds and Shred-it USA Inc., 440 Lawrence Bell Dr, Williamsville, NY 14221 for the provision of secure destruction of county records effective April 1, 2016 through March 31, 2020 at a cost prescribed in the price sheet and pick up schedule attached to the agreement, with an annual cost of \$7,546.50.

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

RESOLUTION NO. 232-616

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Baker Victory Services, Lackawanna, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Snell Farm Children's Center, Bath, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Hillside Children's Center, Rochester, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Berkshire Farm Center, Canaan, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

New Directions Youth & Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Orleans County Job Development, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2016 through December 31, 2016 at a cost of \$295,604. County cost is \$106,417.

Orleans County Job Development, Albion, NY for funding of summer employment for TANF eligible youth, ages 16-21; to be effective June 1, 2016 through September 30, 2016 at a cost of 58,578. County cost \$0.

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

RESOLUTION NO. 233-616

**APPROVING CELLULAR PHONE USE AGREEMENTS FOR THE
DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that this Legislature approves the purchase of three (3) new cellular phones for usage during daily business at a monthly cost of approximately \$16.16 per phone for a total of \$48.18 per month for the following positions in the Department of Social Services:

- 6010.215 Child and Family Services School Case Worker Albion School Worker
- 6010.216 Child and Family Services School Case Worker Albion School Worker
- 6010.225 Child and Family Services School Case Worker Albion School Worker

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

RESOLUTION NO. 234-616

**APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

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

Orleans Community Health a/k/a Medina Memorial Hospital, 200 Ohio St., Medina, NY 14103, to provide Rabies Post Exposure Treatment to residents of Orleans County, Contract allows for first treatment to be provided at Urgent Care (Albion Butts Road Facility) or Medina Emergency Room. Contract effective August 1, 2016 through July 31, 2018. Reimbursement through rabies grant. County Cost \$0.

United Memorial Medical Center, 127 North St., Batavia, NY 14020 to provide Rabies Post Exposure Treatment to eligible residents of Orleans County. Contract to provide: post exposure treatment at the Urgent Care Center or the UMMC Emergency Department. Contract period to run from August 1, 2016 through July 31, 2018. County Cost \$0.

Marie Delobbe-Scott at 12589 Ashwood Rd, Lyndonville, NY 14098 Contract 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 at the Orleans County Health Department. Reimbursement at 59.5% from NYS Department Of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement. Contract period to run from July 1, 2016 through December 31, 2019.

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

RESOLUTION NO. 235-616

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

RESOLVED, that this Legislature does hereby authorize out of state travel by Nola Goodrich-Kresse, Public Health Educator, to attend Advanced Public Information Officer Health & Hospital Emergencies at the Center for Domestic Preparedness in Anniston, Alabama from July 31, 2016 to August 6, 2016. All costs are covered by FEMA. County Cost \$0.

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Mary Ellen Messmer, Supervising Public Health Nurse, to attend the 2016 Midwest Stream Forum for Agricultural Worker Health in San Antonio, Texas from October 31, 2016 to November 2, 2016. All costs covered by New York State Migrant Health Grant. County Cost \$0.

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Shannyn Sanger and Nancy Kelly-Schicker to attend the 2016 Northeast Region Annual Food Protection Seminar in Northampton, Massachusetts from August 10, 2016 to August 12, 2016. All costs covered with funds received from the Voluntary National Retail Food Regulatory Program Standards grant program. County Cost \$0.

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

RESOLUTION NO. 236-616

**AUTHORIZING PURCHASE OF 2016 CHEVROLET TAHOE FROM
PUBLIC HEALTH DEPARTMENT BUDGET**

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department to purchase a 2016 Chevrolet Tahoe, 4WD, 4 Dr from Joe Basil Chevrolet, 5111 Transit Rd, Depew, NY 14043 in the amount of \$40,784 as budgeted in Health Department Budget Account 4010.270-Capital Plan Equipment. County Cost \$0.

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

RESOLUTION NO. 237-616

**APPROVING APPOINTMENTS TO THE COUNTY PLANNING
BOARD**

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

NAME	REPRESENTS	EXPIRATION DATE
Andrew Cousins 61 South Main Street Lyndonville, New York 14098	Village of Lyndonville	12-31-16
Danny Woodward, Jr. 11 Garland Street Lyndonville, New York 14098	Village of Lyndonville (Alternate)	12-31-16

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

RESOLUTION NO. 238-616

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 June 22, 2016; and

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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
June 22, 2016

		Sold To:	Amount:
ALBION – VILLAGE			
62.18-3-24	MCCARTHY JAMES & CHERYL	William Wittman	\$500.00
PC - 210	111 McClelland St; 50.00 x 110.00	14030 Albion Eagle Harbor Rd.	
2	Land - 6,200 Total - 15,000	Albion, NY 14411	
62.19-2-4	BASIC ASSETS CORP	Grace M. Jenks	\$300.00
PC - 210	225 Caroline St; 56.00 x 181.00	4469 Grayce Ave.	
3	Land - 8,100 Total - 18,200	Gasport, NY 14067	
73.5-4-24.2	MCNEIL LATONYA C		No Sale
PC - 311	West State St; 29.00 x 20.58		
4	Land Total – 200		
73.6-2-1	Shaw Jack	Phillip Newbould	\$300.00
PC - 210	134 West Bank St; 66.00 x 85.63	16761 Kenmore Rd.	
5	Land - 6,200 Total - 26,000	Kendall, NY 14476	
73.6-2-55	FISHER DONNA L RUSHBROOK LYNN D	James Mays	\$5,000.00
PC - 210	117 West State St; 66.00x185.75	302 E State St.	
6	Land - 8,700 Total - 72,900	Albion, NY 14411	
73.7-1-36	DEHULLER ROBERT PATRICIA HAYNES	Michael L. Walker	\$1,100.00
PC - 210	330 East Park St; 66.00x198.00	12 West St.	
9	Land - 8,900 Total - 44,700	Albion, NY 14411	
73.23-1-40	MCCARTHY JAMES	William Wittman	\$6,000.00
PC - 220	117 West Bank St; 57.75 x 176.22	14030 Albion Eagle Harbor Rd.	
13	Land - 8,100 Total - 40,200	Albion, NY 14411	
ALBION			
74.-2-34.2	MATHIS STEPHEN W	3549 Union Street, Inc	\$4,000.00
PC - 314	Rt 31 East; 5.80 acres	3900 Buffalo Rd.	
14	Land Total - 9,400	Rochester, NY 14624	

74.-2-35.1	KULIS ADELE (now known as Mathis Stephen)	3549 Union Street, Inc	\$8,500.00
PC - 321	Rt 31 East; 18.20 acres	3900 Buffalo Rd.	
15	Land Total - 20,200	Rochester, NY 14624	
85.-2-21	SEVERE SCHELLA	Brian D. Forder	\$7,000.00
PC - 323	Swamp Rd; 9.80 acres	14139 Park Ave.	
16	Land Total - 4,800	Waterport, NY 14571	
85.-2-36	CORBIN LES CORBIN ANN MARIE	Angel L Perez	\$1,500.00
PC - 323	Swamp Rd; 4.20 acres	3940 Lake Rd.	
17	Land Total - 2,100	Holley, NY 14470	
BARRE			
96.-1-25.1	FITZGERALD CHARLES	Brian E. Connor	\$6,500.00
PC - 312	15375 East Lee Rd; 1.24 acres	252 Oak Orchard Rd.	
19	Land - 16,500 Total - 20,000	Albion, NY 14411	
CARLTON			
5.1-1-27	HESS DAWN	Sandra M. Kintz	\$7,500.00
PC - 210	12788 Roustabout Ter; 100.00 x 250.00	1298 Oak Orchard Rd	
21	Land - 13,900 Total - 71,100	Waterport, NY 14571	
5.49-2-23	MCGEE LORETTA J	Sandra M. Kintz	\$5,000.00
PC - 311	Shoreham St; 35.00 x 75.00	1298 Oak Orchard Rd	
22	Land Total - 2,100	Waterport, NY 14571	
5.49-2-24	MCGEE LORETTA J	Sandra M. Kintz	\$6,000.00
PC - 311	Shoreham St; 35.00 x 75.00	1298 Oak Orchard Rd	
23	Land Total - 2,100	Waterport, NY 14571	
8.-1-12	AMIDON RICKY	Whitney Keppler	\$50.00
PC - 314	E Shore Dr; 75.00x140.00	11808 Harrison Road	
24	Land Total - 5,000	Medina, NY 14103	
18.3-1-17	BRODA ROBERT SAHUKAR SHAUN	Grace M. Jenks	\$1,000.00
PC - 210	1544 Oak Orchard Rd; 82.50 x 132.00	4469 Grayce Avenue	
25	Land - 5,200 Total - 38,600	Gasport, NY 14067	
28.-1-59.2	County of Orleans (formerly Marcin Venture LLC)	Whitney Keppler	\$500.00
PC - 330	Waterport Rd; .35 acres	11808 Harrison Road	
27	Land Total - 7,000	Medina, NY 14103	
29.1-1-9	WILSON PAUL C	William F McNulty	\$16,500.00
PC - 210	1703 Oak Orchard Rd; 66.00 x 165.00	14819 W. Brighton Cliff Dr	
28	Land - 5,200 Total - 65,100	Kent, NY 14477	
GAINES: ALBION VILLAGE			
62.19-1-46	MCCARTHY JAMES M & CHERYL A	Bradford Bokman	\$100,000.00
PC - 411	218 Linwood Ave; 150.00 x 170.00	3844 Long Bridge Rd	
29	Land - 13,600 Total - 127,100	Albion, NY 14411	
GAINES			
50.2-1-13	FARO FEDERICK M	Whitney Keppler	\$600.00
PC - 210	13973 Ridge Rd; .43 acres	11808 Harrison Road	
30	Land - 6,800 Total - 15,000	Medina, NY 14103	
63.-1-4	OKEEN KAREN		No Sale
PC - 210	15129 Zig Zag Rd; .93 acres		
31	Land - 10,700 Total - 27,000		

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KENDALL			
32.12-1-26.11	MIKOLAICHIK THOMAS J	Christopher P. Hallifax	\$200.00
PC - 300	Kendall Rd; 78.25 x 72.50	8426 Maplewood Dr. POB 225	
32	Land Total - 4,600	Gasport, NY 14067	
32.12-2-48			
	MIKOLAICHIK THOMAS J	Phillip Newbould	\$400.00
PC - 411	1841 Kendall Rd; 89.10 x 49.25	16761 Kenmore Rd	
33	Land - 2,300 Total - 38,900	Kendall, NY 14476	
44.-1-57.21			
	BAGGERMAN CAROLINA G	Craig T. Green	\$17,000.00
PC - 323	Creek Rd; 9.92 acres	11089 Starr Road	
34	Land Total - 24,100	Wyoming, NY 14591	
MURRAY - VILLAGE			
88.21-1-31	LIVECCHI JAMES A MARCELLO RAFFAELE	The Eaton Agency, LLC	\$100.00
PC - 481	89 Public Sq; 40.75 x 204.60	2708 N 4 th St.	
36	Land - 13,000 Total - 65,000	Coeur d'Alene, ID 83815	
88.21-1-50			
	RODRIGUEZ SALVADOR JR LAVENDAR LISA L	Village of Holley	\$100.00
PC - 210	23 Thomas St; 66.58 x 98.00	72 Public Square	
37	Land - 9,000 Total - 71,900	Holley, NY 14470	
RIDGEWAY-VILLAGE			
79.11-3-43	BASIC ASSETS CORP	Matthew C. Mundion	\$9,000.00
PC - 220	908 W Center St; 60.00 x 130.00	536 Orient St.	
39	Land - 10,500 Total - 58,500	Medina, NY 14103	
80.5-3-3			
	SNIDER MARK A SNIDER SHERRY L	Geoffrey L. Whittier	\$11,500.00
PC - 210	113 Worthy Ave; 50.80 x 117.50	12900 Roosevelt Highway	
44	Land - 8,500 Total - 56,300	Waterport, NY 14571	
80.9-1-26.1			
	SEED AMERICA PROPERTY	William e. Grathouse III	\$100.00
PC - 449	525 East Ave; 3.80 acres	4581 Holley Byron Road	
47	Land - 25,600 Total - 80,400	Holley, NY 14470	
80.37-1-8			
	ROGERS JUDITH L	Demetrios Bitsas	\$200.00
PC - 481	333 Main St; 36.33 x 121.00	525 Main Street	
48	Land - 6,500 Total - 21,900	Medina, NY 14103	
RIDGEWAY-OUTSIDE			
68.-2-13	MOORE CHARLES JR	Whitney Keppler	\$7,000.00
PC - 210	11329 Slade Rd; 100.00 x 175.25	11808 Harrison Road	
49	Land - 9,200 Total - 61,100	Medina, NY 14103	
69.-1-35			
	MAISANO FRANK MAISANO BARBARA	Whitney Keppler	\$12,250.00
PC - 210	3680 Horan Rd; 57.40 x 157.00	11808 Harrison Road	
51	Land - 5,500 Total - 54,100	Medina, NY 14103	
SHELBY - VILLAGE			
79.16-1-38	KNIGHT LORRIE ANN	High Falls Capital, LLC.	\$17,500.00
PC - 210	406 W Oak Orchard St; 103.08 x 132.00	1900 Empire Blvd #351	
52	Land - 10,700 Total - 64,500	Webster, NY 14580	
80.45-3-54			
	OWEN REBECCA	Jonathan R Daniels	\$100.00
PC - 210	724 Church St; .21 acres	2100 Oak Orchard River Rd	
53	Land - 5,400 Total - 33,100	Waterport, NY 14571	

SHELBY			
81.3-1-7	KOHL WALTER KOHL ANNA MARTHA K. HOWE	Patricia A Vader	\$900.00
PC - 314	4168 Dresser Rd; 198.00 x 181.50	12335 Maple Ridge Rd	
54	Land Total - 9,200	Medina, NY 14103	
89.-1-24.2	WITTKOPP WARREN M	Gasport View Dairy Farms, Inc.	\$8,000.00
PC - 314	Freeman Rd; 1.90 acres	8600 Mountain Road	
55	Land Total - 11,000	Gasport, NY 14067	
90.-1-68	BARNES DARRYL J	Whitney Keppler	\$4,500.00
PC - 210	4352 Salt Works Rd; 99.00 x 343.86	11808 Harrison Road	
56	Land - 9,100 Total - 29,000	Medina, NY 14103	
100.-1-1.111	BOYER WILLIAM C	Matthew c. Strobele	\$8,500.00
PC - 270	4591 County Line Rd; 2.00 acres	4691 Jackson Rd.	
57	Land - 11,200 Total - 30,400	Middleport, NY 14105	
100.-1-1.113	BOYER WILLIAM C	Anthony R Moule	\$30,000.00
PC - 322	County Line Rd; 63.42 acres	2635 S. Lyndonville Rd.	
58	Land Total - 64,100	Medina, NY 14103	
YATES - VILLAGE			
25.17-1-32.1	PENNYSAVER MARKETS OF LYNDONVILLE INC.	Jonathan R Daniels	\$1,000.00
PC - 481	29 S Main St; 111.00 x 140.00	2100 Oak Orchard River Rd	
59	Land - 32,600 Total - 166,600	Waterport, NY 14571	
YATES			
12.3-1-7	JOHNSTONE ROSS A	Patricia T Kerr	\$10,000.00
PC - 210	10214 Roosevelt Hwy; 1.10 acres	10214 Roosevelt Hwy	
60	Land - 10,700 Total - 38,600	Lyndonville, NY 14098	
14.3-2-20.11	COLEMAN GERALD W	Pamela S. Marciszewski	\$8,000.00
PC - 210	11394 Yates Center Rd; 5.25 acres	11398 E. Yates Center Rd	
61	Land - 19,000 Total - 50,800	Lyndonville, NY 14098	
TOTAL:			\$324,200.00

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 239-616

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND EM SYSTEMS, INC.

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff's Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226 for the 2016/2017 software support and maintenance agreement covering CAD, AVL and Mobile Data Systems in the Dispatch Office, effective July 1, 2016 through June 30, 2017, at a cost of \$15,000.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 240-616

**APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND
JAY SUPNICK, Ph.D, LAW ENFORCEMENT PSYCHOLOGICAL
ASSOCIATES**

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and Jay Supnick, Ph.D of Law Enforcement Psychological Associates, 448 White Spruce Blvd, Rochester, NY 14623 for pre-employment psychological screenings and fitness for duty psychological evaluations for the Orleans County Sheriff's Office at rates set forth in the fee schedule effective January 1, 2016 through December 31, 2017; and be it

FURTHER RESOLVED, that the fee schedule attached to this agreement shall be reviewed annually by the Orleans County Sheriff and appropriate action taken to amend this agreement should rates increase during the duration of this contract.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 241-616

**APPROVING AGREEMENTS BETWEEN THE SHERIFF'S
OFFICE/JAIL AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves renewal agreements between the Sheriff's Office/Jail and the following agencies:

CorVel Enterprise Comp, Inc., 251 Salina Meadows Parkway, Suite 150, N. Syracuse, NY 13212, an amendment to renew the Enhanced Bill Review Services Agreement which reviews Jail medical bills and re-negotiates to ensure proper rates and medical codes are applied at a charge of 25% of the total savings, for a three year renewal term effective February 1, 2016 through January 31, 2019.

Wyoming County Sheriff, 151 North Main Street, Warsaw, NY 14569 for the housing of Orleans County inmates in the Wyoming County Jail at a cost of \$90 per inmate/per day, effective upon signature through December 31, 2016, subject to annual renewal, by both parties not to

extend past December 31, 2020 without providing review and approval of a new agreement; and be it

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

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 242-616

APPROVING AMENDMENT TO RESOLUTION NO. 171-416
REGARDING PURCHASE FOR THE JAIL

WHEREAS, Resolution No. 171-416 authorized the purchase of Guard 1 Plus Professional Edition Software from SI Technologies, Inc. d/b/a Security Integrations- NYS Contract #PT63302 in the amount of \$6,696.55 (PO#57349), now be it

RESOLVED, that Resolution No. 171-416 is hereby amended that such purchase from SI Technologies be cancelled due to increased costs.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes, 0 nays, 0 absent.

Legislator DeFilipps moved to approve filling vacancies in the Sheriff's Marine Patrol; second by Legislator Johnson. Legislator DeRoller expressed how pleased he is with the Marine Patrol coming up to speed. Legislator Johnson added that they had a prominent presence during the Strawberry Festival. The following resolution was adopted:

RESOLUTION NO. 243-616

AUTHORIZING THE FILLING OF A VACANCY IN THE SHERIFF'S
OFFICE FOR MARINE PATROL

RESOLVED, that this Legislature does hereby authorize the filling of a vacancy for Deputy Sheriff-Marine Patrol Officer, part-time seasonal position (3110.36) in the Marine Patrol Division of the Sheriff's Office at an hourly rate of \$13.41 effective June 23, 2016.

June 22, 2016
Resolutions 228-249

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 244-616

APPROVING AGREEMENT BETWEEN PROBATION
DEPARTMENT AND AUTOMON CORPORATION

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 6621 N. Scottsdale Rd. Scottsdale, AZ 85250, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2016 through June 20, 2017 at a cost of \$7,027.76.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 245-616

AUTHORIZING EXECUTION OF INVESTIGATIVE SERVICES
CONTRACT FOR ORLEANS COUNTY PUBLIC DEFENDER OFFICE

WHEREAS, resolution 65-215 approved an agreement between the Public Defender and the NYS Office of Indigent Legal Services; and

WHEREAS, this resolution provided funds to contract for Investigative Services for the Public Defender's Office, therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of Orleans County, a contract for Investigative Services with Jose Avila for the Orleans County Public Defender, at a twelve month cost of \$20,000; and said amount to be paid in quarterly installments of \$5,000 upon submission of a county voucher at the end of each quarter and dependent on the availability of state grant funds to reimburse this cost, agreement effective from July 1, 2016 through June 30, 2017. County Cost \$0.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 246-616

**AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN ORLEANS COUNTY EMERGENCY MANAGEMENT
AND THE FIVE SCHOOL DISTRICTS IN ORLEANS COUNTY**

WHEREAS, in the immediate aftermath of a major incident many communities may need to establish distribution sites in order to provide relief supplies to affected community members; and

WHEREAS, distribution sites will be needed to receive and dispense bulk emergency relief supplies quickly after an event; now be it

RESOLVED, that this Legislature authorizes the Director of Emergency Management to enter into a Memorandum of Understanding (MOU) with each of the five school districts [Albion, Holley, Kendall, Lyndonville and Medina] within Orleans County to act as a distribution site within 24 to 96 hours after a major incident.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes, 0 nays, 0 absent.

Dale Banker was commended for working with all five school districts on this project of having these locations available throughout our county to be able to receive and disperse products should an emergency need arise.

RESOLUTION NO. 247-616

**APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS
AND WENDEL FOR PHASE 2 OF DESIGN FOR COUNTY OFFICE
BUILDING ANEX**

RESOLVED that this Legislature authorizes the Chairman to sign a contract with Wendel for Phase 2 of Design for construction of an addition to the County Office Building located at 14016 Route 31 West at a cost not to exceed \$70,000 including Time and Expenses, with a scope of work as follows:

PHASE 2: Preliminary Design:

1. Prepare a Basis of Design Document for owner's review and concurrence including space program requirements, building code and system design requirements, site access, circulation and

- parking requirements, utility service requirements, energy efficiency and sustainability requirements, etc.
2. Utilize geotechnical investigation information from the existing Administration Building to assess preliminary building addition foundation system design requirements. Detailed geotechnical investigation will be prepared prior to the start of final design.
 3. Perform a preliminary topographic survey of the site and prepare a base map for use in preliminary design. Detailed topographic and utility service survey will be prepared prior to the start of final design.
 4. Conduct preliminary discussions with utility service providers (electric, gas, water, sanitary sewer, etc.) to confirm service load requirements.
 5. Perform building and zoning code review and meet with local building officials to confirm concurrence with building and site requirements.
 6. Advance the preferred building and site plans to the approximately 10% complete, preliminary design stage and prepare the following drawings:
 - a. Site layout plan
 - b. Architectural floor plans
 - c. Two colored, computer generated building renderings
 7. Refine assessment of potential building architectural, structural, mechanical, electrical systems.
 8. Evaluate potential energy savings funding options and incentives.
 9. Prepare preliminary design level opinion of probable project costs.
 10. Meet with owner to review preliminary building and site plans, potential building system requirements and preliminary design budget costs and determine the next course of action.

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to transfer funds as follows to allow payment:

FROM:

Future Infrastructure Reserve	\$70,000
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TO:

A1620.418 Other Contractual Expenses	\$70,000
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Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes, 0 nays, 0 absent.

RESOLUTION NO. 248-616

AUTHORIZING PAYMENT OF CLAIMS FOR JULY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 13, 2016:

Fund/Department	Check Number (s):	Amount:
General	4358-4558	\$605,442.95
Highway	767-783; 1840-1862	\$381,607.46
Job Development	2111-2124	\$12,180.63
Self Insurance	1116, 57035-57036	\$23,353.33

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 27, 2016:

Fund/Department	Check Number (s):	Amount:
General	4570-4718	\$413,147.01
Highway	787-789; 1863-1877	\$70,859.09
Job Development	2128-2138	\$4,902.74
Self Insurance	57083-57085	\$4,048.50

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

The following add on resolution was presented for adoption:

Legislator Miller moved a resolution to support ongoing federal funding for Medicare State Health Insurance Assistance known as the Health Insurance Information Counseling Assistance Program offered through our Office for the Aging; seconded by Legislator Eick. Chairman Callard asked Director Blonar how many residents that would impact. Director Blonar stated that she just learned about this on Friday. On the local level, this year we are receiving about \$33,000. In 2012 we served 568 residents, last year there were 797 residents served. That is an increase of over 200 people in a few years. We track data and calculate an estimate savings for our clients. From the first of this year to present, we estimate savings of \$595,616; while in 2015 the yearly estimate of savings was \$897,101. The savings to the clients frees up their money to spend in Orleans County. This is one of the biggest programs in our office. If we lose this funding we would have to cut our staff by 1 and ½ employees. This is a very scary time and she highly supports the resolution and appreciates that it was added on. Chairman Callard finds it really incredible that the number is nearing 1,000 people a year. What the OFA is doing is much appreciated by all of the senior citizens. Legislator Allport expressed that this ties into the unfunded mandates and takes you back to the 1960's great society when they brought forth Medicaid and Medicare for which the Federal government realized they could not afford these programs and pushed more costs down to the states, and then to a few of the counties, including New York State. The following resolution was adopted:

RESOLUTION NO. 249-616

RESOLUTON TO SUPPORT ONGOING FEDERAL FUNDING FOR MEDICARE STATE HEALTH INSURANCE ASSISTANCE PROGRAM (SHIP)-KNOWN AS THE HEALTH INSURANCE INFORMATION COUNSELING ASSISTANCE PROGRAM (HIICAP) PROGRAM WITH THE ORLEANS COUNTY OFFICE FOR THE AGING

WHEREAS, the U.S. Senate Appropriations Committee has approved a Fiscal Year 2017 budget appropriations bill that completely eliminates the \$52.1 million in funding for the Medicare State Health Insurance Assistance Program (SHIP). The Center for Medicare Advocacy, Medicare Rights Center, National Committee to Preserve Social Security and Medicare, National Council on Aging (NCOA) and Orleans County Office for the Aging strongly oppose this move because it

would leave 55 million people with Medicare without the only program that provides free, personalized, unbiased counseling on the growing complexities of Medicare coverage; and

WHEREAS, today's Medicare beneficiary must choose among more than 20 prescription drug plans, an average of 19 Medicare Advantage plans, as well as various Medigap supplemental insurance policies - all with different premiums, cost sharing, provider networks, and coverage rules. For more than 24 years, SHIPs have advised, educated, and empowered individuals to navigate their state-specific Medicare choices. In addition, SHIPs help beneficiaries resolve fraud and abuse issues, billing problems, appeals, and enrollment in low-income health assistance programs. In 2015, SHIPs provided assistance to more than seven million individuals with Medicare; and

WHEREAS, eliminating SHIPs would leave millions of older Americans, people with disabilities, and families who need help comparing coverage options, appealing denials, applying for financial assistance, and navigating an evolving and increasingly complex program stranded—with nowhere to turn. With 10,000 baby boomers aging into Medicare each day, it is imperative that the U.S. House of Representatives reject this unprecedented, nonsensical cut.”; now be it

RESOLVED, the Orleans County Legislature request elected federal officials to instead increase FY2017 funding for SHIPs to \$59.4 million, to keep pace with inflation and increasing needs among a growing Medicare population. At a minimum, level funding of \$52.1 million should be provided for SHIPs; and be it

FURTHER RESOLVED, that the Clerk of the Legislature forward a certified copy of this resolution to United States Senators Charles Schumer and Kirsten Gillibrand; and United States Congressman Chris Collins and all others deemed necessary and proper.

Moved, Miller; second, Eick.

Adopted. 7 ayes, 0 nays, 0 absent.

During open discussion, CAO Nesbitt gave an update on the canal culvert that has a leak in Hulberton which is servicing an unused quarry. Engineers were brought into survey it. NYS initially scheduled the canal to be closed for three weeks in the height of the summer. This would have been problematic, not only for tourism but for farmers who use it for

irrigation. The Governors Regional Representative stated now that closure may be 5 to 7 days, doing a less comprehensive repair. They would then come back in the winter and make the full repair.

Bruce Schmidt, Gaines, reported that the Buffao News has a public service announcement going on June 28th. concerning the rate increase of National Fuel Gas. Our state is looking for a 7.9% rate increase. Mr. Schmidt stated that the last time he looked we were talking 2 % raises and tax caps for our schools and towns, 2% raises across the board for municipalities and Social Security says there is no cost of living increase. He has watched his income go down and his costs go up. He stated that here is an opportunity for our Orleans County Chairman to go to the Public Service Commission and be a leader to present to them that an increase is not favorable for our citizens. Your speech this afternoon brought out the point of unfairness. A 7.9% rate increase seems absorbanant voiced Mr. Schmit and thanked the Chairman and offered to go with Chairman Callard to this announcement.

Paul Lauricella, Yates, questioned from the last meeting, the County Comprehensive Plan and asked if Stu Brown would be composing this. Legislator DeRoller advised that the first order of business will be to team up with five municipalities who they themselves will be updating their comprehensive plans – Villages of Lyndonville and Medina; and the Towns of Yates, Shelby and Ridgeway. They will look there first and then a new planner has been authorized to be hired. A consultant will then be utilized and the County will be the lead agency in the process to facilitate this across the county to enhance the Counties Comprehensive Master Plan with an ag focus. The Towns will be asked to participate and various public meetings will be used for input.

Jim Bensley, Director of Planning and Development added that the western side of Orleans County will be assisted in seeing what they want for their future. It will not compete with what the County is doing. Much of the Zoning on the town and local levels is controlled by State regulations. Our effort in helping them is what they see for their future and make sure it is within the laws and regulations. Jim indicated that it has been since 2003 that a Comprehensive Plan has been updated for them. Mr. Lauricella asked if there will be costs. Legislator DeRoller stated yes but amount yet to be determined.

Mr. Lauricella referenced an article on the Orleans HUB pertaining to Soil and Water of which Americorp are trying to get people to stop drinking

bottled water. He feels that bottles of water is a convenience and he does not feel that people should control the market or that people should feel shamed for having bottled water. Legislator DeRoller stated that there are two issues here. Individual self servings have taken over the consumption of milk. It is about over \$10.50 a gallon to consume single beverages and the quality of these beverages are suspect, either they are tap water or other issues with the delivery of the quality of bottled water. The containeres have a negative impact to our environment and Soil and Water is taking on a resource to help educate the community to recycle these plastic containers. In response to other discussion of Mr. Lauricella, Legislator DeRoller stated within this Legislative leadership, we are not going to have government more intrusive in peoples life. Bottled water is a product in the marketplace and we need to educate the public of its use and the disposal of the container, not to tell people to stop drinking it. We are letting free market and enterprise play into this and we are taking a softer approach to educate therefore the end result would be positive.

Legislator Johnson announced that the Veterans Administration is having an Open House on Monday, June 27th from 5pm to 7pm. She encourages everybody to attend. Director Earl Schmidt stated that the office is now handicap compliant for veterans. He is working on getting veterans to know where to go to receive benefits for what they deserve. He thanked the Legislators for the upgrades.

Legislator Eick moved to enter into executive session at 5:23 pm per Open Meetings Law §105 (h) to discuss proposed acquisition of real property; second by Legislator Johnson. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:50; second by Legislator DeFilipps. Motion Carried.

Legislator Allport moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 5:51 p.m.

LEGISLATURE MEETING

July 27, 2016

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislators Allport, DeRoller and Eick.

Chairman Callard called for a moment of Silence to remember Stanley R. Kubatek who passed away on June 11, 2016. Stan served with the Medina Police Department for 10 years, resigning as Lieutenant to accept a position as the Orleans County Civil Defense Director. Prior to retirement he was the Assistant Director of Real Estate and Management for OTB of Western New York. Stan was very involved in area politics; he was elected to the Village of Medina Board of Trustees, Councilman and Supervisor of the Town of Ridgeway, and served from 1972 through 1979 on the County of Orleans Board of Supervisors. He also served as the Orleans County Republican Chairman.

In continuation of our conference session topics, Kelly Kiebala Director of Job Development for the County, stated that she was encouraged by the Legislature's Economic Assistance & Opportunity Committee to look into the possibility of establishing a leadership program in Orleans County after much discussion of the positive impact on economic, workforce and community development of similar programs in other areas.

She indicated that our neighboring counties all have existing programs: Leadership Genesee, Leadership Niagara, Leadership Buffalo, Leadership Livingston, Leadership Wyoming and Leadership Rochester. Each is structured differently and some have been more well-developed over time than others, but they seem to share overarching similarities in program make-up.

Ms. Kiebala reported on the progress of this effort. As a 2010 graduate of the Leadership Program in Genesee County, she reached out to the Director of Leadership Genesee, Peggy Marone, who generously offered to help facilitate a focus group in Orleans County for this purpose: to determine what needs would be addressed by a community leadership program, what kind of a program it would be, and would it be feasible in terms of participation and financial capacity. In the past, Peggy similarly helped to develop the Leadership Wyoming program. Participants in the focus group were identified, primarily though not exclusively engaging a

cross-section of individuals who had previously experienced a leadership program. To be clear, this is not to say that these are the only people to be involved in this endeavor, but in the interest of initiating the process, they include:

Laura Bentley, owner of Bentley Brothers in Albion, LEAD New York - Cornell University; Don Colquhoun, former Director of Arc of Orleans County and retired US Army, who attended the US Army Command and General Staff College; Carol D'Agostino, Kendall High School Principal & OEDA Board member; Diana Fox, Assistant Clinic Coordinator, OC Mental Health, Leadership Genesee '02; Fred Miller, Orleans County Legislator; Mark O'Brien, Director, Orleans County Mental Health, Leadership Buffalo 2004; Paul Pettit, Public Health Director, Genesee & Orleans Counties, Leadership Genesee '15; Jim Simon, Associate Dean, Genesee Community College – Medina & Albion; Pat Weissend, Associate VP/Branch Manager, Tompkins Bank of Castile, LG '02 and herself served on this Focus Group.

The Focus Group met on July 19th at the Hoag Library in Albion. The group unanimously agreed that the development of a leadership program in some form, likely similar to already proven programs, is important for Orleans County and that there is a desire to move forward. Many success stories were shared due to having leadership programs in communities, such as increased volunteerism and participation in leadership roles in the public and private sectors, community service projects, engagement of a greater range of individuals – including youth, and overwhelmingly the networks and collaborations that resulted were viewed as just as, if not more than, important than other results. Such a program might include the teaching and practice of leadership skills along with community awareness, personal and professional development, mentorship opportunities and civic engagement.

In giving a sense of the structure of the program, Ms. Kiebala and some of the others in the focus group went through in Genesee, it was a commitment of one day each month, with different themes around which the curriculum was developed. The selected themes naturally evolve over time to reflect the current climate, but in 2010 they included an Opening and Closing Retreat, and then in the 10 months in-between the days were Business & Economic Development, Arts, Culture & Diversity, Health & Human Services, Simulated Society, Agriculture, Tourism, Red Pines (teambuilding), Government, Education and Criminal Justice. The days

were a combination of interactive, experiential and informational segments.

Bill Gates, co-founder of Microsoft, is quoted as saying “As we look ahead into the next century, leaders will be those who empower others,” and as we make an effort to anticipate our future needs given upcoming changes in all sectors of our rural community, it is essential that we are proactive in the development of the skills, knowledge, courage and shared vision for those who live and work in Orleans County in order to ensure success.

Ms. Kiebala asked with the board’s permission, we will continue to pursue a plan for implementing a leadership program in Orleans County to help increase awareness of local resources, foster greater connections, and to encourage and develop community leaders now and in the future. Chairman Callard advised her to continue with this program pursuit.

The Clerk presented the following communications:
Town/Village resolutions that have been received

Town/Village	Resolution Title
T/Shelby	Calling on the State of New York to Fully Reimburse Municipal Self Insured Workers’ Compensation Plans

Larry Montello, of the Orleans County American Legion, is requesting permission to use the Courthouse grounds, power, and to hang the 911 Flag on the pole for the 911 Memorial Day Service at the Memorial on the Courthouse square and also permission to post the banner on the lawn to advertise this event from August 29th through September 11th and to place the line of American Flags along the sidewalk for this event. The board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through June of 2016. Treasurer Heard reported that we are financially in good shape however sales tax is coming in slowly.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Yates, inquired about Resolution No. 269-716 concerning the acquisition of 309 West Academy Street in the Village of Albion and questioned why the County is purchasing this. CAO Nesbitt explained that a new build is going to occur therefore will be taking up space that we normally store highway equipment at. There is also a revenue opportunity to make a secured vehicle pound for our

Sheriff's Department, which now we pay for off site. Insurance companies pay money to house vehicles for evidentiary needs, not only from an accident but also from a crime scene.

Mr. Lauricella also inquired about Resolution No. 270-716 which he asked if there was a miss calculation by COIDA so now they are asking the County to borrow \$100,000. James Whipple, CEO of the Orleans County Industrial Development Agency (COIDA) stated that currently they are doing a sewer system for the Medina Business Park that will service Pride Pak and the hotel site. That was not budgeted for last year because initially Pride Pak was going into the Bernzomatic plant which fell through therefore decided to do a new build. This has caused a cash flow problem at this time. Mr. Lauricella asked if this is a line of credit. Treasurer Heard stated that it is not and it is a one shot deal and the County will be making more interest on this than what she would be making from a bank.

Legislator Miller moved to add three resolutions to the agenda; second by Legislator DeFilipps. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 250-716

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$188,394.42	Crane Hogan- Structural Systems	Construction - Carton Road Bridge Replacement 6/16/16-7/16/16 – Payment 2

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 251-716

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES, P.C.**

RESOLVED, that this Legislature does hereby approve a Supplemental #1 agreement for “Additional Construction Inspection Services” with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 for the Platten Road Culverts over Oak Orchard Creek Tributaries in the Town of Yates which will provide one additional full-time Construction Inspector and one part-time daily Construction Inspector; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$27,500.00 and to be paid out of the Capital Project Infrastructure for Culvert Improvements Account #H-5120.251.

Moved, Miller; second, DeFilippis.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 252-716

APPROVING AGREEMENT BETWEEN THE BUILDINGS AND GROUND DEPARTMENT AND PANEK COATINGS, LLC

RESOLVED, this Legislature accepts the low bid submitted by Panek Coatings, LLC and authorizes an agreement between Buildings and Grounds and Panek Coatings, LLC, 13748 Albion Eagle Harbor Road, Albion NY 14411 for the painting of the Orleans County Courthouse building and County Clerks/Legislature building for a total bid cost of \$106,450 to be paid from Buildings and Grounds account A1620.470 – Capital Construction Projects – (\$20,751 currently budgeted in this account for this project) and Capital Projects Courthouse Renovation Account H1160.250 of \$20,438.99; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to Transfer Funds into the Buildings and Grounds budget to cover the remaining costs to paint these two county owned buildings as follows:

From:
Future Infrastructure Reserve \$65,260.01

To:
A1620.470 Capital Construction Projects \$65,260.01

Moved, Miller; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 253-716

AUTHORIZING PURCHASE OF GARAGE DOOR FOR COUNTY JAIL

RESOLVED, that this Legislature authorizes purchase of a heavy duty steel garage door from Sunrise Door & Woodworks, Inc., 3122 Hartland Road, Gasport, NY 14067, for installation at the county jail, at a total purchase cost of \$5,240 to be paid from Buildings and Grounds budget account A1620.403 – Maintenance Projects.

Moved, Miller; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 254-716

AUTHORIZING PURCHASE FROM BOARD OF ELECTIONS BUDGET

RESOLVED, that this Legislature authorizes the Board of Elections to purchase a 2016 Pace American 8.5 x 24 foot enclosed car hauler trailer, with NYS Motor Vehicle Inspection, including recessed E track one row down both sides of trailer height, at a cost of \$8,550.90 with the trade in allowance of a 2011 20 foot US Cargo Trailer of \$2,800.00 for a net cost of \$5,750.90 from JPR Service, 16761 Ridge Road, Holley, NY 14470, for the transportation of the Image Cast Voting Machines and all voting booths to the municipal voting sites in Orleans County. The amount to be paid from Account A1450.486-Special Grants and is fully funded under the New York State Board of Elections Contract #C003236 (Shoebox Program). County Cost \$0.

Moved, Miller; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 255-716

APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND
LIVINGSTON COUNTY FOR GLOW WORKFORCE
DEVELOPMENT BOARD

RESOLVED, that this Legislature approves the agreement between the Job Development Department and Livingston County on behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Room 303, Geneseo, NY, 14454, to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) for Youth from July 1, 2016 to June 30, 2017 at a cost of \$97,095. Contract# PY2016 – 3. County cost \$0.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 256-716

APPROVING ADDENDUM BETWEEN OFFICE FOR THE AGING
AND QUALITY AND TECHNICAL ASSISTANCE CENTER (QTAC)

WHEREAS, Resolution No. 319-913 approved an agreement with New York State Evidence-Based Health Programs Quality & Technical Assistance Center (QTAC), a unit of State University of New York at Albany who would like to affiliate with Orleans County Office for the Aging in effort to provide quality delivery of QTAC-promoted evidence-based health promotions and self management programs effective October 1, 2013 through September 30, 2018; now be it

RESOLVED, that this Legislature approves an addendum to this Memorandum of Understanding to add Exhibit 1- that allows Orleans County Office for the Aging to offer the Stepping On program.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 257-716

APPROVING AGREEMENT WITH OFFICE FOR THE AGING
OFFICE AND NEW YORK STATE OFFICE FOR THE AGING

WHEREAS, an agreement must be entered into before NYSOFA can allow subcontractors to create, receive, maintain, or transmit PHI. Because the expansion and enhancement of the NY Connects Program is a joint venture with DOH and therefore involves information which will be deemed PHI, participating AAAs must enter into agreements with NYSOFA prior to participation in the program; now be it.

RESOLVED, that this Legislature approves the Memorandum of Understanding between the Office for the Aging and the New York State Office for the Aging (NYSOFA) that details the responsibilities of each AAA that administers NY Connects and BIP concerning the use and disclosure of Protected Health Information; and be it

FURTHER RESOLVED, that this MOU will be for a 5-year period of July 1, 2016 to June 30, 2021.

Moved, Miller; second, DeFilippis.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 258-716

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES

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

Orleans County Office for the Aging, Albion, NY for the provision of outreach activities for Low Income Home Energy Assistance Program (HEAP) recipients; effective August 28, 2016 through August 27, 2017 at a cost of \$17,500. County cost \$0.

Orleans County Sheriff's Department, Albion, NY for safe transportation of youth to out-of-county detention facilities; effective September 1, 2016 through August 31, 2017 at a cost of \$15,000. County Cost is \$7,650.

Moved, Miller; second, DeFilippis.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 259-716

AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature authorizes the filling of a vacant full time Sr. Social Welfare Examiner position (6010.106) in the Department of Social Services at Grade 15 of the CSEA Salary Schedule effective July 28, 2016; and be it

FURTHER RESOLVED, that this Legislature also authorizes the filling of a vacant full time Social Welfare Examiner position at Grade 13 of the CSEA Salary Schedule that may result from the filling of the Sr. Social Welfare Examiner position; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of vacant full time Grade B Supervisor position (6010.203) in the Department of Social Services at Grade 21 of the CSEA Salary Schedule effective July 28, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of a vacant full time Caseworker position at Grade 16 of the CSEA Salary Schedule that may result from the filling of the Grade B Supervisor position

Moved, Miller; second, DeFilippis.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 260-716

AUTHORIZING CREATING TEMPORARY POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature authorizes the creation of temporary positions in the Department of Social Services for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% Federal Funds, as follows:

Full time Social Welfare Examiner effective August 10, 2016 through March 31, 2017 at grade 13 of the CSEA Salary Schedule;

Full time Social Welfare Examiner effective November 1, 2016 through April 30, 2017 at Grade 13 of the CSEA Salary Schedule;

Full time Clerk effective November 1, 2016 through April 30, 2017 at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created temporary vacant positions.

Moved Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 261-716

AUTHORIZING OUT OF STATE TRAVEL FOR VETERANS SERVICE AGENCY DIRECTOR

RESOLVED, that this Legislature authorizes Out of State Travel for Earl M. Schmidt, Director of Veterans Service Agency to attend the Assemblyman Steve Hawley's Patriot Trip IX in Washington DC from September 15th through September 18th, 2016. County cost \$0.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 262-716

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Pamela Gallo, 6630 Conner Rd, East Amherst NY 14051 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 at the Orleans County Health Department effective from July 1, 2016 through December 31, 2019. Reimbursement at 59.5% from NYS Department of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement.

Paula Neuman, 7122 Chestnut Ridge Rd, Lockport NY 14094 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 at the Orleans County Health Department from July 1, 2016 through December 31, 2019 and Reimbursement at 59.5% from NYS Department Of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement.

Genesee County, 7 Main St., Batavia NY 14020 to provide an increase in stipend for the Emergency Preparedness Coordinator from \$3,000.00 to \$6,000.00 due to added responsibilities. Contract to also provide a \$4,000 stipend for the Deputy Public Health Director roll for Orleans and Genesee Counties. Contract to run from July 1, 2016 through December 31, 2019. Orleans County is responsible for half of the total stipends.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTON NO. 263-716

AUTHORIZING THE APPOINTMENT OF A DEPUTY PUBLIC HEALTH DIRECTOR

WHEREAS, the Orleans County Legislature adopted Resolution 432-1214 which authorized the Orleans County Health Department to continue their mutual desire to work collectively with Genesee County to share the Public Health Director, Deputy Public Health Director, Director of Community Health Services, Emergency Preparedness Coordinator and to further explore shared services opportunities in the area of Public Health; and

WHEREAS, the Genesee County Deputy Public Health Director has retired; and

WHEREAS, Resolution No. 262-716 approved the stipend for a Deputy Director of Public Health; now be it

RESOLVED that the Orleans County Legislature appoint Brenden Bedard, Director of Community Health Services of the Orleans County Public Health Department, as the Deputy Director of Public Health for the

Orleans County Health Department effective July 28, 2016 at an annual stipend of \$4,000.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 264-716

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE HEALTH DEPARTMENT

RESOLVED, that the County Treasurer is authorized to transfer funds within the Health Department Budget to assist with the purchase of the 2016 Chevrolet Tahoe as approved in Resolution No. 236-616:

<u>From:</u>		
A4010.452	Personal Service Contracts	\$6,000
A4010.478	Health Promotional Supplies	\$784
<u>To:</u>		
A4010.270	Capital Plan – Equipment	\$6,784

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 265-716

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature approves Out-of-State travel request made by Francisco G. Meza Aguero, Public Health Sanitarian, to attend the 13th Annual Drinking Water Workshop in Cincinnati, Ohio from August 22 – 25, 2016. All costs covered by New York State Water Grant and State Aide. County Cost \$0.

Moved, Allport; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 266-716

APPROVING ORLEANS COUNTY CONSOLIDATED
AGRICULTURAL DISTRICT NO. 1 WITH MODIFICATIONS AFTER
EIGHT-YEAR REVIEW

WHEREAS, pursuant to Resolution No. 34-116 the County approved a process for consolidation of all Agricultural Districts henceforth into a single Agricultural District for the purpose of greater administrative efficiency and convenience to farmers; and

WHEREAS, consolidation and modification of existing Agricultural Districts No. 1, 2, and 3 throughout the County have been completed in accordance Article 25AA of State Agricultural and Markets Law into a single District henceforth known as Orleans County Consolidated Agricultural District No. 1; and

WHEREAS, proper notice was provided and a public hearing was held on July 27, 2016; now be it

RESOLVED, that a Notice of Determination of Non-Significance - Negative Declaration be filed in the absence of any significant adverse effect of this action on the environment, pursuant to Article 8 of Environmental Conservation Law; and be it

FURTHER RESOLVED, that Orleans County Consolidated Agricultural District No. 1 be approved for eight years as recommended by the County Agricultural and Farmland Protection Board, with modifications subsequent to the public hearing as incorporated into the final District report. Said District shall have the anniversary date of Agricultural December 2, 2024 for its next review.

Moved, Miller; second DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 267-716

APPROVING THE STANDARD WORK DAY AND RETIREMENT
REPORTING FOR ELECTED AND APPOINTED OFFICIALS

RESOLVED, that the County of Orleans/10034 does hereby establishes the following standard work days for these titles and will

report the officials to the New York State and Local Retirement System based on their record of activities as follows:

TITLE	NAME	STANDARD WORK DAY (Hrs/day)	Term	Days/month
ELECTED OFFICIALS				
Legislator	Donald Allport	6	1/1/2016-12/31/2017	2.86
Legislator	E. John DeFilipps	6	1/1/2016-12/31/2017	16.56
Legislator	William Eick	6	1/1/2016-12/31/2017	5.35
Legislator, Vice Chairwoman	Lynne M. Johnson	6	1/1/2016-12/31/2017	9.58
Legislator	Frederick Miller	6	1/1/2016-12/31/2017	5.99
Sheriff	Randall Bower	6	1/1/2016-12/31/2019	31.30
Coroner	Rocco Sidari	6	1/1/2016-12/31/2016	1.50
APPOINTED OFFICIALS				
County Attorney	David Schubel	6	1/1/2016-12/31/2017	18.06
1 st Asst County Attorney	John Gavenda	6	1/1/2016-12/31/2017	16.21
2 nd Asst County Attorney	James Bell	6	1/1/2016-12/31/2017	10.33
Public Defender	Sanford Church	6	1/1/2016-12/31/2017	24.01
1 st Asst Public Defender	Patricia Pope	6	1/1/2016-12/31/2017	14.20
2 nd Asst Public Defender	Dominic Saraceno	6	1/1/2016-12/31/2017	15.61
3 rd Asst Public Defender	Nathan Pace	6	1/1/2016-12/31/2017	19.03
Medical Director/ Coroner's Physician	Thomas Madejski, MD	6	1/1/2016-12/31/2017	7.75
Historian	Matthew Ballard	6	1/1/2016-12/31/2017	10.90

Moved, Johnson; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

Legislator Johnson moved to approve a MOU with Home Leasing LLC concerning the former Holley High School; second by Legislator DeFilipps. Legislator Johnson stated that this is going to be great for our eastern end of our County to have this old school building turned into something viable again and shared her appreciation to Legislators DeFilipps and DeRoller, our EDA and County Attorney for making this happen. Chairman Callard indicated that it still is not a done deal and it is contingent on financing but it will be a wonderful project once it comes to a conclusion. The following resolution was adopted:

RESOLUTION NO. 268-716

APPROVING MEMORANDUM OF UNDERSTANDING WITH HOME LEASING, LLC, CONCERNING 1 WRIGHT STREET IN THE VILLAGE OF HOLLEY (FORMER HOLLEY HIGH SCHOOL)

WHEREAS, the real property commonly known as 1 Wright Street in the Village of Holley, tax map no. 80.10-1-21.1, (the former Holley High School) was previously subject to an In Rem Tax Foreclosure proceeding, and

WHEREAS, the real property was subsequently withdrawn from the In Rem Tax Foreclosure Proceeding and become exempt from taxation, and

WHEREAS, Home Leasing, LLC, is desirous of acquiring the real property for the purpose of restoration of the building for senior housing units and using a portion of the building for Village of Holley offices, and

WHEREAS, the County is favorably disposed to such a restoration project by Home Leasing, LLC, and

WHEREAS, the County and Home Leasing, LLC, have arrived at mutual understandings with respect to the real property and, the parties have set forth their mutual understandings in a Memorandum of Understanding, now, therefore, be it

RESOLVED, that execution of a Memorandum of Understanding between the County of Orleans and Home Leasing, LLC, relative to 1 Wright Street in the Village of Holley, tax map no. 80.10-1-21.1, is hereby approved.

Moved, Johnson; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTOIN NO. 269-716

AUTHORIZING PURCHASE OF REAL PROPERTY IN THE VILLAGE OF ALBION KNOWN AS 309 WEST ACADEMY STREET AND APPROVING PURCHASE AND SALE CONTRACT SUBJECT TO CONTINGENCIES AND AUTHORIZING TREASURER TO TRANSFER FUNDS

RESOLVED, that this Legislature authorizes the purchase of real property in the Village of Albion, commonly known as 309 West Academy Street, being vacant land approximately 200 feet x 290 feet, to be more particularly described upon completion of an instrument survey for a price of \$28,000 plus tax pro-rations as of the date of closing and purchaser's recording costs of \$305; and be it

FURTHER RESOLVED, that this Legislature approves a Purchase and Sale Contract for the aforesaid real property subject to the approval of

attorneys for the Buyer and Seller within 7 calendar days of full acceptance of the Contract by the parties and subject to the following contingencies: (i) municipal approvals per section 3(B) of the Contract; (ii) Legislature approval by July 29, 2016; (iii) Phase I Environmental within 30 days after full acceptance of the Contract by the parties satisfactory to the Buyer in Buyer's discretion, to be undertaken at Buyer's expense; and be it

FURTHER RESOLVED, that the Chairman or Vice-Chairman is authorized to sign the Contract and all transfer documents with respect to the purchase; and be it

FURTHER RESOLVED, that the Treasurer is authorized to tender within 5 days of Legislature approval a check in the amount of \$1,000.00 with Snell Realtors as a deposit which deposit is to become part of the purchase price or returned if the contemplated purchase fails to close for any reason not the fault of the County; and be it

FURTHER RESOLVED, that in order to pay the purchase price, the tax pro-rations, and the buyer's closing costs; the Treasurer is authorized to transfer funds as follows:

<u>From:</u>		
A1990.435	Contingent Fund	\$28,000
<u>To:</u>		
A1620.480	Buildings and Grounds Property Acquisition	\$28,000

Moved, Johnson; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 270-716

AUTHORIZING INTERAGENCY INSTALLMENT OBLIGATION AGREEMENT BY THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, the County of Orleans Industrial Development Agency has requested from the County short term funding assistance with its cash flow obligations arising from the Medina Industrial Park Project in the principal sum of \$100,000, be it

RESOLVED, that this Legislature hereby authorizes an Interagency Installment Obligation Agreement by the County of Orleans Industrial Development Agency in the principal sum of \$100,000 to be repaid together with interest at the rate of 2% for a term of one year, and be it further

RESOLVED, that the Chairman is authorized to execute the said Agreement in the form substantially presented to this Legislature subject to final approval in form and substance by the County Treasurer, County Budget Officer, and County Attorney, and be it further

RESOLVED, that the County Treasurer is authorized to make such transfers as are necessary and appropriate to effectuate this resolution, and be it further

RESOLVED, that this resolution is not subject to permissive referendum.

Moved, DeFilippis; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 271-716

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND EM SYSTEMS, INC.

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff's Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226 for Jail Management System (JMS) software support and maintenance, in the amount of \$5,000, for period January 1, 2016 through December 31, 2016.

Moved, DeFilippis; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 272-716

APPROVING ADDENDUM TO MEMORANDUM OF UNDERSTANDING BETWEEN SHERIFF'S OFFICE/JAIL AND KEEFE COMMISSARY NETWORK, LLC

WHEREAS, a Memorandum of Understanding between Keefe Commissary Network, LLC, 13675 Darice Parkway, Strongsville, OH 44149, was approved in Resolution No. 334-914; now be it

RESOLVED, that this Legislature approves an addendum to this Memorandum of Understanding, which provides for the application of new service fees to all payments/deposits at the Jail's lobby kiosk in accordance with the new fee structure. Such fees are assessed to the depositor/payee.

Moved, DeFilippis; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 273-716

AUTHORIZING SHERIFF TO APPLY FOR 2016-2017 PUBLIC SAFETY ANSWER POINTS (PSAP) OPERATIONS GRANT PROGRAM FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that this Legislature authorizes the Sheriff to apply for a Public Safety Answering Point (PSAP) Operations Grant, which provides reimbursement to counties for costs related to the operations of a PSAP, at no cost to the county, for contract year January 1, 2017 through December 31, 2017.

Moved, DeFilippis; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 274-716

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

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to Walmart Foundation for 2016 Community Grant funds, with possible grant awards of \$250 to \$2,500, that will be used to assist the Sheriff's Office in establishing their K-9 Unit, which will aid in law enforcement within our communities.

Moved, DeFilippis; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 275-716

AUTHORIZING THE FILLING OF VACANCIES IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of a vacant Deputy Sheriff-Road Patrol position (3110.25), Grade 1, effective July 28, 2016; and

FURTHER RESOLVED, to authorize the filling of a vacancy for part-time, seasonal Deputy Sheriff-Marine Patrol Division (3110.75), at the rate of \$13.41 per hour, effective July 28, 2016.

Moved DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 276-716

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE JAIL BUDGET

WHEREAS, the County Jail has required the services of SI Technologies, Inc., 14 Petra Lane, Albany, NY 12205, for on-site repair, installation and testing of its camera system; now be it

RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Jail budget for the purpose of paying for this camera system repair, as stated below:

<u>From:</u>		
A1990.0435	Contingency Fund Account	\$4,918.42
<u>To:</u>		
A3150.0418	Jail-Other Contractual Expenses	\$4,918.42

Moved, DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

Legislator Johnson moved to authorize expanding grant funds and setting up money in the Emergency Management Department; second by Legislator DeFilipps. Legislator Johnson explained that this is to purchase the correct foam should it be needed for an ethanol fire. This is a

necessary purchase which is covered by a grant. The following resolution was adopted;

RESOLUTION NO. 277-716

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds in the amount of \$27,115 for purchase of ARAFFF National 1-3% Universal Gold fire fighting foam for the use of Ethanol fires/emergencies on all Orleans County Highways from Churchville Fire, 340 Sanford Rd South, Churchville, NY 14428; and be it

FURTHER RESOLVED, that this Legislature approves setting up new 2015 Homeland Security Grant Funds as follows:

Revenue:

A4309.2015	State Homeland Security Grant Program FY2015	\$27,115
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Appropriation:

3640.486.2015	Special Grants (SHSP-FY15)	\$27,115
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Moved, Johnson; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

Legislator Johnson moved to approve an agreement with the County of Orleans and CGR which she explained that the county was awarded a grant to study the consolidation of the police departments in Orleans County and the steering committee has met. CGR will be doing the study on the county's behalf. Legislator DeFilipps seconded the motion and the following resolution was adopted:

RESOLUTION NO. 278-716

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND CENTER FOR GOVERNMENTAL RESEARCH INC. (CGR) AND AUTHORIZING TREASURER TO SET UP MONEY INTO THE LEGISLATURE BUDGET

WHEREAS, Request for Proposals for professional consulting services related to a study of countywide law enforcement service delivery models and efficiencies were solicited by the Chief Administrative Officer and were then reviewed and approved by the Law Enforcement Steering Committee on June 29, 2016; now be it

RESOLVED, this Legislature does hereby approve an agreement between the County of Orleans and the Center for Governmental Research Inc. (CGR), One South Washington St, Suite 400, Rochester, NY 14614 to secure the professional services of CGR to conduct an evaluation of the existing law enforcement operations in the county, identify options for change and make suggestions for an improved operation. Term of services will begin August 1, 2016 and shall terminate by May 31, 2017 at a cost of \$74,500. County Cost \$38,500; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Legislature Budget to pay for these professional services as follows:

<u>From:</u>		
A1990.435	Contingent Fund	\$38,500
<u>To:</u>		
A1010.418	Other Contractual Expenses	\$38,500

Moved, Johnson; second, DeFilippis.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 279-716

APPROVING LEASE AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves a lease agreement between Orleans County and Toshiba Business Solutions, 6000 N. Bailey Ave., Amherst, NY 14226 to provide one Toshiba e-Studio multifunction machine for a 48 month lease effective October 1, 2016 through September 30, 2020 for the following:

County Office Building	e-Studio 657	\$176.00 per month
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Bill per copy B&W .0075 per page,
with an annual increase of 2.5%

Moved, Johnson; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 280-716

**AUTHORIZING PAYMENT OF CLAIMS FOR AUGUST AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 August 10, 2016:

Fund/Department	Check Number (s):	Amount:
General	4881-5035	\$390,014.54
Highway	790-806; 1878-1903	\$221,763.31
Job Development	2140-2156; 2159	\$23,588.92
Self Insurance	57136,57137; 57139; 57140	\$18,874.97

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 Superintendent of Highways, 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 August 24, 2016:

Fund/Department	Check Number (s):	Amount:
General	5058-5300	\$439,229.76
Highway	807-817; 1904-1914	\$332,260.14
Job Development	2160-2171; 2084	\$22,984.34
Self Insurance	1119; 57195-57197	\$1,037.57

Moved, Miller; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

The following three add on resolutions were presented for adoption:

RESOLUTION NO. 281 -716

GRANTING EXTENSION FOR PAYMENT ON IN REM AUCTION PARCELS

WHEREAS, Resolution No. 155-413 Setting Date and Terms for the Auction of In Rem Tax parcels, indicates the balance of the successful and accepted bids shall be paid to the Orleans County Treasurer by July 29, 2016, unless extended by the County Legislature; and

WHEREAS, time extensions were requested in a timely manner for the following parcels: Parcel #9, Town of Albion, Tax Map #73.7-1-36; Parcel #6, Town of Albion, Tax Map #73.6-2-55; now, therefore be it

RESOLVED, that this Legislature grants an extension for the balance due for these parcels for a period of time not to exceed sixty (60) days; and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be charge of \$250 per parcel (property with improvements) and a charge of \$100 per parcel (vacant property) for each 30 day period until the property is fully paid, not to exceed 60 days.

Moved, Johnson; second, DeFilipps.
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 282-716

DECLARING ORLEANS COUNTY LEAD AGENCY TO A TYPE I ACTION UNDER SEQR FOR A SOLAR ARRAY PROJECT AT ALBION BUSINESS PARK AND AUTHORIZING WENDEL TO CONDUCT SEQR REVIEW

WHEREAS, the County of Orleans is proposing to develop a 1.48 MW ground mounted solar array at the Albion Business Park; and

WHEREAS, the County of Orleans has classified this project as a Type I Action under SEQR 617.4(b)(6)(i); and

WHEREAS, pursuant to Part 617 NYCRR, Article 8 of the Environmental Conservation Law, the County of Orleans should, as early as possible in the design procedure, begin the SEQR review process; now be it

RESOLVED, that the County of Orleans wishes to declare itself Lead Agency and conduct a coordinated review; and be it

FURTHER RESOLVED, that the County of Orleans authorizes Wendel to complete and coordinate the required mailings and notifications.

Moved, Johnson; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

RESOLUTION NO. 283-716

AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE BEN ROETHLISBERGER FOUNDATION

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to the Ben Roethlisberger Foundation for a possible grant award that will be used to assist the Sheriff's Office in establishing and operating their K-9 Unit, which will aid in law enforcement within our communities.

Moved, DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

During Open Discussion, Paul Lauricella, Yates, asked if anyone has looked into the staggering costs of software. Is there anything available from the State for free? Eddie Moss stated that the majority of the free software does not have the feature sets as needed. Those that we pay for are feature rich, enterprise available, it is robust and it does everything we ask for it to do. Mr. Moss stated it costs money because software engineers need to create it from the ground up. Mr. Lauricella inquired if we have petitioned Assemblyman Hawley and Senator Ort on the upgrading of software that they put out. Mr. Moss stated that mostly the software that we use is from the private sector and that they put out better product.

Sandy Lauricella, Yates, questioned if pet vouchers could ever be distributed to provide ways of saving money when it comes to spaying and neutering pets. She wanted the Board to look into the budget for any extra available money to see if a few months out of the year discounts could be offered. Chairman Callard stated that they will have this discussion through our Public Safety Committee and our Animal Control Services.

Legislator Miller moved to enter into executive session at 5:02 p.m. per Open Meetings Law §105 (f) to discuss the recommendations of the Salary Review Committee made to the Legislative Board; second by Legislator DeFilipps. Motion Carried.

Legislator Johnson moved to exit out of executive session and reconvene the regular meeting at 5:42; second by Legislator Miller. Motion Carried.

With their being no further business, Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:43 p.m.

SPECIAL LEGISLATURE MEETING

August 9, 2016

Chairman Callard called the special meeting to order at 1:31 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present with the exception of Legislators Johnson and Miller.

The following resolution was presented for adoption:

RESOLUTION NO. 284-816

DETERMINING THE REAL PROPERTY COMMONLY KNOWN AS 1 WRIGHT STREET IN THE VILLAGE OF HOLLEY, TOWN OF MURRAY, TAX MAP NO. 88.21-1-60, BE RESTORED TO THE TAXABLE PORTION OF THE ASSESSMENT ROLL.

WHEREAS, the real property commonly known as 1 Wright Street in the Town of Murray, Village of Holley, tax map no. 88.21-1-60 was heretofore withdrawn from an In Rem Proceeding by a Certificate of Withdrawal dated the 15th day of February, 2001, and filed in the Orleans County Clerk's Office on February 26, 2001; and

WHEREAS, Legislature Resolution No. 63-201 pursuant to RPTL § 1138(1)(d) directed the County Treasurer as enforcing officer to issue a Certificate of Prospective Cancellation; and

WHEREAS, pursuant to Legislature Resolution No. 63-201, the County Treasurer as enforcing officer issued a Certificate of Prospective Cancellation dated February 26, 2001 and filed copies of the said Certificate with the Assessor of the assessing unit in which the parcel is located, and with the County Director of Real Property Tax Services; and

WHEREAS, RPTL § 1138(6)(d) provides that a parcel shall remain exempt until the governing body determines that the parcel should be restored to the taxable portion of the assessment roll, and the enforcing officer files a Certificate of Restoration; and

WHEREAS, Home Leasing, LLC by means of the formation of a single purpose limited liability is desirous of acquiring title to the said parcel for the purpose of restoration of the building situate thereon (the former Holley High School) for senior housing units and using a portion of the building for Village of Holley offices; and

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WHEREAS, Home Leasing, LLC has requested the said parcel be restored to the taxable portion of the assessment roll; now therefore, be it

RESOLVED, that this Legislature hereby determines that Town of Murray, Village of Holley, tax map parcel no. 88.21-1-60, serial no. 0032, be restored to the taxable portion of the assessment roll, and that the County Treasurer as enforcing officer file a Certificate of Restoration with the Assessor of the assessing unit and the County Director of Real Property Tax Services; and be it further

RESOLVED, that the County Treasurer is directed to reinstate the prior In Rem tax foreclosure proceeding in which the said parcel had been withdrawn.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Johnson, Miller.

Legislator Allport moved to adjourn; second by Legislator DeRoller.
Meeting adjourned at 1:33 p.m.

LEGISLATURE MEETING

August 24, 2016

Chairman Callard called the meeting to order at 4:35 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Kendall	Concerning the Lake Ontario State Parkway – urging to
T/Hamlin	fund the repairs and maintenance

State of New York Office of Real Property Tax Services has sent the List of Certified 2016 State Equalization Rates for the 2016 assessment rolls for Orleans County municipalities and has been filed in our office. Jennifer Srock, of Orleans Community Health, is requesting permission to use the Courthouse grounds to post 3' x 12' banner on the lawn to advertise for Watts Farm Orchard Walk for the Cure of Cancer from October 14th through October 29th. The Board approved this request.

A Proclamation for Sheriff's Week was presented to Sheriff Randall Bower by Legislators DeFilipps and Johnson. Orleans County proclaimed the week of September 18th – 24th as Sheriff's Week in Orleans County Sheriff Bower stated that during Sheriff's Week they will be unveiling two new programs they plan to initiate in Orleans County.

Legislators Allport and DeRoller presented a proclamation for Hunger Action Month – September – in Orleans County to Foodlink, represented by Phil Shippers, Director of Member Programs & Services and Morgan McKenzie, Member Services Manager and also to Annette Finch from Orleans/Genesee Community Action. Mr. Shippers thanked Orleans County for acknowledging Hunger Action month and along with their community partners for providing 737,000 pounds of food to residents to this county and providing nutrition education to stop the hunger cycle. Chairman Callard stated that he has seen the great results that Foodlink has done for our county and he shared his appreciation.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through July of 2016. Treasurer Heard reported that the County is in very good financial standing compared to years past.

Chairman Callard added that no person in this county should ever go hungry and we need to outreach to make sure this is the case. He said no person should be without a home, such like a veteran. He said with our agencies we should be able to provide them food and shelter. We all should be grateful to help those in need.

Chairman Callard called for open discussion as it related to the resolutions. Legislator Allport asked if there are any big payments that still need to be made from our accounts. Treasurer Heard indicated that she is not aware of any.

Legislator Eick moved to add six resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 285-816

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$39,758.64	Labella Associates	Prof. Services for Repl of Carton Road Bridge – Inv #71509 – 3/19/16-6/17/16
\$2,792.00	Labella Associates	Prof. Services for Repl of East Scott Road Bridge – Inv#71510-3/19/16-6/17/16; Inv #71515 – 4/16/16-6/17/16
\$315,835.55	Crane-Hogan Structural Sys.	Construction - Carton Road Bridge Replacement 7/17/16-8/13/16 – Payment 3.
\$128,109.20	Union Concrete & Construction	Worked performed on Repl of East Scott Road Bridge – Payment 1 – 8/2/16-8/13/16

FURTHER 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>
\$12,103.86	Labella Associates	Prof. Serv for Platten Road Culverts Inv #71710 - 5/21/16- 6/17/16

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

RESOLUTION NO. 286-816

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT
AND M&T HEATING**

RESOLVED, that this Legislature approves an agreement between the Highway Department and M&T Heating, 2777 Brown Road, Albion, New York 14411 to provide materials and installation of (2) new air conditioners at the Highway Department. County cost is \$5,300; to be paid out of the DM5130.445 account. Agreement effective as soon as County gives notice to proceed.

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

RESOLUTION NO. 287-816

**AUTHORIZING HIGHWAY TO APPLY FOR THE BRIDGE NY
GRANT**

WHEREAS, New York State has implemented a Bridge NY program to assist local governments in making needed improvements in its bridges and culverts; therefore be it

RESOLVED, that this Legislature authorizes Highway to apply for the Bridge NY grant for use on multiple Orleans County bridges and culverts; and be it

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

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 288-816

**AUTHORIZING ABOLISHING, CREATING AND FILLING
POSITIONS IN OFFICE FOR THE AGING**

WHEREAS, there is a full-time Aging Services Account Clerk Specialist retiring in the Office for the Aging; and

WHEREAS, the following position changes presented herewith will be contingent upon the availability of receiving additional Office for the Aging funding; now, therefore, be it

RESOLVED, that this Legislature authorizes the abolishing of the full-time Aging Services Account Clerk Specialist position (6772.04) in the Office for the Aging effective October 1, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part-time Aging Services Account Clerk Specialist in the Office for the Aging at grade 13 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant part-time Aging Services Account Clerk Specialist in the Office for the Aging effective October 3, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of two full-time Aging Services Specialist in the Office for the Aging at grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the two newly created vacant full-time Aging Services Specialist positions in the Office for the Aging, effective October 3, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishing of the Temporary Aging Services Specialist position (6772.15*) in the Office for the Aging effective upon the filling of the second newly created full time Aging Services Specialist position.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 289-816

APPROVING AGREEMENT WITH THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

Elmcrest, Syracuse, NY for the provision of residential foster care services; to be effective October 1, 2016 through September 30, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

The William George Agency, Freeville, NY for the provision of residential foster care services; to be effective September 1, 2016 through August 31, 2017 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 290-816

APPROVING MEMORANDUM OF AGREEMENT BETWEEN MENTAL HEALTH AND SUICIDE PREVENTION COALITION

RESOLVED, that this Legislature approves a Memorandum of Agreement between Mental Health and the Suicide Prevention Coalition (SPC), 14012 Route 31 West, Albion, NY 14411, the SPC will engage in community forums, support and advocacy, and public awareness of suicide and prevention. Specifically, the Mental Health Department will act as an intermediary to receive process and disburse any grant funds obtained by the SPC. The County as recipient of Article 28 reinvestment funds from the NYS OMH will redirect, at its discretion and OHM approval, Article 28 reinvestment funds to the SPC for the purpose of County-approved activities that meet the intent and purpose of the reinvestment. \$3,500 is for NYS Suicide Prevention Grant and \$7,500 is for NYS OMH Article 28 Medicaid Reimbursement Funds for a total of \$11,000. County cost is \$0.

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

RESOLUTION NO. 291-816

APPROVING AGREEMENT BETWEEN MENTAL HEALTH AND CHILDREN'S HEALTH HOME OF UPSTATE NEW YORK (CHHUNY, LLC).

RESOLVED, that this Legislature approves an agreement between Mental Health and Children's Health Home of Upstate New York (CHHUNY, LLC), 1099 Jay Street, Bldg. J, 3rd Floor, Rochester, NY 14611 providing the Health Home to which a patient is assigned, pay the Department for the delivery of health home services. Payment will be made on a monthly basis on the basis of the severity of need of individuals served by the Department during the month for which a bill is submitted. CHHUNY will pay the Department the monthly rate paid by the New York State Department of Health for each individual served, less an administrative fee of \$12.50 per individual served per month. Agreement shall automatically renew for successive terms of one year each unless terminated by either party effective through December 31, 2021. County cost is \$0.

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

RESOLUTION NO. 292-816

AUTHORIZING THE COUNTY OF ORLEANS TO APPLY FOR A CAPITAL PROJECT GRANT THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH

RESOLVED, that this Legislature authorizes the County of Orleans to apply to the NYS Department of Health Office of Primary Care and Health Systems Management grant funding for a capital project grant for the Public Health and Mental Health Departments.

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

RESOLUTION NO. 293-816

APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES

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

United Cerebral Palsy of Rochester d/b/a Rochester CP at 3399 Winton Road South Rochester NY 14623 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 at the Orleans County Health Department effective September 1, 2016 through August 31, 2019. Reimbursement at 59.5% from NYS Department of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement.

United Cerebral Palsy of Rochester d/b/a Rochester CP at 3399 Winton Road South Rochester NY 14623 to provide appropriate special education related services (speech, music, physical therapies and evaluations) for eligible preschool children of Orleans County with disabilities through the 3-5 program placed by the Board Of Education effective September 1, 2016 through August 31, 2019. Rates are set by NYS Department of Education. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement.

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

Legislator DeRoller moved to authorize the transfer of funds into the Planning and Development Budget. He requested to amend the resolution to transfer an additional \$1,021 from the contingent fund and increase the A8020.418 – Other Contractual expenses line to a total of \$2,521; second by Legislator Allport. The following resolution was adopted:

RESOLUTION NO. 294-816

AUTHORIZING THE TRANSFER OF FUNDS TO PLANNING AND
DEVELOPMENT BUDGET FOR PLANNER POSITION

WHEREAS, pursuant to Resolution No. 205-516 this Legislature approved the creation and filling of a vacant planner position; now be it

RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Planning and Development budget for this new position as follows:

<u>From</u>		
A1990.435	Contingent Fund	\$21,963
<u>To</u>		
A8020.100	Personal Services	\$15,000
A8020.418	Other Contractual Expenses	2,521
A8020.810	Retirement	2,775
A8020.820	Medicare	218
A8020.830	Social Security	930
A8020.840	Workers Compensation	169
A8020.850	Unemployment	160
A8020.880	Disability	190

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

RESOLUTION NO. 295-816

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

WHEREAS, resolution No. 300-814 approved an agreement between Real Property Tax Services and Applied Business Systems, 26 Harvester Avenue, Batavia, New York for printing of the Orleans County tax bills, Village Tax bills, and School tax bills at a cost \$.1897 per bill and \$.0612 per collector's copy, with such fees charged back to municipalities; now be it

RESOLVED, that this Legislature approves an agreement extension for an additional 12 month period for printing services rendered through August 31; 2017 with no contract changes.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 296-816

GRANTING EXTENSION FOR PAYMENT ON IN REM AUCTION PARCELS

WHEREAS, Resolution No. 155-413 Setting Date and Terms for the Auction of In Rem Tax parcels, indicates the balance of the successful and accepted bids shall be paid to the Orleans County Treasurer by July 29, 2016, unless extended by the County Legislature; and

WHEREAS, time extensions were requested in a timely manner for the following parcels: Parcel #27, Town of Carlton, Tax Map #28.-1-59.2; Parcel # 30, Town of Gaines; Tax Map 50.2-1-13; Parcel #32, Town of Kendall, Tax Map #32.12-1-26.11; Parcel #49; Town of Ridgeway; Tax Map #68.-2-13; Parcel #51, Town of Ridgeway; Tax Map #69.-1-35; Parcel #56, Town of Shelby; Tax Map #90.-1-68; now, therefore be it

RESOLVED, that this Legislature grants an extension for the balance due for these parcels for a period of time not to exceed sixty (60) days; and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be charge of \$250 per parcel (property with improvements) and a charge of \$100 per parcel (vacant property) for each 30 day period until the property is fully paid, not to exceed 60 days.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 297-816

APPROVING SOFTWARE SUBSCRIPTION SERVICE BETWEEN THE TREASURER'S OFFICE AND ACCELA

RESOLVED, that this Legislature approves the annual software subscription service between the Treasurer's Office and ACCELA f/k/a KVS Information Systems, 821 Maple Rd, Williamsville, NY 14221 covering all programs relating to the Treasurer's Office, Personnel Office, and Budget Officer at a cost of \$10,046; effective August 1, 2016 through July 31, 2017, to be paid from the respective budgets, as applicable.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to designate the Democrat and Chronicle as a legal newspaper for the purpose of advertizing In Rem Foreclosure proceedings; second by Legislator DeFilipps. Legislator DeRoller questioned how many newspapers we post the In Rem proceedings in. Treasurer Heard indicated that they would like us to use two newspapers. With the Medina Journal Register folding and considering circulation numbers she is requesting to use the Democrat and Chronicle. Legislator Allport added that due to law, we are not allowed to use our local pennysaver. The following resolution was adopted.

RESOLUTION NO. 298-816

**DESIGNATING THE DEMOCRAT AND CHRONICLE AS A LEGAL
NEWSPAPER FOR THE PURPOSE OF IN REM FORECLOSURE
PROCEEDINGS**

WHEREAS, the County Treasurer had previously designated the Daily News and the Journal-Register for public notice of in rem foreclosure pursuant to RPTL section 1124; and

WHEREAS, Legislature Resolution No. 4-114 which designated the Journal-Register, one of the official newspapers of the County, has subsequently ceased publication; and

WHEREAS, the County Treasurer wishes to designate the Rochester Democrat and Chronicle for public notice of the In Rem Foreclosure Proceedings until further notice; now be it

RESOLVED, this Legislature hereby approves the designation by the County Treasurer of the Democrat and Chronicle as one of at least two newspapers for public notice of the In Rem Foreclosure proceedings until another legal newspaper is designated in its place.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 299-816

APPROVING RATE ADJUSTMENT FOR VALUE PAYMENT SYSTEMS FOR CREDIT AND DEBIT CARD SERVICES FOR THE COUNTY TREASURER'S OFFICE

WHEREAS, Resolution 208-513 approved the use of credit and debit cards for tax payments made to the County Treasurer's office at the cost of 2.39% transaction fees for the use of any credit card payment and a flat \$3.95 fee for use of a debit card; and

WHEREAS, Value Payment Systems has advised they need to make a slight adjustment to the rates offered due to a change in Visa Card regulations, dues and assessments; and

WHEREAS, the County Treasurer has found the use of credit and debit card beneficial to our taxpayers, as well as increases to tax collection and would like to maintain this service, which is offered at no cost to the County; now, be it

RESOLVED, that this Legislature authorizes the Treasurer to continue the agreement with Value Payment Systems with the new rates of 2.60% transaction fees for the use of a credit card and 1.5% transaction fee for the use of a debit card, with a minimum charge of \$3.95.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 300-816

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

WHEREAS, Resolution No. 134-313 approved an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds in the amount of \$78,219 to assist the County in improving the quality of indigent legal services, initially effective June 1, 2012 through May 31, 2015, and Resolution 259-715 extending that contract to November 30, 2015; now be it

RESOLVED, that this Legislature approves extending the

agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to continue to provide funds in the amount of \$78,219 through November 30, 2016.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 301-816

URGING GOVERNOR CUOMO TO SIGN INTO LAW PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/ A.10706)

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of *Gideon vs. Wainwright*, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State; and

WHEREAS, the New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832]; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010; and

WHEREAS, New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only

the five settlement counties and creating an unequal system of justice in the remaining counties of the State; and

WHEREAS, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

WHEREAS, requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; both problems would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly; now be it

RESOLVED, that the Orleans County Legislature hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, relieving the taxpayers of St. Lawrence County and the other counties of the State and New York City to fund this State mandate; and be it

FURTHER RESOLVED that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Senator Robert Ortt, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, the New York State Office of Indigent Legal Services, and the New York State Association of Counties (NYSAC) and all others deemed appropriate or necessary.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 302-816

APPROVING EXTENSION OF EMPG FY15 GRANT BETWEEN EMERGENCY MANAGEMENT AND NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Resolution No. 263-715 approved the acceptance of funding in the amount of \$21,135 for the FY15 Emergency Management Performance Grant (EMPG) (EM-1032-D00) effective through September 30, 2016; now be it

RESOLVED, that this Legislature approves the extension of this grant through September 30, 2017; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to e-sign all related documents associated with the extension of this grant (EM-1032-D02).

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 303-816

AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	5216-5291; 5351-5396; 5397-5456	\$360,828.93
Highway	818-828; 1915-1936	85,939.30
Job Development	2177-2190	\$11,008.89
Self Insurance	57256-57257; 1120; 57304	\$42,190.39

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 Superintendent of Highways, 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, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	5469-5608	\$248,771.24
Highway	829-838; 1938-1948	\$185,489.91
Job Development	2194-2250	\$10,691.01
Self Insurance	57303, 57305	\$673.57

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

The following add on resolutions were presented for adoption:

RESOLUTION NO. 304-816

APPROVING AGREEMENT BETWEEN REAL PROPERTY TAX SERVICES AND TOWNS OF ALBION AND GAINES

RESOLVED, that this Legislature approves an agreement between the Real Property Tax Services office and the Towns of Albion and Gaines for the provision of assessment services to the towns effective October 1, 2016 through September 30, 2021 cost to be reviewed and adjusted annually per the agreement and approved in the annual final County Budget; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute said agreements upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 305-816

AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature, due to a promotion, does hereby authorize the filling of a vacant full-time Senior Child Support Specialist (6010.0802) in the Department of Social Services at Grade 13 of the CSEA salary schedule effective August 25, 2016; and be it

FURHTER RESOLVED, this Legislature authorizes filling a vacant full time Child Support Specialist at Grade 11 of the CSEA Salary

Schedule that may result from the filling of the Senior Child Support Specialist position.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 306-816

AUTHORIZING TRANSFER OF FUNDS INTO THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up new money into the Mental Health Budget for the replacement of countertop in the reception area:

<u>From:</u>	
Miscellaneous Reserve	\$779.40
<u>Appropriation:</u>	
A4310.405 Building Project	\$779.40

Moved, Allport; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 307-816

APPROVING LEASE AGREEMENT FOR LARGE FORMAT PRINTER BETWEEN PLANNING AND DEVELOPMENT DEPARTMENT AND REAL LEASE/KS STATEBANK

WHEREAS, the eight year old large format printer in the Department of Planning and Development has become inoperable and will furthermore be at the end of its manufacturer-supported life cycle in 2017 and

WHEREAS, the Department of Planning and Development received a quote from Fusion Digital, LLC of Penfield, NY pursuant to New York State Contract PT66605 to lease a Hewlett-Packard DesignJet Z6200ps 42 inch printer through a third party and

WHEREAS, such printer lease will allow the Department of Planning and Development to resume its print production tasks both

internally as well as for other County departments, associated agencies and municipalities; be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to enter into a Forty-Eight (48) Month Lease in the amount of \$255.25 per month with an optional \$1.00 buyout at the end of lease from Real Lease, 1387 Fairport Road, Suite 1000, Fairport, NY 14450, with payments to be made to the obligee assigned by Real Lease: KS StateBank, Government Finance Department, PO Box 69, Manhattan, KS 66505; and be it

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

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

RESOLUTION NO. 308-816

AUTHORIZING EMERGENCY MANAGEMENT OFFICE TO APPLY FOR THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES LEGISLATIVE INITIATIVE GRANT

RESOLVED, that this Legislature authorizes the Emergency Management Office to apply for the NYS DHSES Member Initiative Grant for Recruitment and Retention in the amount of \$9,000; to be used for the recruitment and retention of local volunteer firefighters through seminars, advertisements, billboards, brochures and handouts to encourage residents of the County to join local fire departments, effective April 1, 2015 through July 31, 2017; and be it

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

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 309-816

**AUTHORIZING LEASE AGREEMENT BETWEEN THE COUNTY
AND THE COUNTY CRIME VICTIMS PROGRAM FOR SPACE IN
THE PUBLIC SAFETY BUILDING**

RESOLVED, that a Lease Agreement between the County of Orleans and the County Crime Victims Program for space in the Public Safety Building is hereby authorized for a term commencing October 1, 2016 through December 31, 2017; no cash rent, space being provided as in-kind funding for the program by the County; Lease Agreement subject to final approval by Chief Administrative Officer and the County Attorney.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called for old business. With their being none, he opened the floor for discussion. Allen Lofthouse, Kendall, inquired as to how much money Pride Pak has invested in the building in the Medina Business Park. Mr. Nesbitt indicated they have a \$20 million investment, or their banker does. Mr. Lofthouse asked if the County has put any money into that project. Mr. Nesbitt expressed absolutely not. Chairman Callard stated that we don't have \$20 million.

Legislator Eick moved to enter into executive session at 5:00 p.m. per Open Meetings Law §105 (d and f) to discuss litigation and a personnel matter, second by Legislator Allport. Motion Carried.

Legislator Eick moved to exit out of executive session and reconvene the regular meeting at 5:23 p.m.; second by Legislator DeRoller. Motion Carried.

Legislator Allport moved to adjourn; second by Legislator Eick. Meeting adjourned at 5:25p.m.

LEGISLATURE MEETING

September 28, 2016

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Johnson.

The Clerk presented the following communications: GCASA is requesting permission to place a 6' x 2' banner at the Public Safety Building to advertise Red Ribbon Week. They are asking for the banner to be set up on October 20th and on display October 23rd through October 31st. I have reached out and discussed this request with Highway Superintendent Gray and Sheriff Bower and they are agreeable to this request. The Board approved this request. Genesee Finger Lakes Regional Planning Council is presenting the Fall 2016 Regional Local Government Workshop on Wednesday, November 16, 2016 at the Quality Inn and Suites in Batavia, NY. The Orleans County Planning Board is a co-sponsor of this event. Various sessions will be held from 9 am to 5 pm with registration beginning at 8 a.m. Registrations are due November 7th and this will provide an opportunity to fulfill mandatory training requirements of local planning officials. A letter was received from William and Marcia Bowles of Albion expressing their gratitude and appreciation of the quality of services and dedication Earl Schmidt, Director of Orleans County Veterans Service Agency and his Assistant has given to them.

Chairman Callard asked for any comments from the Legislators. Legislator Eick reported on the ribbon cutting ceremony regarding the Town of Kendall Carton Road bridge replacement. He expressed that many county, town, and school officials along with local neighbors attended. Chairman Callard stated that we have one more bridge, East Scott Road Bridge, that will soon be opening for use.

Paul Lauricella, Yates, shared his concerns regarding Resolution No. 343-916. He stated that military type equipment or weapons of war should not be in the hands of police. Chairman Callard explained that he was not here during the conference session presentation made by Sheriff Bower. Sheriff Bower expressed that he is not looking at that type of equipment but transport vehicles such as a van could transport those in the work release program and a pickup truck could be used to pull our safe boat. We have to justify what we would need in our Sheriff's department. He also can ask for filing cabinets and jump suits for the jail.

Mr. Lauricella also asked about Resolution No. 343-916 concerning the solar energy project and voiced his concerns about borrowing money which then the taxpayer would be responsible to payback. Chairman Callard said this and all resolutions relating to the solar project will be withdrawn and the project will not be going forward. This will be explained later in the meeting.

Legislator Eick moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 310-916

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$17,353.30	Labella Associates	Prof. Services for Carton Road Bridge Repl. Inv #72371 – 6/18/16- 7/22/16
\$606.60	Labella Associates	Prof. Services for East Scott Road Bridge Repl. Inv #72370 – 6/18/16- 7/22/16
\$380,292.61	Union Concrete & Construction Corp	Work Performed – East Scott Road Bridge Replacement 8/4/16-9/11/16 – Payment #2
\$115,736.85	Crane-Hogan Structural Systems	Work Performed – Carton Road Bridge Repl. 8/14/16-9/13/16 – Payment #4

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 311-916

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT
AND COORDINATED CARE SERVICES INC.**

RESOLVED, that this Legislature approves an agreement between the Highway Department and Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611, for preliminary development of a special financial management software program specifically developed for the Highway Department at a cost of \$7,200; and be it

FURTHER RESOLVED, the agreement is in effect from October 1, 2016 through December 31, 2016; to be paid out of the Road Fund account D5010.418.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 312-916

APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND RYAN PLUMBING HEATING AND FIRE PROTECTION

RESOLVED, that this Legislature approves an agreement between Buildings and Grounds and Ryan Plumbing, Heating and Fire Protection of 11 Comfort St., Rochester, NY 14620, for maintenance of the sprinkler system at the Public Safety Building effective January 1, 2017 through December 31, 2020 for the amount of \$2,034 per year.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 313-916

AWARDING BID AND APPROVING AGREEMENT WITH BUILDINGS AND GROUNDS AND MADER CONSTRUCTION CO. INC, AND AUTHORIZING TREASURER TO SET UP NEW MONEY INTO THE BUILDINGS AND GROUNDS BUDGET

WHEREAS, advertisement for sealed bids occurred to refinish and repair the Public Safety Building exterior stucco and those received were publically opened in the Legislative Chambers on Tuesday, August 23, 2016; now be it

RESOLVED, that this Legislature awards the bid to Mader

Construction Co. Inc. and be it

FURTHER RESOLVED, that this Legislature approves an agreement between Buildings and Grounds Department and Mader Construction, 970 Bullis Road, P O Box 420, Elma, NY 14059 to refinish and repair the Public Safety Building exterior stucco at a cost of \$48,350; and be it

FURTHER RESOLVED, that the Treasurer is authorized to set up new money into the Buildings and Grounds from the Future Infrastructure Reserve as follows:

<u>From:</u>	
Future Infrastructure Reserve	\$48,350
 <u>To:</u>	
A1620.403 Building Projects	\$48,350

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 314-916

APPROVING AMENDED RENEWAL AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 465-1213 approved a five year renewal agreement (Contract # C300357) for the county to clean and maintain the Court Facility; now be it

RESOLVED, that this Legislature approves a one (1) year amended renewal agreement between the Buildings and Grounds Department and NYS Unified Court System, which provides for the county to clean and maintain the Court Facility, Contract #C300357, at a cost of \$155,006 for the period of April 1, 2016 through March 31, 2017, with 100% reimbursement to be made to the county by the state.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 315-916

AWARDING BID FOR PAINTING OF THE EMERGENCY MANAGEMENT FIRE TRAINING FACILITY STAIRS AND APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND CID, LLC

WHEREAS, the Buildings and Grounds Department advertised for sealed RFP's for the painting of the Emergency Management Fire Training Facility Stairs and those received were publically opened in the Legislative Chambers on Monday, September 26, 2016; and now be it

RESOLVED, that this Legislature awards the bid to CID LLC; and be it

FURTHER RESOLVED, that this Legislature approves the agreement with CID LLC, 1645 St. Paul St, Rochester, NY 14621 in the amount of \$13,500 which is to be paid from Emergency Management account A3640.444 - Repairs to Equipment and Property; and be it

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

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 316-916

AWARDING BID FOR ASPHALT ROOF OF THE SECOND FLOOR OF PUBLIC SAFETY BUILDING AND APPROVING CONTRACT BETWEEN BUILDINGS AND GROUNDS AND GROVE ROOFING SERVICES

WHEREAS, Advertisement for sealed RFP's occurred for the new installation of a new asphalt roof on the second floor of the Public Safety Building and those received were publically opened in the Legislative Chambers on Monday, September 26, 2016; and now be it

RESOLVED, that this Legislature awards the bid to Grove Roofing Services; and be it

FURTHER RESOLVED, that this Legislature approves the agreement with Grove Roofing Services, 131 Reading St, Buffalo, NY 14220 in the amount of \$28,750 which \$25,639.27 will be paid from the Capital Infrastructure Project account H5120.253 – County Office Building Roof Replacements and the balance of \$3,110.73 will be paid out of Buildings and Grounds Budget Account A1620.403 – Building Projects; and be it

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

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 317-916

AUTHORIZING THE USE OF FLEX TIME IN JOB DEVELOPMENT

RESOLVED, that this Legislature authorizes the Director of Job Development to utilize Flex Time in Job Development to meet the staffing needs of the department.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 318-916

AUTHORIZING OFFICE FOR THE AGING TO RENEW THE MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA) FUNDING

RESOLVED, that this Legislature authorizes Office for the Aging to renew funding for the MIPPA grant in the amount of \$9,917 to educate and assist Medicare beneficiaries with limited incomes, outreach and assistance with Medicare Part D for beneficiaries in rural areas, and assist with Low Income Subsidy and Medicare Savings Applications effective September 30, 2016 through September 29, 2017, County Cost \$0; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute the grant agreement and all related documents associated with

this grant, subject to review by the County Attorney and Chief Administrative Officer.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 319-916

**APPROVING AGREEMENTS WITH OFFICE FOR THE AGING
OFFICE AND NEW YORK STATE OFFICE FOR THE AGING**

WHEREAS, an agreement must be entered into before NYSOFA can allow subcontractors to create, receive, maintain, or transmit PHI. Because the expansion and enhancement of the NY Connects Program is a joint venture with DOH and therefore involves information which will be deemed PHI, participating AAA's must enter into agreements with NYSOFA prior to participation in the program; now be it

RESOLVED, that this Legislature approves the Memorandum of Agreement and Data Use Agreement between the Office for the Aging Office and the New York State Office for the Aging (NYSOFA) that details the responsibilities of each AAA that administers NY Connects and BIP concerning the use and disclosure of Protected Health Information, and be it

FURTHER RESOLVED, that this MOA and Data Use Agreement will be for a 5-year period of September 1, 2016 to August 31, 2021.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 320-916

**AUTHORIZING OFFICE FOR THE AGING TO PARTICIPATE IN A
GRANT WITH LIFESPAN OF GREATER ROCHESTER**

WHEREAS, that the purpose of this funding is to establish or enhance local community capacity and programs for caregiver support for people caring for someone with Alzheimer's disease/dementia; now be it

RESOLVED, that this Legislature does authorize the Director of Orleans County Office for the Aging to apply for a grant from LIFESPAN

of Rochester through the Finger Lakes Alzheimer's Caregiver Institute grant, for \$6,000 from July 1, 2016 to December 31, 2016 at no county cost; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Finger Lakes Alzheimer's Caregiver Institute Grant agreement with Lifespan of Rochester for the Orleans County Office for the Aging subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 321-916

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Albion Central School, Albion, NY 14411 a renewal agreement for the provision of preventive services to children and families through the assignment of two(2) Social Services Caseworker to the School District; to be effective August 30, 2016 through August 29, 2017. Said services are to be funded 50% Federal, 31% State, and 19% School.

LexisNexis, a division of RELX, Inc, PO Box 933, Dayton, OH 45401 to provide legal research tools to the County Attorney and three (3) support staff effective October 3, 2016 through November 30, 2019 at total cost of \$2,893.08, a 45% reduction in cost from previous years. Early termination addendum included. County cost \$946.03.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 322-916

AUTHORIZING PURCHASE FOR DEPARTMENT OF SOCIAL SERVICES FOR CONTINUING OPERATIONS ON THE HUMAN SERVICES ENTERPRISE NETWORK

WHEREAS, New York State Information Technology Services has let it be known that they will no longer administer, manage, maintain or refresh the current File and Domain Control servers infrastructure past their general life cycle at the county level; and

WHEREAS, New York State Information Technology Services has recommended that the counties provide member servers for their continuing operations of local storage and print capabilities; now be it

RESOLVED, that this Legislature authorizes the purchase of one (1) server and accessory equipment from CDW-G, 75 Remittance Drive, STE 1515; Chicago, IL 60675-1515 for the HSEN Member Server purchase in the amount of \$6,942.59 (PO# 57790) to be paid from the Department of Social Services budget account A6010.220 – Hardware Upgrade and Maintenance and will minimize data loss, maximize data transfer capabilities and provide backup and failover tolerances, providing greater fault tolerance and user accessibility.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 323-916

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE VETERANS DEPARTMENT BUDGET

RESOLVED, that the Treasurer is authorized to transfer funds into the Veterans budget for continued veteran service officer training and events/conferences.

<u>From:</u>		
A1990.435	Contingency Fund	\$800
<u>To:</u>		
A6510.462	Mileage	\$800

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 324-916

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up new money into the Mental Health Budget to pay Buildings and Grounds for building a new office:

<u>From:</u>	
Miscellaneous Reserve	\$434.50
<u>Appropriation:</u>	
A4310.405	Building Project
	\$434.50

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator Allport requested people to step forward to serve on the Community Services Board if interested. The Community Services Board oversees the Mental Health Association, the Mental Health Department and GCASA, ARC of Orleans and is a very critical committee to our county. If interested to please contact the Orleans County Mental Health Department.

RESOLUTION NO. 325-916

APPROVING REAPPOINTMENT TO THE MENTAL HEALTH SUBCOMMITTEE

RESOLVED, that this Legislature approves the reappointment of Marilyn Thurston to the Mental Health Subcommittee, waiver to serve a fifth term to begin September 11, 2016 and ending September 10, 2020.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 326-916

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Bogan & Tuttle Funeral Home, 226 Pearl St., Medina NY 14103 to provide transport services for deaths in Orleans County, contract amounts remain the same at \$150 per removal and \$1.50 per mile. County Cost is 100%. Contract to run from July 1, 2016 through December 31, 2017.

Value Payment Systems, LLC, 2207 Crestmoor Rd, Ste 200, Nashville, TN 37215 for a payment service provider specializing in hosted electronic payment products and services. This will enable the Orleans County Health Department to use a full service, compliant, payment acceptance credit card terminal that meets our business needs. Contract to run from August 1, 2016 through July 31, 2019. County cost \$0.

Building Blocks Comprehensive Services., Inc., 275 Parrish St., Ste A, Canandaigua, NY 14424 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 at the Orleans County Health Department. Reimbursement at 59.5% from NYS Department Of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement effective July 1, 2016 through December 31, 2019.

Agri-Business Child Development ABCD Holley-Grace's Place, Maziarz Dr., Holley, NY 14470 a Memorandum of Agreement to establish the responsibilities of OCHD and Head Start relative to services for infants and toddlers who are suspected of, at risk for, or are diagnosed as having disabilities. Both OCHD and Head Start support the right of all infants and toddlers with disabilities to receive free and appropriate services including all necessary evaluations, early intervention, and related services which parents request, in accordance with state and federal statutes and regulations effective October 27, 2016 through October 26, 2017.

Bright Beginnings Therapy Services OT PT SLP PLLC, 5205 Oakwood Dr., North Tonawanda, NY 14120 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 at the Orleans County Health Department. Reimbursement at 59.5% from NYS Department of Health. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid Reimbursement effective September 1, 2016 through August 31, 2019.

Rochester Hearing and Speech Center, 1000 Elmwood Ave., Rochester, NY 14120 to provide appropriate related service for Orleans County preschool students with disabilities through the delivery of preschool special education related services within the 3-5 program at the Orleans County Health Department. Reimbursement at 59.5% from NYS Department of Health. Orleans County Department of Health is responsible for 40.5% of from which we receive some Medicaid reimbursement effective March 1, 2016 through December 31, 2019.

Intermunicipal Agreement with Monroe County, 111 Westfall Rd, Room 962C, Rochester, NY 14620 to provide lab services when testing is needed for lead level investigations effective August 1, 2016 through July 31, 2017. Contract amount not to exceed \$8,000. Reimbursement from State Aid. County Cost \$0.

Genesee ARC (Paratransit Services) at 64 Walnut St., Batavia, NY 14020 to extend existing agreement (Res No. 310-915) through October 31, 2016 in providing busing for eligible children who reside in Orleans and Genesee Counties. Group 1 is approximately 100 children x \$53.13 per child within Orleans/Genesee Counties (\$5,313). Group 2 is approximately 10 Orleans county children x \$293.61 (\$2,939.20) per round trip with \$6.98 per each additional child. Base price is \$6,799.87, as per fee schedule (attached). Re-imbursement at 59.5% from State Education. Cost to county 40.5%.

Moved Allport, second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 327-916

AUTHORIZING SETTING UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, an agreement has been approved between the Orleans County Health Department and the Greater Rochester Health Foundation on August 15, 2016 to enhance the infrastructure of the Wellness Center; now be it

RESOLVED, that the Orleans County Treasurer is authorized to set up new monies in the Public Health Department budget as a result of the said award in the amount of \$3,528 as follows:

Revenue:
A1606 Greater Rochester Health Foundation \$ 3,528

Appropriations:
4010.478 Health Promotional Supplies \$ 3,528

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator Allport moved to introduce Local Law No. 2 Intro of 2016 by setting the date of a public hearing for amending Local Law No. 2 of 1988 and establishing the salaries of Elected County Coroners. Legislator DeRoller seconded the motion and felt it was a very good move on the boards part to establish this structure. The following resolution was adopted:

RESOLUTION NO. 328-916

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 2-INTRO OF 2016 REGARDING AMENDING LOCAL LAW NO. 2 OF 1988 AND ESTABLISHING THE SALARIES OF ELECTED COUNTY CORONERS

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1988 AND ESTABLISHING THE SALARIES OF ELECTED COUNTY CORONERS”; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now therefore, be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 26th day of October 2016 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Albion, New York.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator DeRoller moved to approve an agreement with NYS DOS for the Kendall-Yates-Carlton Local Waterfront Revitalization Plan Update. Legislator DeRoller explained that this is a great planning tool which covers 24 miles of shoreline. This is a total of an \$80,000 project among the three collaborating municipalities and Orleans County. Legislator Allport seconded the motion. The following resolution was adopted:

RESOLUTION NO. 329-916

APPROVING AGREEMENT WITH NEW YORK STATE
DEPARTMENT OF STATE FOR KENDALL-YATES-CARLTON
LOCAL WATERFRONT REVITALIZATION PLAN UPDATE

WHEREAS, the Kendall-Yates-Carlton Local Waterfront Revitalization Plan (KYC LWRP) was drafted more than twenty years ago and is in need of revision to reflect current waterfront conditions and land use objectives; and

WHEREAS, the County applied for, and received notice of a State grant award to facilitate said update of the KYC LWRP on behalf of the host municipalities; be it

RESOLVED, that this Legislature approves an agreement with the New State Department of State for funding of \$40,000 toward the KYC LWRP update, to be matched by an equal local share consisting of \$30,000 in-kind services by the Department of Planning and Development and \$10,000 cash.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 330-916

AUTHORIZING THE FILING OF AN APPLICATION FOR STATE
ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE
(HHW) STATE ASSISTANCE PROGRAM AND THE SIGNING OF
THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER
THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Orleans, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ORLEANS

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF ORLEANS or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

Moved, DeRoller; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 331-916

AUTHORIZING ATTENDANCE AT OUT OF STATE TRAVEL SHOWS FOR TOURISM PROMOTIONS

September 28, 2016
Resolutions 310-352

RESOLVED: that this legislature hereby authorizes attendance at the following trade and travel shows, to be paid from account A6410.468-Tourism, I Love New York except as noted:

West Virginia Trophy Hunters Sports Show, Charleston, West Virginia, January 19-23, 2017 to be attended by Mike Waterhouse

Great American Outdoor Show, Harrisburg Pennsylvania, February 3-12, 2017 to be attended by Mike Waterhouse. Total cost to be paid for by Lake Ontario Sportfishing Promotions Council.

Allegheny Outdoor, Sport and Travel Show, Monroeville Pennsylvania, February 16-19, 2017 to be attended by Mike Waterhouse. Total cost to be paid for by Lake Ontario Sportfishing Promotions Council.

Lancaster Fly Fishing Show, Lancaster, Pennsylvania, March 3-5, 2017 to be attended by Mike Waterhouse.

Virginia Fly Fishing and Wine Festival, Doswell, Va. March 7-10, 2017 to be attended by Mike Waterhouse. Total cost to be paid for by Lake Ontario Sportfishing Promotions Council.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 332-916

AUTHORIZING TREASURER TO PLACE ADVERTISEMENT REGARDING UNPAID TAXES

RESOLVED, that pursuant to a request from the County Treasurer, this Legislature authorizes the placement of a notice in the Lake Country Pennysaver notifying the delinquent taxpayers that failure to pay their 2016 taxes will result in the County filing a tax lien against said property as required by New York State Real Property Tax Laws.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 333-916

**AUTHORIZING REIMBURSEMENT TO PROBATION DIRECTOR
FOR CELL PHONE USAGE**

RESOLVED, that this Legislature authorizes payment from the Probation Department budget, for the Director of Probation to be partially reimbursed for cell phone charges, incurred in conducting daily business, in the amount of \$50.00 per month effective August 1, 2016 through July 31, 2021.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 334-916

**APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY
SHERIFF'S OFFICE AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves the following agreements with the Orleans County Sheriff's Department:

County of Niagara/Niagara County Sheriff's Office Forensic Laboratory, 5526 Niagara Street Ext., Lockport, NY 14095, a three year agreement for forensic services for period January 1, 2017 through December 31, 2019, as follows: 2017 - \$14,850; 2018 - \$16,335; 2019 - \$17,969 to be paid in two installments per year, plus \$50 per hour for expert testimony to be paid at completion of testimony.

Ariel Strickland, Orleans County Animal Control Officer, for compensation to the Animal Control Officer for collection and preparation of rabies specimens at a rate of \$25 per specimen for contract period August 25, 2016 through December 31, 2017.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 335-916

**APPROVING A RENEWAL AGREEMENT BETWEEN THE
SHERIFF'S OFFICE AND NYS UNIFIED COURT SYSTEM**

WHEREAS, Resolution No. 26-115 approved a five-year agreement between the Sheriff's Office and the New York State Unified Court System to reimburse the county for security personnel assigned to the county courthouse; now be it

RESOLVED, that this Legislature approves a one year renewal with the New York State Unified Court System and the Orleans County Sheriff's Office for Contract No. UCS05-C200493-5000284, with a maximum monetary reimbursement amount not to exceed \$326,000 for the third period commencing April 1, 2016 through March 31, 2017.

Moved, DeFilippis; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 336-916

APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE AND THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

WHEREAS, this Legislature, in Resolution No. 214-516, had authorized the Orleans County Sheriff's Office to apply to the New York State Governor's Traffic Committee, 6 Empire State Plaza, Albany, NY 12228, for safety grant funding; now be it

RESOLVED, that this Legislature accepts the 2016-2017 Child Passenger Safety Grant (CPS-2017-Orleans Co. SO-00124-(037) award in the amount of \$1,400 for funding period October 1, 2016 through September 30, 2017, to be used for registration costs to certify three new CPS technicians and for purchase of supplies; and be it

FURTHER RESOLVED, that this Legislature accepts the 2016-2017 Police Traffic Services Grant (PTS-2017-Orleans Co. SO-00234-(037) award in the amount of \$8,280 for funding period October 1, 2016 through September 30, 2017 to be used for traffic enforcement to increase seat belt usage and reduce dangerous driving behaviors.

Moved, DeFilippis; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 337-916

APPROVING AGREEMENT WITH THE SHERIFF'S OFFICE AND
NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE
SERVICES

WHEREAS, New York State Senator Robert Ortz has secured state funding in the amount of \$10,000 for the Orleans County Sheriff's Office for use in Public Protection Initiatives; now be it

RESOLVED, that this Legislature authorizes the Chairman to execute an agreement with the New York State Department of Criminal Justice Services for the acceptance of this grant money upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 338-916

AUTHORIZATION TO ACCEPT GRANT FROM NYS DIVISION
OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR
THE ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, the NYS Division of Homeland Security and Emergency Services has informed the Orleans County Sheriff's Department that they have been awarded \$134,049 under the New York State 2016-2017 Public Safety Answering Points Operations Grant Program (2016-17 PSAP Grant); now be it

RESOLVED, that this Legislature authorizes the Chairman to accept the grant and electronically sign e-grant agreement PS16-1036-D00; contract #198600 in the amount of \$134,049 for reimbursement of costs related to public safety call-taking and dispatching expenses for calendar year January 1, 2017 through December 31, 2017.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 339-916

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
SHERIFF'S OFFICE BUDGET

WHEREAS, Legislative Resolution No. 213-516 approved the 2016 Marine Patrol Grant Agreement, Contract #C010369, between the NYS Canal Corporation and the Sheriff's Office, for the contract period of April 1, 2016 and March 31, 2017; be it now

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

Revenue:

A3781	NYS Canal Corporation-Marine Patrol Grant 2016	\$8,000
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Appropriation:

3110.100	Personal Services	\$8,000
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Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 340-916

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S OFFICE BUDGET AND AUTHORIZING PURCHASE OF MOBILE DATA TERMINALS FROM THE SHERIFF'S BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up DHSES-Homeland Security/SLETPP (LE16) grant funds as follows:

Revenue:

A4308.5316	State Law Enforcement Terrorism Prevention Program (SLETPP)	\$26,250
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Appropriation:

A3110.486.5316	Special Grants/SLETPP2016	\$26,250
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FURTHER RESOLVED, to authorize the purchase of six mobile data terminals from Island Tech Services, 980 S. 2nd Street, Ronkonkoma, NY 11779, at a cost of \$24,024 to be paid from Sheriff Budget account A3110.486.5316 – Special Grants/SLETPP FY 2016.

Moved, DeFilipps; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator DeFilipps moved to accept donations for the K-9 Fund and set up money in the budget to approve the purchase of our new K-9 German Sheppard which he is looking forward to Otto's arrival in a couple of weeks; second by Legislator DeRoller. Chairman Callard asked where the dog is coming from. Sheriff Bower reported that the dog will be arriving from Holland through Upstate K-9. He will be primarily trained and on the job immediately for tracking and further training will then occur. The following resolution was adopted:

RESOLUTION NO. 341-916

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF'S OFFICE'S K-9 FUND AND SETTING UP NEW MONEY IN AND APPROVES PURCHASE FROM THE SHERIFF'S OFFICE BUDGET

WHEREAS, the Orleans County Sheriff's Office wishes to extend its sincere thank you to everyone who has generously donated to our department's K-9 Unit; be it

RESOLVED, that this Legislature accepts the recent donation through the 2016 Walmart Foundation Community Grant Program, in the amount of \$2,500, from Walmart Community Grants Team and Facility #3607, 13858 Route 31, Albion, New York, to be used in establishing and assisting the Orleans County Sheriff's Office K-9 Unit; and be it

FURTHER RESOLVED, that this Legislature accepts additional donations received from community members and local businesses to also be used in establishing and assisting the Orleans County Sheriff's Office K-9 Unit; now be it

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

<u>Revenue:</u>		
A2705	Gifts & Donation	\$9,465
<u>Appropriation:</u>		
A3110.499	K-9 Unit	\$9,465

FURTHER RESOLVED, that this Legislature approves the purchase agreement of a canine (German Shepherd) from Upstate K-9, LLC, 2222 Brick Schoolhouse Road, Hilton, NY 14468 in the amount of \$8,500.00 to be paid from Sheriff's Budget Account A3110.499 K-9 Unit.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 342-916

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE STOP-DWI FOUNDATION

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to the New York State STOP-DWI Foundation, Inc., 414 Fairview Avenue, Hornell, NY 14843, for Crackdown Grant Funding for 2016-2017. Grant funds would provide the Sheriff's Office, and other local law enforcement agencies, to participate in increased STOP-DWI patrols during peak holiday periods throughout the year. Grant period to be October 1, 2016 through September 30, 2017.

Moved DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 343-916

AUTHORIZING THE SHERIFF TO APPLY FOR PARTICIPATION IN THE 1033 FEDERAL EXCESS PROPERTY PROGRAM

RESOLVED, that this Legislature authorizes the Sheriff to submit an application for participation in the 1033 Federal Excess Property Program, a program that allows law enforcement agencies to acquire excess military equipment and property in authorized transfers from the Department of Defense; and be it

FURTHER RESOLVED, that acquisition of property will require the approval of the Chief Administrative Officer.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 344-916

AUTHORIZING FILLING OF VACANCY IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Work Experience Crew Leader position (3110.63) in the Sheriff's Office at an hourly rate of \$12.76/hour, effective September 29, 2016.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 345-916

AUTHORIZING DISTRICT ATTORNEY TO ACCEPT THE STATE AID TO PROSECUTION GRANT RENEWAL WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the District Attorney has previously obtained several grants for State Aid to Prosecution with the Division of Criminal Justice Services; and

WHEREAS, an application has been submitted to renew said State Aid to Prosecution grant for the year October 1, 2016 through September 30, 2017; now be it

RESOLVED, that the District Attorney is authorized to accept the renewal of the State Aid to Prosecution Grant (e-grant #AP16-1036-D00) in the amount of \$29,200, with the Division of Criminal Justice Services to provide vital resources to the DA's Office to support the enhanced prosecution of violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 346-916

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2016 Grant Funds for Physical Security Enhancements at the County Mental Health Complex at a cost not to exceed \$40,000 and to purchase IT tablets and accessories at a cost not to exceed \$10,000, in accordance to DHSES grant guidelines; and be it

FURTHER RESOLVED, that this Legislature approves setting up FY 2016 Homeland Security Grant Funds as follows:

Revenue

A4309.2016	State Homeland Security Grant Program	\$50,000
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Appropriation

3640.486.2016	Special Grants- SHSP FY16	\$50,000
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Moved DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 347-916

APPROVING AGREEMENT BETWEEN THE OFFICES OF DISTRICT ATTORNEY AND ORLEANS COUNTY ATTORNEY

WHEREAS, Resolution No. 409-1007 authorized the District Attorney to handle and prosecute juvenile delinquency proceedings and further authorized an agreement between the offices of the County Attorney and District Attorney; be it

RESOLVED, that this Legislature approves a renewal agreement between the offices of County Attorney and District Attorney for attorney and staff services in handling juvenile delinquency proceedings in the amount of \$11,025 for the 2016 calendar year.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 348-916

APPROVING AN AGREEMENT EXTENSION BETWEEN COUNTY OF ORLEANS AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

WHEREAS, Verizon Wireless requires an agreement with apple for I-phones; now be it

RESOLVED, that this Legislature approves a renewal on a master price agreement (contract #1907) between Orleans County and Cellco Partnership, d/b/a Verizon Wireless, 8350 East Crescent Pkwy, Greenwood Village, CO 80111 under Western States Contracting Alliance cooperative contract renewing through April 10, 2019 which covers wireless services of I-phones for use by state agencies authorized under individual states statutes to utilize state/entity contracts.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 349-916

APPROVING RENEWAL AGREEMENT BETWEEN PROACT, INC. AND THE COUNTY OF ORLEANS

WHEREAS, Resolution No. 209-609 approved an agreement with ProAct, Inc. to provide Prescription Discount Card Program services to the residents of Orleans County at no cost to the taxpayers of Orleans County; now, be it

RESOLVED, that this Legislature does hereby authorize a renewal agreement with ProAct Inc, 6333 Route 298, East Syracuse NY 13057 and the County of Orleans to extend the Prescription Discount Card Program to the residents of Orleans County, with no county cost effective September 1, 2016 through August 31, 2021.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator DeFilipps withdrew the following three resolutions:

- DESIGNATING THE COUNTY OF ORLEANS AS LEAD AGENCY FOR PROPOSED SOLAR POWER PROJECT AND ISSUING NEGATIVE DECLARATION FOR SEQRA
- A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A SOLAR POWER PROJECT, IN AND FOR THE COUNTY OF

ORLEANS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$3,912,504 AND AUTHORIZING THE ISSUANCE OF \$3,912,504 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

- AUTHORIZING NOTICE TO PROCEED FROM ORLEANS COUNTY TO WENDEL TO BEGIN PROJECT DESIGN PHASE FOR THE SOLAR POWER PROJECT AND AUTHORIZING PAYMENT FOR INTERCONNECTION STUDY FEES

Chairman Callard requested Chuck Nesbitt, CAO, to provide an explanation as to why we are withdrawing these resolutions. Mr. Nesbitt explained that a feasibility study was completed by Wendel to examine the possibility of developing a solar farm. We went through the process of examining all of the factors that currently were in play through NYSERDA incentives - the ability to do remote metering and sell back power to the grid essentially for credits against our bill. What we found out in discussions with other counties involved in these projects, along with the Executive Director of NYSAC and representatives from Solar City was that entities that are attempting to do this type of work in National Grid territory are finding that it could be up to eighteen months to get hooked up and that the fees are much higher (fees for the interconnection) and this is under question. Chuck had a conversation with Oswego County Administrator Phil Church which they have had two such projects on the table which are not county owned projects, owned by Solar City, which they have had extensive issues getting National Grid to commit to a day to be connected. So the problem is that if we are unsuccessful in getting the connection done by December 31, 2017, all of the numbers on which this project is predicated, a \$2.5 million benefit to the taxpayer in Orleans County and the ability to minimize the cost of electricity for county operations go out the window. We would then be stuck with the lack of ability to receive credits back on our bill. Mr. Nesbitt stated that in his mind after having several conversations, he is not recommending this project to this board. If some change occurs in the public service commission in the policing of National Grid, which has been in bad faith compared to what the law states, then we could look into it further.

Chairman Callard added that we are not going to take any risk in this project. The difference here could be if we pursue a vendor the risk could be on them. He said we would continue to explore it, but only if it is in the best interest of the county. It is a disappointment but in attending the

recent NYSAC meeting and hearing all of the discussion and investigating since, we know it would not be a good decision to move forward.

The following resolutions were adopted:

RESOLUTION NO. 350-916

AUTHORIZING PAYMENT OF CLAIMS FOR OCTOBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 October 12, 2016:

Fund/Department	Check Number (s):	Amount:
General	5610-5805	\$594,576.83
Highway	839-846; 1949-1986	\$57,397.97
Job Development	2209-2212	\$1,239
Self Insurance	57345-27346	\$18,089.06

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 Superintendent of Highways, 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 October 26, 2016:

Fund/Department	Check Number (s):	Amount:
General	5829-5958	\$448,443.90
Highway	847-854; 1987-1997	\$193412.45
Job Development	2217-2230	\$15,658.08
Self Insurance	1121, 57390	\$122.15

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

The following add on resolutions were adopted:

RESOLUTION NO. 351-916

**APPROVING PURCHASE OF TABLES AND CHAIRS FOR THE
COUNTY OFFICE BUILDING CONFERENCE ROOMS FROM THE
OFFICE FOR THE AGING AND DEPARTMENT OF SOCIAL
SERVICES BUDGETS**

WHEREAS, due to safety concerns with broken chairs and old tables, there is a need to replace these in our conference rooms at the County Office Building; now be it

RESOLVED, that this Legislature approves the purchase of eight (8) 30"x 96" and two (2) 30"x72" Berco Sense tables with folding t-legs and casters from Fairway Holdings Inc, dba Berco Furniture Solutions, c/o LB's Furniture Solutions, 1120 Montrose Ave, St. Louise, MO 63104 under NYS Contract #PC66564 in the amount of \$5,438.68; \$4,476.80 (PO57739) to be paid from Office for the Aging Account A6772.486 – Special Grants and \$961.88 (PO57792) to be paid from Social Services Administration Account A6010.210 – Furniture and Furnishings; County cost \$384.75 and rest covered by BIP Grant; and be it

FURTHER RESOLVED, that this Legislature approves the purchase of forty (40) Jay series multipurpose stackable sled base chairs, #JA233, from Seating Inc, c/o LB's Furniture Solutions, 60 N. State St., Nunda, NY 14517 under NYS Contract PC66323 in the amount of \$7,173.60 (PO57740) to be paid from Office for the Aging Account A6772.486 – Special Grants; covered 100% by BIP Grant.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator DeRoller moved to approve an agreement with LaBella for engineering services at the County Marine Park for electric at the docks; second by Legislator Allport. Mr. Nesbitt added that LaBella will prepare a full design for preparations for Bids for a total electrical overhaul. Legislator DeRoller stated that this will allow a total redesign to get a state of the art network. Mr. Bensley, Marine Park Manager, stated that boat

owners much anticipated this to happen. Over the last couple of years they have had sporadic outages and shifting boats around to get power to them. The system is aging and not sure of the extent of the problem and with this study it will allow them to move forward and could rectify these problems for a very long time. The following resolution was adopted:

RESOLUTION NO. 352-916

APPROVING AGREEMENT BETWEEN PLANNING AND DEVELOPMENT AND LABELLA ASSOCIATES, D.P.C. FOR ENGINEERING SERVICES AT COUNTY MARINE PARK AND AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE MARINE PARK BUDGET

WHEREAS, the County seeks to determine replacement options for the deteriorating shore power electrical system for finger docks at the County Marine Park as part of Phase 2 of the Marine Park capital improvements program; and

WHEREAS, engineering services are required to evaluate existing electrical infrastructure to determine the extent of work that would be required, identify alternatives for expanding related services for boaters, and to prepare construction documents suitable for bidding by contractors and verifying; be it

RESOLVED, that this Legislature authorizes an agreement for said services between the Planning and Development Department and LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, New York 14614 in the amount of \$22,820 to be paid from Marine Park Account A7180.418 (Other Contractual Expenses); and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to set up new money in the Marine Park budget to cover said cost as follows:

<u>From:</u>	
Future Infrastructure Reserve	\$22,820

<u>To:</u>		
A7180.418	Other Contractual Expenses	\$22,820

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Treasurer Heard reported on our financial status. She stated that things look good financially and she had an exit audit meeting today with EFP and overall everything looks good.

Legislator Eick moved to enter into executive session at 5:05 p.m. per Open Meetings Law §105 to discuss a real estate transaction pending legal action and employment history of a person, second by Legislator Miller. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:30; second by Legislator DeFilipps. Motion Carried.

With there being no further business, Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:30 p.m.

LEGISLATURE MEETING

October 26, 2016

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Richard A. Ball Commissioner of New York State Agriculture and Markets has certified Orleans County Agricultural District No. C-1 and has determined that it will be up for its next review on or before December 2, 2024. Town of Somerset will be holding a Public Hearing on November 9, 2016 at 6:30 p.m. at their Town Hall on the adoption of a proposed Local Law which repeals Article XXII entitled, “Small Scale Solar Energy System” and replaces it with a new Article XXII entitled “Solar Energy Systems”. Three hundred fifty-eight (358) letters were received from concerned Kendall residents and School employees who are requesting a review of the 50 mph speed limit in front of the Kendall Jr/Sr. High School and are requesting the support of their Legislators to help their mission to have the speed limit lowered for safety reasons. Hospice of Orleans County is requesting a banner be hung at Courthouse Square for National Hospice and Palliative Care Month. They wish to have this 2.5’ x 10’ banner hung from November 1, through November 15th. Girl Scouts of WNY are requesting that the Courthouse Cupola be lit in green for March 12, 2017 in honor of the 100th Anniversary of the Girl Scouts Cookie program and their Birthday. (Buildings and Grounds confirmed that they can accommodate this request) The Board approved both of these requests.

Legislator DeRoller commented on receiving letters from the Kendall Central School District. He stated that this board will define the next steps in the process to help support the schools request for assistance in reducing the speed limit. Legislator DeRoller stated that according to the records of the Orleans County Sheriff’s Office there have been nineteen reported accidents on Rt. 18 between Kendall and Norway Roads. He indicated that the current speed limit is 50 mph which we hope to have reduced in this school speed zone along with some lane sight issues. He requested support of all of the Legislators in honoring this request. Chairman Callard questioned if this gets referred to the Highway Superintendent, Jerry Gray, Orleans County Highway Superintendent advised that the request should go directly to New York State Department of Transportation. Chairman Callard suggested that a resolution

supporting this speed reduction be composed and brought back to the November meeting.

Susan Heard, Treasurer, handed out her report and said it looked pretty good. She said the sales tax is a little sluggish and encouraged people to shop local during the holiday season. Legislator DeFilipps stated that the majority of the county is down, Treasurer Heard said we are not alone in that mix. Legislator DeRoller stated that NYSAC reported that 31 of our 62 counties are down in sales tax revenues. Chairman Callard stated that the growth is being seen in NYC.

Before Chairman Callard called for open discussion as it related to the resolutions, he wanted to speak of Niagara Legislative Chairman McNall's recent visit and after our efforts of consolidating our Ag Districts they took it to their county who now, after requesting information from our county, are looking to pursue consolidating their Ag districts. He said the benefits of visiting our neighboring counties shows in the power of our regional alliance. Chairman Callard asked Legislator Johnson to report on the recent initiative NORA is pursuing. She explained the long term planning of regional dredging of our harbors. Back in 2014 money was given to our Planning Department to establish a regional dredging plan for our harbors. She said at that point they had not dredged in nearly ten to fifteen years. Luckily within the past two years, our Oak Orchard River was dredged, however many of the tributaries going off of Lake Ontario have not been dredged. Along Lake Ontario there were seven counties that are interested in setting up an organization that would periodically make a circular tour and dredge our harbors. Orleans, Niagara and Wayne counties have been active in meeting with our state legislators, and were initially part of the 2014 plan. A meeting was held yesterday with NYS Department of State indicating a grant may be available to move forward with dredging. Legislator Johnson stated that we are dusting off the plan and taking it to the next level. She concluded, like Chairman Callard has always said, that working together with neighboring counties, it makes our voices louder.

Chairman Callard stated that he has spoke with Chairman McNall from Niagara County today and will be meeting soon to go over our next steps. Wendel Engineering will be assisting us with a grant application. He indicated that we have never had a systemization and we were always at the mercy of the Army Corp of Engineers. With our Regional Alliance, we have the capability to get a systemized plan moving forward.

Legislator Eick announced the ribbon cutting opening of the East Scott Road Bridge this morning in the Town of Ridgeway. Chairman Callard stated that this completes our projects for this year. Highway Superintendent Gray indicated that we completed two bridges and two culverts. Chairman Callard announced that in 2017 our own employees will be building our own culverts, which is one of the benefits of the new build at our Highway Department to house that operation.

Paul Lauricella, Yates, questioned the approval of the annual inspection of the emergency management towers (Res No. 277). He asked with it being a fixed structure why does it have to be done on a yearly basis because of the expense of \$11,900. Chairman Callard credited him for the idea he shared about annual maintenance checks. Chairman Callard stated his idea has saved the county thousands of dollars because of these yearly maintenance checks. CAO Nesbitt indicated that there is a lot of expensive equipment on these structures and we need to make sure the structures can continue to support the equipment. The cost is higher this year because we have more towers to inspect.

Dale Banker, Director of EMO, added that our tallest 485 foot tower needs to be physically climbed and is re-lamped based on FAA regulations which is our biggest cost. This is our first cycle of inspections since the new system went on line two years ago therefore we have three new towers. Checking the bolts and cables is well worth the cost. Kevin Doherty stated that one of the microwave dishes on the tower in Medina was loose and an inspection was not done because we were still under warranty. The cost of that one visit could have been just under \$5,000. We only have one tower that has lights (The Bo Jackson Tower) and if these lights go out we are under the gun by FAA to have them replaced. It is really expensive to climb this tower in bad weather and the fine is \$10,000 per day after the grace period runs out. We want to keep those costs under our control by spending them up front by doing the inspections rather than having the cost out of our control for not being proactive. We also do not want to put our emergency services communications network at risk, it all works together explained Mr. Doherty.

The following resolutions were presented for adoption:

RESOLUTION NO. 353-1016

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$169,898.17	Union Concrete & Construction Corp.	Work Performed - East Scott Road Bridge Replacement 9/12/16-10/16/16 – Payment #3

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

RESOLUTION NO. 354-1016

AUTHORIZING PURCHASES FROM THE HIGHWAY DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) Coates Tire Machine changer from Advanced Auto Parts, AAP Financial Services, P.O. Box 742063, Atlanta, Georgia 30374-2063 for a total of \$7,595 to be purchased off of US Communities, Contract #1101149; to be paid from the Road Machinery Fund-Machine Maintenance account #DM5130.270 – Capital Equipment and #DM5130.414 – Tires and Batteries; and be it

FURTHER RESOLVED, that this Legislature authorizes the Highway Department to purchase guardrail parts for multiple bridge locations from Elderlee, Inc., 729 Cross Road, Oaks Corners, NY 14518 for a total of \$21,446.17 to be purchased off of NYS OGS Contract #PC66722; to be paid from Bridges Road Fund account #D5120.470 – Capital Construction Projects.

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

Legislator Eick moved for the Highway Department to purchase hydraulic power system power pack tools. Highway Superintendent Gray was asked to explain the need for this purchase. Mr. Gray stated that it does multiple things. It will help with our post pounder for our sign truck because the current pounder has failed. Mr. Gray further explained that it will come into play when they are building their concrete culverts in the fall and also

use it down below when they need to fasten panels and forms to our old culverts, or by drilling concrete and core. The following resolution was adopted:

RESOLUTION NO. 355-1016

AWARDING AND AUTHORIZING THE HIGHWAY DEPARTMENT TO ACCEPT BID PROPOSAL FOR PURCHASE OF RHINO HYDRAULIC POWER SYSTEM POWER PACK TOOLS

WHEREAS, on October 18, 2016 the Highway Department requested bid proposals for Rhino Hydraulic Power System Power Pack Tools, and be it

RESOLVED, that this Legislature authorizes the Highway Department to purchase Rhino Hydraulic Power System Power Pack Tools from JC Smith Inc, 965 Buffalo Rd, Rochester, NY 14624 at a total cost of \$27,794 (PO 53686); to be paid from Bridges – Road Fund account #D5120.470 – Capital Construction Projects.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 356-1016

APPROVING AGREEMENT BETWEEN OFFICE FOR THE AGING AND HOME LEASING LLC

WHEREAS, the Office for the Aging in support of the Holley Gardens Project in the old Holley High School, must enter into a Housing/Services Agreement to acknowledge a partnership to occur for this project to fulfill the requirements of the HTFC Funding Commitment; now be it

RESOLVED, that this Legislature authorizes the Office for the Aging to enter into a Housing/Services Agreement between Orleans County Office for the Aging and Home Leasing, LLC/Save Holley High LLC, which shall commence on August 1, 2018, or the scheduled completion of construction date to work to provide support services to residents of the project with special needs through Office of the Aging programming.

October 26, 2016
Resolutions 353-381

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

RESOLUTION NO. 357-1016

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and Kendall Central School, Kendall, NY for the provision of preventive services to children and families through the assignment of one(1) Social Services Caseworker to the School District; to be effective August 30, 2016 through August 29, 2017. Said services are to be funded 50% Federal, 31% State, and 19% School; and be it,

FURTHER RESOLVED, that this Legislature does hereby approve the following new agreement between the Orleans County Department of Social Services and Homeless Alliance of Western New York, for the provision of entering information into a secure data base to alleviate homelessness; to be effective November 1, 2016 through October 31, 2017.

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

RESOLUTION NO. 358-1016

**AUTHORIZING FILLING VACANCY IN THE MENTAL HEALTH
DEPARTMENT**

RESOLVED, that this Legislature authorizes the filling of a Clinic Therapist position (Position No. 4310.10) in the Mental Health Department at Grade 22 of the CSEA Salary Schedule, effective October 27, 2016.

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

RESOLUTION NO. 359-1016

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up new money into the Mental Health Budget for Kids HIT Funding:

<u>Revenue:</u>		
A3490	Mental Health	\$49,850
<u>Appropriation:</u>		
A4310.220	Office Equipment	\$49,850

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

RESOLUTION NO. 360-1016

AUTHORIZING PURCHASE FOR MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the purchase of five (5) Dell Latitude E7470 Laptops, five (5) Dell E-Port Replicators, five (5) Microsoft Desktop 400 Wired Keyboard/Mouse sets, and five (5) Dell E1916H 19" Monitors at a cost of \$6,358.90, from CDWG, 75 Remittance Dr, Suite 1515, Chicago, IL 60675-1515 all to be paid from Health Information Technology grant monies issued by the New York State Department of Mental Health. County Cost \$0.

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

Legislator Allport moved to approve cellular phone use agreements for Mental Health; second by Legislator DeRoller. Chairman Callard stated an implication maybe realized that everybody gets cell phones in respective departments, which is not true. Mark O'Brien, Director of Mental Health, indicated that these will be carried by the therapists that are assigned to the school satellite locations. The following resolution was adopted:

RESOLUTION NO. 361-1016

**APPROVING CELLULAR PHONE USE AGREEMENTS FOR
MENTAL HEALTH DEPARTMENT**

WHEREAS, certain Mental Health Clinic Therapists are now at school satellite locations for certain days of the week; and

WHEREAS, the approved forms of agreement for cellular phone use have been prepared, and have been reviewed by the appropriate Legislative Committee; now be it

RESOLVED, that this Legislature approves the Cellular Phone Use Agreements for the following Clinic Therapist positions (4310.14 and 4310.47) covering use of cellular phones in accordance with the Cellular Phone Use Policy.

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

RESOLUTION NO. 362-1016

**APPROVING AGREEMENT BETWEEN THE HEALTH
DEPARTMENT AND CANTALICIAN CENTER FOR LEARNING**

RESOLVED, that this Legislature approves an agreement between the Health Department and Cantalician Center for Learning at 2019 George Urban Blvd, Depew, NY 14043 to provide appropriate special education related services (speech, music, physical therapies and evaluations) for eligible preschool children of Orleans County with disabilities through the 3-5 program placed by the Board Of Education. Rates are set by NYS Department of Education. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement. Contract to run from September 1, 2016 through June 30, 2019.

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

RESOLUTION NO. 363-1016

AUTHORIZING HEALTH DEPARTMENT TO APPLY FOR GRANT OPPORTUNITIES

RESOLVED, that this Legislature authorized the Director of the Orleans/Genesee Public Health Department to apply for the following grant opportunities.

Association of Food and Drug Officials at 2550 Kingston Road, Suite 311, York, PA 17402 requesting permission to apply for funding opportunity from the Food and Drug Association & Association of Food and Drug Officials for completion of a project, and training to enhance conformance with the Voluntary National Retail Food Regulatory Program Standards. Funding is awarded through a grant of up to \$6,000 for the 2017 Year. County cost \$0.

NACCHO at 1100 17th St, NW, 7th Floor Washington DC 20036-4636, requesting permission to apply for a funding opportunity for the MRC challenge award to be used for the purpose of community preparedness, and resiliency. Funding is awarded through a grant up to \$15,000 for the 2017 year. County cost \$0.

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

RESOLUTION NO. 364-1016

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

WHEREAS the Orleans County Health Department increased the number of inspections submitted by eForms electronically and the adequacy of gonorrhea treatment and completeness of syphilis serology; now be it

RESOLVED the Orleans County Health Department has been awarded \$32,000 to support costs associated with Article 6 programs and authorizes the Chairman to accept such funding through the New York State Department of Health and execute all necessary paperwork to fulfill this award; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Public Health Department as a result of the award from the New York State Department of Health:

<u>Revenue</u>		
A3401	State Aid	\$32,000
 <u>Appropriations</u>		
A4010.250	Other Equipment	\$30,000
A4010.478	Health Promotional Supplies	\$2,000

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

RESOLUTION NO. 365-1016

AUTHORIZING FILLING VACANCY IN THE HEALTH DEPARTMENT

WHEREAS a Public Health Nurse has submitted a letter of intent to retire effective November 25, 2016; now be it

RESOLVED, that this Legislature does hereby authorize the filling of the vacant full-time Public Health Nurse (4010.08) in the Public Health Department at Grade 21, of the CSEA Salary Schedule effective November 28, 2016.

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

RESOLUTION NO. 366-1016

DESIGNATING THE TOURISM PROMOTION AGENCY AND AUTHORIZING APPLICATION FOR THE 2017 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 2017 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for the 2017 State Matching Funds and to receive such funds to the extent that local matching funds are available.

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

RESOLUTION NO. 367-1016

**APPROVING AGREEMENT BETWEEN COMPUTER SERVICES
AND TIME WARNER CABLE BUSINESS CLASS**

RESOLVED, that this Legislature approves an agreement between Computer Services and Time Warner Cable Business Class, 2620 West Henrietta Rd, Rochester, NY 14623, Project #7948900/SIP, for the initiation of Session Initiation Protocol (SIP) trunks to transition Orleans County phone services from current PBX to a VOIP technology, which will allow for a seamless transition from older technology to newer technology without the loss of ringtone at the desktop level at a cost of \$93 per month, along with a onetime SIP Install cost of \$150, effective November 1, 2016 through October 31, 2019. County cost 100%.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 368-1016

**AUTHORIZING PURCHASE FROM THE COMPUTER SERVICES
BUDGET AND AUTHORIZING TREASURER TO TRANSFER
FUNDS INTO THE COMPUTER SERVICES DEPARTMENT
BUDGET**

WHEREAS, a new server needs to be purchased to provide functionality to our Virtual Hosts which includes the Computer Aided Dispatch (CAD) server; now be it

RESOLVED, that this Legislature approves the purchase of a DELL Powervault MD3800i 10G iSCSI Server in the amount of \$9,836.20 from Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547 to be paid from Computer Services Account A1680.220 – Office Equipment; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Computer Services budget for the purchase of this server as follows:

<u>From:</u>		
A1990.435	Contingency	\$9,836.20
<u>To:</u>		
A1680.220	Office Equipment	\$9,836.20

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 369-1016

APPROVING SALARY REVIEW COMMITTEE'S
RECOMMENDATIONS AND AUTHORIZING POSITION
UPGRADES/CHANGES IN THE PROBATION, COMPUTER
SERVICES, SHERIFF, AND VETERANS DEPARTMENTS

WHEREAS, the Salary Review Committee met several times 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 also looked at the implications and costs of the newly revised Fair Labor Standards Act regulations for exempt employees which become effective December 1, 2016; and

WHEREAS, the Salary Review Committee has reviewed requests for upgrades and has presented their recommendations to the Legislature on July 27, 2016; now be it

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

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2017, Probation Supervisor, Grade 22, Step 8 of the CSEA salary schedule; and

FURTHER RESOLVED, that this Legislature approves the abolishing of the Email and Internet Services Manager, effective January 1, 2017, Grade 20, of the CSEA salary schedule; and

FURTHER RESOLVED, that this Legislature approves the creating of the Senior Email and Internet Services Manager, effective January 1, 2017, Grade 24, of the CSEA salary schedule; and

FURTHER RESOLVED, that this Legislature approves the filling of the vacant Senior Email and Internet Services Manager, effective January 1, 2017; and

FURTHER RESOLVED, that this Legislature approves the change for the following two positions in the Management Compensation Plan, Confidential Secretary to the Sheriff and Director of Veterans Services, from a 35 hours per work week to a 40 hours per work week effective December 1, 2016.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 370-1016

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2016-2017 SCHOOL TAXES TO THE 2017 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid school taxes, adding a 7% penalty, to be added to the 2017 tax rolls, for the respective towns as of November 1, 2016.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 371-1016

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2016 SOLID WASTE/RECYCLING FEES TO THE 2017 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid 2016 Solid Waste/Recycling fees, to be added to the 2017 tax rolls for the respective towns as of November 1, 2016.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 372-1016

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2016-2017 VILLAGE TAXES TO THE 2017 COUNTY/TOWN TAX BILLS

WHEREAS, Local Law No. 4 of 1997 provides for the collection of certain delinquent Village taxes by the County of Orleans in accordance with Section 1442 of the Real Property Tax Law of the State of New York, be it

RESOLVED, that the County Treasurer is authorized to relevy the unpaid 2016-2017 village taxes, adding a 5% penalty, to be added to the 2017 tax rolls for the respective towns as of November 1, 2016.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 373-1016

AUTHORIZING GRANT ACCEPTANCE FROM THE NEW YORK STATE STOP-DWI FOUNDATION, INC. FOR THE ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, the NYS STOP-DWI Foundation, Inc., as participant in New York State Governor's Traffic Safety Committee's Highway Safety Program, has informed the Orleans County Sheriff's Office that it has been awarded grant money, in the amount of \$9,113.64, for use in their 2016-2017 Crackdown Enforcement Program; now be it

RESOLVED, that this Legislature accepts this grant award and authorizes the Chairman to execute the appropriate grant award documents with the New York State Governor's Traffic Safety Committee, which will provide reimbursement to the Sheriff's Office and local law

enforcement agencies for increased STOP-DWI patrols during peak holiday times of the year, to be conducted during the period October 1, 2016 through September 30, 2017.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 374-1016

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF'S OFFICE'S K-9 FUND AND SETTING UP NEW MONEY IN SHERIFF'S OFFICE BUDGET

WHEREAS, the Orleans County Sheriff's Office wishes to extend its sincere thank you to those who have generously donated to our department's K-9 Unit; may it be

RESOLVED, that this Legislature accepts these donations received from community members and local businesses to assist the Orleans County Sheriff's Office K-9 Unit; and be it

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

<u>Revenue:</u>		
A2705	Gifts & Donations	\$987.34
<u>Appropriation:</u>		
A3110.499	K-9 Unit	\$987.34

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Note: \$12,405 in total donations has been received to date for the K-9 unit.

RESOLUTION NO. 375-1016

APPROVING EXTENSION OF AGREEMENTS BETWEEN PUBLIC DEFENDER AND NYS OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS Resolutions 65-215 and 434-1214 approved agreements between the Orleans County Public Defender and NYS

Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds to assist the County in improving the quality of indigent legal services initially effective January 1, 2014 through December 31, 2016; now be it

RESOLVED, that this Legislature approves extending an agreement, as approved by Resolution No. 65-215, between the Orleans County Public Defender and NYS Office of Indigent Legal Services to continue to provide funds in the amount of \$211,428 through December 31, 2017; and be it

FURTHER RESOLVED, that this Legislature approves extending an agreement, as approved by Resolution No. 434-1214 between the Orleans County Public Defender and NYS Office of Indigent Legal Services to continue to provide funds in the amount of \$78,219 through June 30, 2017.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 376-1016

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

WHEREAS, Resolution No. 259-713/322-913 and Resolution No. 323-913 authorized the Emergency Management to establish a 3 year subscription of *I Am Responding* with Emergency Services Marketing Corp, Inc. for a County wide emergency text notification; and

WHEREAS, the subscription is currently due for renewal; now be it

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2016 Grant Funds to continue with *I Am Responding* for the period September 1, 2016 through December 31, 2017, for emergency text notifications for EMO Staff and County Legislators in accordance to DHSES grant guidelines at a cost of \$819.07; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Emergency Management budget to accept FY 2016 Homeland Security Grant Funds as follows:

Revenue:

A4309.2016	State Homeland Security Grant Program	\$819.07
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Appropriation:

3640.486.2016	Special Grants- SHSP FY16	\$819.07
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Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 377-1016

APPROVING ANNUAL INSPECTION FOR THE EMERGENCY
MANAGEMENT TOWERS

RESOLVED, that this Legislature approves the Annual Inspection and maintenance of two (2) large guyed towers and one (1) self supporting tower at Emergency Management and two (2) smaller radio towers in Clarendon and Medina to be performed by Nudd Towers, 1743 Route 104, PO BOX 577, Ontario NY 14519 at a total amount of \$11,900 (PO 57896) to be paid from Emergency Management Budget account #3640.418 – Other Contractual Expenses.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to adopt Local Law 2 of 2016 to amend Local Law No. 2 of 1988 and to establish the salaries of the Elected County Coroners as Chief County Coroner Schmidt spoke of earlier. Legislator DeFilipps second the motion. Legislator Johnson shared her appreciation for the respect Coroner Schmidt has shown to our county taxpayers for requesting a lesser dollar per case for phone releases. She also expressed her appreciation of the respect and honor he gives to our dead in Orleans County. The following resolution was adopted:

RESOLUTION NO. 378-1016

ADOPTING LOCAL LAW NO. 2 OF 2016, ENTITLED A LOCAL
LAW AMENDING LOCAL LAW NO. 2 OF 1988 AND

ESTABLISHING THE SALARIES OF ELECTED COUNTY CORONERS

WHEREAS, Local Law No. 2-Intro of the year 2016 was introduced at a regular meeting of the Orleans County Legislature held on September 28, 2016 and a Public Hearing was held on October 26, 2016, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 2 of 2016:

A Local Law Amending Local Law No. 2 of 1988 and Establishing the Salaries of Elected County Coroners

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salary of each part-time coroner, as of January 1, 2017, shall be \$1,930.00. In addition to the foregoing salary a coroner shall be compensated by the County at a rate of \$100.00 for each standard case and at a rate of \$50.00 for each phone release case.

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by the affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, whichever event first occurs.

Moved, Johnson; second, DeFilipps.

Roll Call: Ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 379-1016

SETTING DATE OF PUBLIC HEARING FOR COUNTY BUDGET FOR THE YEAR 2017

RESOLVED, that the public hearing for the Tentative County Budget for 2017 will be held on Monday, November 28, 2016 at 7:00 p.m. at the Orleans County Courthouse, Albion, New York; and be it

FURTHER RESOLVED, that the notice for said public hearing be published in the officially designated County newspaper.

Moved, Johnson; second, DeFilipps
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 380-1016

SETTING DATE OF SPECIAL MEETING TO ADOPT THE 2017 ORLEANS COUNTY BUDGET AND VARIOUS RESOLUTIONS RELATED TO THE PREPARATION OF THE 2017 TOWN AND COUNTY TAX BILLS

RESOLVED, that this Legislature will call a special meeting on Monday, December 5, 2016 at 9:30 a.m. in the Orleans County Legislative Chambers to adopt the 2017 Orleans County Budget and have various other resolutions presented for adoption that pertain to the preparation of the 2017 Town and County tax levy.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 381-1016

AUTHORIZING PAYMENT OF CLAIMS FOR NOVEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 November 9, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	5959-6197	\$327,452.65
Highway	855-867; 1998-2024	\$154,797.68
Job Development	2233-2244	\$2,410.714
Self Insurance	1122, 57447, 57449, 57450	29,921.65

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 Superintendent of Highways, 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 November 23, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	6215-6339	\$235,654.80
Highway	868-875; 2025-2037	\$61,685.18
Job Development	2248-2259	\$11,836.57
Self Insurance	57544	\$28.49

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

Chairman Callard asked for open discussion. Legislator Johnson stated she did not provide the date of Monday, November 28th when she presented the resolution to set the date for the Public Hearing on the 2017 Budget presentation. The hearing will begin at 7 p.m. at the Orleans County Courthouse.

Paul Lauricella, Yates, indicated that Genesee County has come out twice already with details of their budget but the public has not heard from Orleans County. Budget Officer Nesbitt indicated that the law requires filing of the tentative budget by November 15th. He further stated that it is Genesee County's preference if they want to file early. Mr. Lauricella felt that the public should know what to expect is coming for the taxpayer in Orleans County.

Legislator Eick moved to enter into executive session at 5:02 p.m. per Open Meetings Law §105 (d,e,f) to discuss litigation matters, union negotiations, and a personnel item; second by Legislator Johnson. Motion Carried.

The Legislative Board wished Legislator Miller a very Happy Birthday today.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 5:58 p.m.; second by Legislator Allport. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:59 p.m.

LEGISLATURE MEETING

November 16, 2016

Chairman Callard called the meeting to order at 4:38 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislators Eick and Johnson.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer has filed fourteen (14) Disclosure of Interest Statements from various County Employees who receive funds in addition to wages from Orleans County. These have been filed in our office and are officially on record in accordance with General Municipal Law Section 803(1). The Village of Albion DPW has requested to erect the annual Christmas Tree with lights on the lawn of the Courthouse. They are requesting permission to do this along with the use of electricity. They plan to install it on or about November 28, 2016 and take it down on or about January 13, 2017. The Board approved the Village of Albion DPW to erect the Christmas tree at the Courthouse square.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through October of 2016. She stated that in November she pays the IGT and then will get the money back the first of December. Retirement bill will need to be paid soon, which is budgeted and sales tax is still sluggish.

Chairman Callard presented a commendation for Company F Memorial in Orleans County to Bill Menz with also Kathy Fox, Wayne Hale and Lynne Menz participating in the acceptance. Mr. Menz expressed his gratitude for all that stood by him today and all others that helped make this project happen. He said this is the legacy of Bob Waters which he felt he needed to complete for him. He stated that they needed to get this statute erected for the greatest generation in this county. Chairman Callard asked Mr. Menz for the anticipated completion date. Mr. Menz hopes within two years. He said they are waiting for the artist to complete his part and then the casting which will be done by students at the University of Buffalo. A local man, Brian Forder, who is the artist/instructor, works at Erie Community College and also affiliated with UB. Chairman Callard invited them back to bring them up to date once everything comes together.

With there being no comments when Chairman Callard called for open discussion, Legislator DeFilipps moved to add 2 resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 382-1116

APPROVING AN AGREEMENT WITH THE HIGHWAY AND BUILDINGS AND GROUNDS DEPARTMENTS AND COMPREHENSIVE OF ORLEANS

RESOLVED, that this Legislature approves an agreement for Snow and Ice Control and for Mowing at the Comprehensive of Orleans property located at 14012 State Route 31 West, Albion, New York 14411 for a total cost to Comprehensive of Orleans of \$26,264.88, County cost \$0. Payments to be made to Orleans County Highway Department in the amount of \$1,832.97/month and Orleans County Buildings and Grounds Department in the amount of \$355.77/month for a total cost of \$2,188.74/month. Contract period: December 1, 2016 through November 30, 2017.

Moved, Miller; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 383-1116

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 a grant renewal with New York State Office for the Aging for the purpose of funding support of local programs in the delivery and enhancement of the essential components of NY Connects, which include Information and Assistance (including screenings), Public Education and local Long Term Care Councils in the amount of \$43,289 to run from October 1, 2016 to September 30, 2017, County Cost \$0; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the NY Connects grant agreement with the New York State Office

for the Aging for the Orleans County Office for the Aging subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Miller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 384-1116

AUTHORIZING CREATING A TEMPORARY POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, a full time Social Welfare Examiner (6010.0111) will be out on medical leave and this position is critical in the day-to-day operations at DSS; now be it

RESOLVED, that this Legislature does hereby authorize the creation of temporary full time Social Welfare Examiner position (6010.0111*) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule, to be effective for the period of November 17, 2016 through the return of the full time permanent employee (6010.0111) from the medical leave; and be it

FURTHER RESOLVED, that the Legislature authorizes filling this newly created temporary position.

Moved, Miller; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 385-1116

ESTABLISHING DAY CARE RATES IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services receives New York State Child Care Block Grant dollars for the sole purpose of providing day care subsidies to eligible low income parents; and

WHEREAS, the New York State Office of Children and Family Services establishes the maximum market rate payment ceiling for day care rates; and

FURTHER RESOLVED, that this Legislature does hereby establish contract day care rates paid by the Department of Social Services on behalf of eligible clients, effective January 1, 2017 as follows:

DAY CARE CENTER												
Age of Child	Under 1 ½			1 ½ - 2			3-5			6-12		
	Current	Market	2017	Current	Market	2017	Current	Market	2017	Current	Market	2017
Weekly	\$180	\$200	\$180	\$175	\$190	\$175	\$165	\$180	\$165	\$160	\$170	\$160
Daily	\$36	\$43	\$36	\$35	\$41	\$35	\$33	\$38	\$33	\$32	\$37	\$32
Part-Day	\$25	\$29	\$25	\$24	\$27	\$24	\$23	\$25	\$23	\$22	\$25	\$22
Hourly	\$5.75	\$7.00	\$5.75	\$5.75	\$7.50	\$5.75	\$5.25	\$7.50	\$5.25	\$5.25	\$7.00	\$5.25

REGISTERED FAMILY DAY CARE HOME												
Age of Child	Under 2			2			3-5			6-12		
	Current	Market	2017									
Weekly	\$145	\$150	\$145	\$140	\$150	\$140	\$135	\$150	\$135	\$135	\$143	\$135
Daily	\$29	\$33	\$29	\$28	\$30	\$28	\$27	\$30	\$27	\$27	\$30	\$27
Part-Day	\$19	\$22	\$19	\$19	\$20	\$19	\$19	\$20	\$19	\$19	\$20	\$19
Hourly	\$3.50	\$5.00	\$3.50	\$3.50	\$5.00	\$3.50	\$3.50	\$5.00	\$3.50	\$4.25	\$5.00	\$4.25

REGISTERED GROUP DAY CARE HOME												
Age of Child	Under 2			2			3-5			6-12		
	Current	Market	2017									
Weekly	\$150	\$150	\$150	\$145	\$150	\$145	\$140	\$150	\$140	\$140	\$143	\$140
Daily	\$31	\$33	\$31	\$30	\$30	\$30	\$29	\$30	\$29	\$28	\$30	\$28
Part-Day	\$22	\$22	\$22	\$21	\$20	\$21	\$20	\$20	\$20	\$20	\$20	\$20
Hourly	\$3.75	\$5.00	\$3.75	\$3.75	\$5.00	\$3.75	\$3.75	\$5.00	\$3.75	\$5.00	\$5.00	\$5.00

SCHOOL AGE CHILD CARE												
Age of Child	Under 1 ½			1 ½ - 2			3-5			6-12		
	Current	Market	2017	Current	Market	2017	Current	Market	2017	Current	Market	2017
Weekly	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$180	\$160	\$160	\$170	\$160
Daily	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$38	\$32	\$32	\$37	\$32
Part-Day	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$25	\$22	\$22	\$25	\$22
Hourly	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7.50	\$5.25	\$5.25	\$7.00	\$5.25

Moved, Miller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 386-1116

APPROVING AN INTER-MUNICIPAL AGREEMENT BETWEEN ORLEANS COUNTY AND GENESEE COUNTY FOR STOP-DWI PUBLIC INFORMATION AND EDUCATION

WHEREAS, the Youth Bureau Director did present an agreement with Genesee County for the operation of the STOP-DWI Public Information and Education Component for 2017; and

WHEREAS, the Committee of Economic Assistance and Opportunity did review the agreement and do recommend approval at this time; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all

necessary documents between the County of Genesee and the County of Orleans for the operation of the STOP-DWI Public Information and Education Program by Genesee County at a cost not to exceed \$10,960 to the Orleans County STOP-DWI Program effective January 1, 2017 through December 31, 2017.

Moved, Miller; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 387-1116

APPROVING INTER-MUNICIPAL AGREEMENT BETWEEN ORLEANS COUNTY AND GENESEE COUNTY FOR YOUTH BUREAU OPERATION

WHEREAS, the Youth Bureau Director did present an agreement with Genesee County that for the operation of the Youth Bureau for 2017; and

WHEREAS, the Committee of Economic Assistance and Opportunity did review the agreement and do recommend approval at this time; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$4,398.75 per quarter effective January 1, 2017 through December 31, 2017 for a total of \$17,595.

Moved, Miller; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 388-1116

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2017 calendar year:

Ann P. Burbank, NPP, 32 Park View Dr., Pittsford, NY 14534 providing services as a Psychiatric Nurse Practitioner for up to 468 hours at an hourly rate of \$100. County cost is \$3,276.

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 providing services as Staff Psychiatrist for an average of 20 hours per month for annual total not to exceed 240 hours at \$185 per hour; contractor will provide an additional 260 hours per year at \$160 per hour. County cost is \$6,020.

John G. Amos, Ph.D., 9 Woodrose Dr., Webster, NY 14580 providing services as Consulting Psychologist for an average of 14 hours per week at an hourly rate of \$119.86 per hour. County cost is \$5,638.

Tulio Ortega, MD, 2 Featherstone Crt., Pittsford, NY 14534 providing services as Medical Director for an average of 11 hours per week including seven additional service hours per month for ten months at \$155 per hour. County cost is \$6,488.

County Attorney, P. O. Box 606, Medina, NY 14103, providing attorney services as needed for matters requiring counsel at a cost of \$9,000. County cost is \$630.

DocuTrac, Inc., 1800 Dual Hwy, Ste 306, Hagerstown, MD 21740 providing software support maintenance and support for the QuicDoc Enterprise Edition, Call Remind, EMR, PM, and EPrescribe at a cost of \$53,717. County cost is \$3,760.

EFPR Group, LLP, 280 Kenneth Dr., Rochester, NY 14623 providing 2016 Consolidated Fiscal Report compliance review/audit at a cost of \$6,000. County cost is \$420.

Community Action of Orleans and Genesee, 411 East State St, Albion, NY 14411 providing summertime services for youths referred or approved by the Department of Mental Health at a cost of \$5,000. County cost \$0.

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main St., Batavia, NY 14020 providing substance abuse/dependency and prevention services, as well as gambling treatment services at a cost of \$338,694. County cost is \$35,167.

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main St., Batavia, NY 14020 providing chemical dependency services for inmates at the Orleans County Jail at a cost of \$6,000. County cost is \$6,000.

ARC of Genesee/Orleans, 64 Walnut St., Batavia, NY 14020 providing supportive employment, vocational assessment, job readiness, and job coaching services at a cost of \$51,028. County cost \$0.

ARC of Genesee/Orleans, 64 Walnut St., Batavia, NY 14020 providing services to the developmental disabilities population of Orleans County at a cost of \$104,831. County cost is \$39,831.

YWCA of Genesee County, Inc., 301 North St., Batavia, NY 14020 providing mental health telephone referral and information services at a cost of \$10,000. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 389-1116

AUTHORIZING PURCHASES FROM MENTAL HEALTH DEPARTMENT BUDGET

WHEREAS, Resolution No. 359-1016 authorized the Treasurer to set up new money into the Mental Health Budget for Kids HIT Funding; be it

RESOLVED, that this Legislature authorizes the following purchases from CDW-G, 75 Remittance Drive, Suite 1515, Chicago, IL 60675-1515, grand totaling \$18,824.64, to be paid from Mental Health Budget account A4310.220 and 100% reimbursed from Health Information Technology grant monies issued by the New York State Department of Mental Health:

- 3 Vizio 55" SmartTV home theatres in the amount of \$2,034.87 and one Vizio 43" SmartCastTV in the amount of \$393.01(PO# 58185) for a total amount of \$2,427.88.
- various items for internet accessibility (PO# 58186) for a total amount of \$4,703.49.

- 2 Dell Latitude E7470i5-6200 4G Ram 128G SSDs in the amount of \$2,020.92 (P O# 58187).
- various accessories for Surface Pros (PO# 58188) for a total amount of \$3,640.14.
- 4 Apple iPad Pro 12.9” 128GBs in the amount of \$3,678.76 and 4 Logitech Create Kybrd/Folio f 12.9 iPad Pros in the amount of \$599.96 (PO #58189) for a total amount of \$4,278.72.
- Ancillary parts needed to provide the video capability to the MH main conference and group conference rooms (PO #58191) Quote # HMMW823 in the amount of \$1,753.49.

Moved, Allport; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 390-1116

AUTHORIZING CREATING AND FILLING TEMPORARY POSITION IN THE HEALTH DEPARTMENT

WHEREAS the sole billing person for Early Intervention and Preschool Education has submitted her notice of retirement effective November 30, 2016; now be it

RESOLVED that this Legislature authorizes the creation of a temporary part-time Account Clerk Typist position in the Health Department at Grade 9 Step 1 of the CSEA salary schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of this newly created vacant Temporary Account Clerk Typist position effective December 1, 2016.

Moved, Allport; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 391-1116

AUTHORIZING A STIPEND TO THE ORLEANS COUNTY DEPARTMENT OF PUBLIC HEALTH CORPORATE COMPLIANCE OFFICER

WHEREAS, the Orleans County Legislature adopted and implemented a Corporate Compliance Plan and Program (Resolution No. 325-808); and

WHEREAS, each Department has a Corporate Compliance Officer to oversee and monitor the Department Corporate Compliance Plan and Program; and

WHEREAS, the duties of the Public Health Department Corporate Compliance Officer are carried out in addition to the responsibilities held under the title of Administrative Assistant; now be it

RESOLVED, that the Public Health Corporate Compliance Officer be authorized an annual stipend of \$1,000 effective November 1, 2016.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 392-1116

AUTHORIZING THE CONTINUATION OF A CORONER'S PHYSICIAN FOR ORLEANS COUNTY

WHEREAS, Resolution No. 454-1210 created the position of Coroner's Physician as a result of our three elected coroners not being duly licensed practicing physicians in New York State; now be it

RESOLVED, that this Legislature authorizes the continuation of the appointment of Thomas Madejski, MD as the Coroner's Physician in Orleans County at an annualized salary as set forth below:

January 1, 2017 – December 31, 2017	\$ 3,313
January 1, 2018 – December 31, 2018	\$ 3,379

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 393-1116

APPROVING AGREEMENT WITH THE COUNTY OF ORLEANS AND WENDEL AND AUTHORIZING THE TREASURER TO TRANSFER FUNDS INTO THE PLANNING BUDGET

RESOLVED, that this Legislature approves an agreement between the County of Orleans and Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY, for the purpose of a preliminary survey and geotechnical work related to a proposed addition to the county office building, in the amount not to exceed \$13,500 with such work to be completed and paid from Planning account A8020.418 - Other Contractual Expenses; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds into the Planning budget as follows:

<u>From:</u>		
A1990.435	Contingency	\$13,500
 <u>Appropriation:</u>		
A8020.418	Other Contractual Expenses	\$13,500

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 394-1116

APPROVING ADVERTISING FOR ORLEANS COUNTY TOURISM

RESOLVED, that this Legislature approves advertising in the 2017 CONY Directory through Campground Owners of NY, Inc., 1 Grove St, Ste 200, Pittsford, NY 14534 for the purpose of placing a 3 page advertisement in this directory for Orleans County Campgrounds in the amount of \$5,500 to be paid from Tourism Account A6410.468 – I Love New York. 50% Reimbursement from I Love NY Matching Funds.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps moved to approve the renewal agreement between Orleans County and Modern Disposal services for our solid waste and recycling program; second by Legislator Allport. CAO Nesbitt noted that this is the final two year renewal on the Modern Disposal contract and will need to go out to bid late of 2017 or early in the year of 2018. He expressed that this is a very successful program. Chairman Callard asked if our rates are among the least in our State. CAO Nesbitt explained that

very few counties do it the way we do it and very few counties have the favorable rates we have. People were paying more in 1991 than they are now. Chairman Callard asked if this is a very good deal. CAO Nesbitt stated the savings is in the seven figures a year, over what was paid out before the program was put in place. Hats off to Mr. Dudek for starting this solid waste and recycling program, expressed CAO Nesbitt. The following resolution was adopted:

RESOLUTION NO. 395-1116

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND MODERN DISPOSAL SERVICES FOR SOLID WASTE AND RECYCLING

WHEREAS, Resolution No. 295-810 awarded the bid to Modern Disposal Services for solid waste and recycling services in Orleans County; be it

RESOLVED, that this Legislature renews the solid waste and recycling services agreement with Modern Disposal Services, Inc, 4746 Model City Road, Model City, NY 14107-0209 effective January 1, 2017 through December 31, 2018.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 396-1116

APPROVING A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH GENESEE COUNTY FOR MAINTENANCE OF TAX MAPS

RESOLVED, that this Legislature approves a Memorandum of Understanding agreement between Orleans County and Genesee County, Old County Courthouse, 7 Main St, Batavia, NY, for Maintenance of the Orleans County tax maps at a cost of \$6,500 for the term January 1, 2017 through December 31, 2017.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 397-1116

APPROVING AN ADDENDUM TO AN AGREEMENT BETWEEN
REAL PROPERTY TAX SERVICES AND TOWN OF GAINES

WHEREAS, resolution No. 304-816 approved an agreement between the Real Property Tax Services office and the Towns of Albion and Gaines for the provision of assessment services to the towns effective October 1, 2016 through September 30, 2017; now be it

RESOLVED, that this Legislature approves an addendum to the assessment services agreement with the Town of Gaines.

Moved, DeFilippis; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 398-1116

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND
ROYAL EMPLOYER SERVICES

RESOLVED, that this Legislature approves a renewal agreement with Royal Employer Services, 430 East Main St., Batavia, NY 14020 for the provision of an Employee Assistance Program, at a cost \$6,000, with cost of agreement to be apportioned at 50% from Mental Health; 25% from Personnel; and 25% from Employee Assistance Program and said agreement effective from January 1, 2017 through December 31, 2017.

Moved, DeFilippis, second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 399-1116

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF
INSURANCE PLAN AND OCCUPATIONAL SAFETY
CONSULTANTS, INC.

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan; be it

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc. for safety consulting services at an hourly rate of \$130; and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$16,000 for 2017.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 400-1116

AUTHORIZING SALARY SCHEDULES FOR MANAGEMENT, CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES

WHEREAS, the Orleans County Legislature approved the 2017/2018 Management Compensation Plan by passing Resolution No. 95-216; now be it

RESOLVED, that employees are also authorized to receive any increments they are entitled to under the plan; and be it

FURTHER RESOLVED, that the following salaries, effective January 1, 2017, are authorized for certain part-time and unclassified employees:

<u>Annual:</u>	<u>1/1/17-12/31/17</u>
Administrative Assistant – MFCTF	\$ 2,844
Corporate Compliance Officer	4,693
Corporate Compliance Officer – Mental Health	1,530
Deputy Budget Officer	4,760
Deputy Fire Coordinator	2,178
Election Commissioners (2)	19,237
Fire Investigator	2,178
Historian	8,323
Parole Denial Attorney	22,132
Insurance Program Assistant	1,072
Director of Computer Services	\$ 76,486
IT Operations Analyst I	59,551
Secretary to the Highway Superintendent	50,399
Director of Community Health Services	71,705

Director of Veterans Service Agency	53,283
Confidential Secretary to the Sheriff	50,399

Daily:

Court Attendant	\$ 71.08
Examination Monitor (Full Day)	123.15
Examination Monitor (Half Day)	61.59

Hourly (Part-Time Employees)

Animal Control Officer	\$ 14.20
Clerk (Elections)	10.33
Correctional Officer (Jail)	14.20
Correctional Officer (Jail) Second rate	19.60
Crew Leader (Sheriff)	13.28
Deputy Sheriff (Marine Patrol)	13.68
Dispatchers	14.20
Medical Director	98.95
Voting Machine Technician	17.96

and be it

FURTHER RESOLVED, that the Chairman of the Legislature will be paid an annual salary of \$17,429 for 2017; the Vice-Chairperson will be paid an annual salary of \$13,179 for 2017; with the remaining members of the Legislature to be paid an annual salary of \$11,618 each for 2017.

Moved, DeFilippis; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 401-1116

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 3-INTRO OF 2016 REGARDING SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled "A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM"; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 21st day of December 2016 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Albion, New York.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 402-1116

AUTHORIZING THE PROBATION DEPARTMENT TO ADD MIFI'S TO THE VERIZON ACCOUNT FOR USE OF CASE MANAGEMENT SYSTEM DURING FIELD WORK

RESOLVED, that this Legislature authorizes the Probation Department to add 2 MIFI's to the Verizon Account, to be paid at \$39.99 per unit per month from Probation Account A4310.401- Telephone; and be it

FURTHER RESOLVED, that this Legislature approves the Probation Department MIFI Use Agreement and further authorizes the use of these MIFI's for Case Management Purposes effective January 1, 2017.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 403-1116

MODIFICATION OF SALARIES IN DISTRICT ATTORNEY'S OFFICE AND PROBATION DEPARTMENT

WHEREAS, Resolution No. 199-612 authorized the salary adjustment created when the New York State Legislation passed in 2010 set up a Judicial Compensation Commission that was tasked with reviewing statewide judicial salaries and to make recommendations on new salary levels. The Commission recommended a 27% increase from 2011 salary levels to be implemented over a 3-year period. Pursuant to Judicial Law 183-a, which links and with judicial salaries with district

attorneys' salaries and requires district attorneys' salaries to be at least as high as the County Court Judge in the County; and

WHEREAS, the New York State legislation was once again passed for this Judicial Compensation Commission to review statewide judicial salaries and to make recommendations on new salary levels; and

WHEREAS, the Commission of Legislative, Judicial and Executive Compensation issued a report in 2015 to once again make salary adjustments to Supreme Court Judge's salary; and

WHEREAS, the passed Governor's Budget for 2016-2017 increased the Supreme Court Judge's salary which is directly tied to each District Attorney's salary in each county; and

WHEREAS, the passed Governor's Budget for 2016-2017 increase for the District Attorney's salary, but did not include the incremental funding from the State of New York for this increase; now be it

RESOLVED, that this Legislature sets the salary of the District Attorney at \$182,500 retroactive to April, 1, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the Probation Director II position to be placed in Grade 10, step 9 of the Orleans County Management Compensation Plan effective January 1, 2017.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 404-1116

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE/JAIL AND REGISTERED DIETITIAN FOR JAIL

RESOLVED, that this Legislature approves a three-year agreement between the Sheriff's Office/Jail and Registered Dietitian Tammy Myers, 1841 Como Park Blvd., Lancaster, NY, 14086 for services as dietary consultant and counsel to the dietary and food service program at the county jail, and to maintain compliance with government regulatory agency guidelines as directed by the jail facility, at an hourly rate of \$35.

Moved, DeFilippis; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 405-1116

APPROVE CERTIFICATION OF THE 2017 STOP DWI PLAN BETWEEN THE SHERIFF'S OFFICE AND THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES-GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature approves the Certification of the 2017 STOP-DWI PLAN with the New York State Department of Motor Vehicles-Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228, for a budget of \$109,997.80, effective January 1, 2017 through December 31, 2017.

Moved, DeFilippis; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 406-1116

ACCEPTING GRANT BETWEEN THE SHERIFF'S OFFICE AND NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN SHERIFF'S BUDGET

WHEREAS, Resolution No. #219-516 authorized the Sheriff's Office to apply for funding through the NYS Division of Homeland Security and Emergency Services for participation in the CTZ10 Red Team Program Operation; now be it

RESOLVED, that this Legislature accepts the funding received by the Sheriff's Office as reimbursement for personnel expenses during this operation; and be it

FURTHER RESOLVED, that this Legislature authorizes the the County Treasurer to set up new monies in the Sheriff's Office budget, as follows:

<u>Revenue:</u>		
A4309.3110	NYS Homeland Security-CTZ10	\$1,650.71

Appropriations:

A3110.0101	Personal Services-Overtime	\$1,222.95
A3110.0830	Social Security	93.56
A3110.0810	State Retirement	334.20

Moved, DeFilippis; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 407-1116

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PUBLIC DEFENDER BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Public Defender's budget to pay for contracted Investigator with NYS #C000634 – Upstate Quality Improvement Grant as follows:

Revenue:

A3088.1170	NYS Assigned Counsel	\$10,000
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Appropriation:

A1170.452	Personal Service Contracts	\$10,000
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Moved, DeFilippis; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 408-1116

AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE CONFIDENTIAL INVESTIGATIONS BUDGET

RESOLVED, that the County Treasurer is authorized to transfer funds in the Confidential Investigations (Major Felony Crime Task Force) budget as follows as a result of money budgeted for overtime was inadvertently added to the personal services line:

From:

A3189.100	Personal Services	\$30,000
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To:

A3189.101	Overtime	\$30,000
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Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 409-1116

**APPROVING INTERMUNICIPAL AGREEMENT BETWEEN
ORLEANS COUNTY AND GENESEE COUNTY**

RESOLVED, that this Legislature approves a Intermunicipal Agreement between Orleans County and Genesee County, 15 Main Street, Batavia, NY 14020 to participate with Genesee County as the lead agency for a Regional Interoperable communications grant project to better link communications systems throughout four Western New York Counties; and be it

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

Moved DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 410-1116

**AUTHORIZING DIRECTOR OF EMERGENCY MANAGEMENT TO
APPLY FOR 2016 STATEWIDE INTEROPERABLE
COMMUNICATIONS GRANT**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for the 2016 Statewide Interoperable Communications Formula Based Grant program through the NYS Division of Homeland Security and Emergency Services Office which will aid in making necessary improvements and provide for sustainment of Land Mobile radio systems, maintenance components supporting interoperability, continuous training and exercise for our first responders, sustainment and further development of governance structure.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps moved to request the enactment of a special law authorizing and empowering the County of Orleans to extend the

expiration of the imposition of an additional 1% sales and compensation use tax; second by Legislator Allport. Chairman Callard expressed that this does not mean an additional percentage to what the sales tax is, it is a continuation of what our current sales tax is. The following resolution was adopted:

RESOLUTION NO. 411-1116

REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATION USE TAX

WHEREAS, the enactment of a special law amending the tax law in relation to extending the expiration of the authorization to the County of Orleans to impose an additional 1% sales and compensating use tax is in the best interests of the County of Orleans; be it

RESOLVED, that pursuant to Article IX of the Constitution, the County of Orleans requests the enactment of a senate bill and an assembly bill, entitled “An Act to amend the tax law in relation to extending the expiration of the authorization to the County of Orleans to impose an additional 1% sales and compensating use tax”; said bills to extend the sales tax increase through November 30, 2019.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps moved to support the request to the NYS DOT to take action in front of the Kendall Jr./Sr. High School by addressing the speed zone and non passing lanes; seconded by Legislator DeRoller. Legislator DeFilipps stated that the majority of the speed zones in front of schools are at 25 mph and it would be nice to get the current 50 mph speed zone reduced. Legislator DeRoller indicated that over 18 different accidents have been reported by the Sheriff’s Department and he appreciates the Chairman of the Public Safety committee to move this forward and everyone else. The following resolution was adopted:

RESOLUTION NO. 412-1116

SUPPORTING COMMUNITIES REQUEST TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO TAKE ACTION

IN FRONT OF THE KENDALL JR./SR. HIGH SCHOOL BY
ADDRESSING SPEED ZONE AND NON PASSING LANES

WHEREAS, there is a Public Safety concern at the Kendall Jr./Sr. High School where there is a 50 mph speed zone and a passing zone that has created a major safety concern for students, parents, staff, and all other community members and travelers that use NYS Route 18 through this section of highway in the Town of Kendall; and

WHEREAS, 358 individual signed letters were presented to Orleans County Legislators DeFilipps and DeRoller, along with letters sent to Senator Ortt and Assemblyman Hawley, expressing continued safety concerns for the community if this 50 mph speed limit and a passing zone remains along this section of highway located at 16887 Roosevelt Highway; and

WHEREAS, the community of Kendall has stepped up to engage many community organizations, boards, and civic groups to help realize the importance of this safety concern and are assisting in advocating for a change in their community; now be it

RESOLVED, that the Orleans County Legislature supports the following requests to make this particular school zone at 16887 Roosevelt Highway, Kendall, NY a safer roadway for all local and visiting motorists that travel through this particular section in Orleans County:

- A reduction in speed from 50 miles per hour to a safer reduced speed limit due to the location of the Kendall Jr./Sr. High School.
- A double solid line striping on NYS Route 18 between Route 237 and Norway Road due to line of sight through this section of highway; and be it;

FURTHER RESOLVED, that this Legislature directs the Clerk of the Legislature to forward certified copies of this resolution to Governor Andrew Cuomo, Senator Robert Ortt, Assemblyman Steve Hawley, Genesee Valley (Region 4) Commissioner of the New York State Department of Transportation, Orleans County Sheriff's Office, Kendall Central School Board of Education, Town of Kendall Supervisor, Town of Kendall Highway Superintendent, Kendall Fire Department, and any others deemed necessary and appropriate.

Moved, DeFilipps; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 413-1116

AUTHORIZING PAYMENT OF CLAIMS FOR DECEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 December 14, 2016:

Fund/Department	Check Number (s):	Amount:
General	6359-6584	\$627,831.57
Highway	876-886; 2038-2063	\$73,946.05
Job Development	2265-2275	\$1,842.62
Self Insurance	57543, 1123, 57584	\$13,220.54

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 Superintendent of Highways, 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 December 28, 2016:

Fund/Department	Check Number (s):	Amount:
General	6596-6730	\$254,971.53
Highway	887-888; 2064-2075	\$76,979.00
Job Development	2276-2291	\$57,898.62
Self Insurance	57634-57636, 1124	\$42,933.03

Moved, Miller; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

The following add on resolutions were presented:

RESOLUTION NO. 414-1116

SUPPORTING THE REUSE AND REHABILITATION OF THE FORMER HOLLEY HIGH SCHOOL AND ENCOURAGE NYS HOMES AND COMMUNITY RENEWAL TO FINANCE THE PROJECT

WHEREAS, Home Leasing, LLC proposes to adaptively reuse and rehabilitate the historic Holley High School located at 1 Wright Street into Holley Gardens – a proposed mixed-income, mixed-use facility that would include 41 residential units and accessible space for the Village offices; and

WHEREAS, the Orleans County 1998 Strategic Plan for Economic Growth (SPEC) states that “Orleans County must demand high quality and environmentally sound economic development which respects agricultural lands, protects unique natural resources and strengthens and improves the image and economy of the Villages; land use decisions must be with the need to protect farmland and natural resources while balancing the need to redevelop village centers...” and that, “local governments should encourage the construction of new government facilities within village boundaries, to complement and reinforce the synergy between government functions and adjacent businesses, and to take advantage of existing infrastructure within major population centers in the County”; and

WHEREAS, the proposed Holley Gardens implements SPEC’s goals by transforming a dilapidated building into an historic landmark in a Village center, installing Green and Energy Efficiency measures, and improving upon the local government’s facilities within Village boundaries. The project is within a village center. Holley Gardens addresses the needs to: revitalize a Village center, increase and improve housing stock, and support the aging population; and

WHEREAS, the Orleans County Industrial Development Agency has provided their support by approving a PILOT agreement, mortgage and sales tax exemptions, purchase contract, and support resolution; now therefore be it

RESOLVED, that the Orleans County Legislature supports the adaptive reuse and rehabilitation of the former Holley High School, and encourages NYS Homes and Community Renewal to allocate financing to

the project to allow it to proceed. The proposed Holley Gardens is consistent with Village, County, Regional, and State goals; and be it

FURTHER RESOLVED that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Schumer, State Senator Ortt, State Assemblyman Hawley, Town of Murray, Holley Central School District, Village of Holley, Finger Lakes Regional Economic Development Council and all others deemed necessary and proper.

Moved, DeFilipps; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps stated that New York State Senator Chuck Schumer was present in the Village of Holley on Veterans Day at the Old Holley High School. Senator Schumer positively shared prospective funding sources and he has been a big participant, with many others, to further this endeavor. Legislator DeFilipps stated that he was one of the last classes to graduate in 1975 from this old Holley High School and would love to see it repurposed. Chairman Callard stated that he understood from what the Senator spoke of that this maybe a \$17 million housing investment in Holley, another \$15 to \$20 million housing investment in Albion and possibly the same in Medina. We look forward to this and it is an exciting time for us stated Chairman Callard. The following resolution was adopted:

RESOLUTION NO. 415-1116

AUTHORIZING VEHICLE PURCHASE FROM THE HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the Health Department to purchase a 2017 Chevrolet Equinox AWD Lt from Don Davis of Albion, LLC., P O Box 7, Albion NY 14411 at a total purchase price of \$25,432 to be paid from Health Department Budget account A4010.250 – Other Equipment. Full purchase price is covered by New York State Health Department State Aide Performance funding as set up by passage of Resolution No. 364-1016.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Chairman Callard called for discussion of old business and then opened the floor for any further discussion. Mark O'Brien, Director of Orleans County Mental Health, acknowledged that the first crisis intervention team class is underway now, as we are meeting here, and he thanked Sheriff Bower for his support on this. State Office of Mental Health is training officers from the Orleans County Sheriff's Office, New York State Police, Villages Albion, Medina, and Holley Police, State Park Police will be learning help mediate mental health issues in our community. Mr. O'Brien also expressed that Senator Ortt will be present for the graduation on Friday.

Legislator DeRoller acknowledged the 36th Annual Employee Recognition Luncheon. He said about 68 people were in attendance and the event was nicely done in recognizing our dedicated staff. The Legislative Board was truly honored to name Mary Jo Syck, Assistant Administrative Veterans Secretary for Orleans County as Employee of the Year.

Legislator DeRoller moved to enter into executive session at 5:07 p.m. per Open Meetings Law §105 (d) to discuss pending litigation; second by Legislator Allport. Motion Carried.

Legislator DeRoller moved to exit out of executive session and reconvene the regular meeting at 5:15 p.m.; second by Legislator Miller. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:15 p.m.

SPECIAL LEGISLATURE MEETING

December 5, 2016

Chairman Callard called the meeting to order at 9:30 a.m. After the pledge to the flag, the Clerk called the roll. All Legislators were present.

The following resolutions were presented for adoption.

RESOLUTION NO. 416-1216

ADOPTING THE 2017 ORLEANS COUNTY BUDGET

WHEREAS, the 2017 tentative budget for Orleans County was presented to the general public at a public hearing held at 7:00 p.m. on November 28, 2016; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now, be it

RESOLVED, that this Legislature does hereby adopt the 2017 tentative budget, as the Orleans County budget for 2017, with a tax levy of \$16,728,410.00.

Moved, DeFilipps; second, Allport.

Roll Call: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 417-1216

APPROVING APPORTIONMENT OF THE 2017 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2017, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature.

Town	Adjusted Taxable Value	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	2017 Tax Levy
Albion	219,494,009	216,002,139	100%	219,494,009	12.575%	2,103,622.37
Barre	98,606,981	97,076,773	100%	98,606,981	5.649%	945,045.62
Carlton	208,507,748	204,918,413	100%	208,507,748	11.946%	1,998,330.46
Clarendon	163,996,842	160,482,073	100%	163,996,842	9.396%	1,571,739.60
Gaines	126,692,863	124,563,153	100%	126,692,863	7.258%	1,214,219.66
Kendall	158,915,758	156,386,881	100%	158,915,758	9.105%	1,523,042.68
Murray	185,289,851	181,124,751	100%	185,289,851	10.616%	1,775,811.00
Ridgeway	225,676,626	220,400,089	94%	240,081,517	13.755%	2,300,932.28

Shelby	185,965,274	182,446,670	100%	185,965,274	10.654%	1,782,284.23
Yates	154,749,608	152,545,143	98%	157,907,763	9.047%	1,513,382.10
Totals	1,727,895,560	1,695,946,085		1,745,458,606	100.00%	16,728,410

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 418-1216

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2017; be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWNS	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion	128,067.00	200,379.00	
Barre		636,603.00	
Carlton		637,212.00	
Clarendon		376,442.50	
Gaines	65,320.00	176,171.00	17,778.26
Kendall		425,843.00	
Murray	190,913.00	205,509.00	35,717.00
Ridgeway	201,581.00	387,571.00	54,975.00
Shelby	287,341.00	221,042.00	21,959.00
Yates	226,540.00	100,220.00	14,825.00

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with the respective Fire Protection and Improvement Districts in the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
Albion	Fire Protection	101,000.00
	Water District 1	17,742.00
	Water District 3	70,000.00
	Water District 4	28,569.00
	Water District 5	60,386.00
	Water District 6	22,800.00
	Water District 7	9,360.00
	Water District 8	15,221.00
	Water District 9	10,663.00
	Sewer District 1	50,765.00
Barre	Fire District	189,500.00
	Water District 2	12,350.00
	Water District 3	10,415.00
	Water District 4	14,849.00
	Water District 5	35,360.00
	Water District 6	46,571.00
	Water District 7	14,347.00
Carlton	Fire Protection	161,280.00
	Light District I	6,000.00
	Light District II	8,000.00
	Water	367,475.00
Clarendon	Fire Protection	171,634.30
	Water District 2	36,103.62
	Water District 3	72,863.29
	Water District 4	53,944.00
	Water District 5	13,931.55
	Water District 6	27,364.08
	Water District 7	49,328.53
	Water District 8	8,844.64
	Water District 9	7,604.34
	Water District #9 Ext	1,790.02
	Water District 10	68,707.89
Water District 11	68,743.34	
Gaines	Fire Protection	90,000.00
	Water District 2	8,077.00
	Water District 3	6,688.25
	Water District 5	3,773.75
	Water District 6	7,233.00

	Water District 7	5,412.53
	Water District 8	8,800.00
	Water District 9	9,176.00
	Water District 10	9,368.00
Kendall	Fire District 1 (Kendall)	163,900.00
	Fire District 2 (Morton)	74,417.00
	Light District 1	5,200.00
	Light District 2	2,885.00
	Light District 3	1,475.00
	Water District 1	2,503.00
	Water District 2	11,811.00
	Water District 3	16,765.26
	Water District 4	61,200.26
	Water District 5	11,951.00
	Water District 6	10,941.00
Murray	Fire Protection District 1	199,000.00
	Fire District 2 (FHM)	107,600.00
	Light District 1 (Fancher)	2,600.00
	Light District 2 (Hulberton)	3,800.00
	Light District 3 (Brockville)	1,200.00
	Water District 1	5,000.00
	Water District 2	31,000.00
	Water District 3	22,582.00
	Water District 4	6,000.00
	Water District 5	4,300.00
	Water District 6	12,000.00
	Water District 7	19,500.00
	Water District 8	16,440.00
	Water District 9	6,500.00
	Water District 10	7,000.00
	Water District 11	103,054.00
	Water District 12	12,000.00
	Water District 13	19,201.00
	Water District 14 (Gaines)	3,900.00
	Water District 15	59,000.00
Ridgeway	Fire Protection	193,963.00
	Light	3,375.00
	Water Improvement 31-E	8,800.00
	Water improvement 269	7,915.00
	Water District 2	19,225.00

	Water District 3	32,228.25
	Water District 4	64,493.73
	Water District 5	26,443.63
	Water District 6	13,918.62
	Water District 7	6,950.00
	Water District 8	9,373.85
	Water District 9	5,265.68
	Water District 10	11,767.75
	Water District 11	2,041.26
	Water District 12	14,026.28
	Water District 13	10,562.49
	Knowlesville Sewer District	31,500.00
Shelby	Fire Protection District (Shelby & East Shelby)	301,657.00
	Light District 1 (Shelby)	2,550.00
	Light District 2 (Millville)	1,300.00
Yates	Fire Protection	66,600.00
	Water District 4	177,749.00

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	2,115.76			396,805
Barre			3,700.00	271,929
Carlton	4,318.67		975.00	310,915
Clarendon	5,842.20		1,285.00	364,991
Gaines	1,233.28			245,500
Kendall				294,542
Murray			6,971.20	348,221
Ridgeway	6,591.61			329,577
Shelby	27,572.75			432,995
Yates	1,654.48			287,728

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 419-1216

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2016 Unpaid Solid Waste/Recycling Fees to the 2017 tax rolls of the several towns in Orleans County:

TOWN		AMOUNT
Albion	Inside	19,164.95
	Outside	5,862.22
Barre		7,440.51
Carlton		15,444.70
Clarendon		6,764.10
Gaines	Inside	1,127.35
	Outside	7,665.98
Kendall		7,665.98
Murray	Inside	7,215.04
	Outside	9,469.74
Ridgeway	Inside	12,175.38
	Outside	12,400.83
Shelby	Inside	10,371.62
	Outside	11,949.91
Yates	Inside	2,029.23
	Outside	10,146.17
Total		146,893.71

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 420-1216

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2017 tax rolls of the respective towns as of November 1, 2016:

TOWN		AMOUNT
Albion	Inside	119,192.86
	Outside	66,721.82
Barre		70,062.37
Carlton		247,371.35
Clarendon		242,470.86
Gaines	Inside	11,705.04
	Outside	93,050.26
Kendall		149,616.69
Murray	Inside	112,365.34
	Outside	244,256.53
Ridgeway	Inside	150,612.18
	Outside	157,007.80
Shelby	Inside	204,990.45
	Outside	157,394.59
Yates	Inside	16,819.33
	Outside	121,782.59
Total		2,165,420.06

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 421-1216

AUTHORIZING COUNTY TREASURER TO RELEVY CERTAIN UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2017 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWNS:	AMOUNT
Village of Albion	Town of Albion	148,539.37
	Town of Gaines	14,874.83
Village of Holley		65,316.92
Village of Lyndonville		19,767.96
Village of Medina	Town of Ridgeway	112,681.51
	Town of Shelby	89,591.53
TOTAL		450,772.12

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 422-1216

**AUTHORIZING COUNTY TREASURER TO CHARGE BACK
ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND
SCHOOL DISTRICTS**

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 29, 2016, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	SOLID WASTE	TO VILLAGE	TOTAL
ALBION								
Mowing – Local Law	various	various					3,200.00	3,200.00
CARLTON								
Mart, Kenneth & Cheryl	5.1-1-24	2016	550.85	374.77				925.62
Walsh, Claudia	5.49-1-4.1	2016		200.00				200.00
Grabowski, Shawn & Shealy	16.-1-25.111	2016		400.00				400.00
Glendale Farms	16.-1-25.112	2016		200.00				200.00
Pescara, Gerald	25.-1-25.122	2016	19.94					19.94
The Mike-Matt Lands Partnership	28.-1-76	2016		200.00				200.00
Jackson, Cooper	29.-1-30.113	2016		810.00				810.00
Budynski, Earl	39.-1-8.111	2016		200.00				200.00
Harding, Jeffrey A.	40.-1-12.1	2016	425.51	231.56				657.07
CLARENDON								
Mathes, George & Eugenia	97.-1-51.2	2014,2015		643.19				643.19
Jarosinski, Barbara	108.-2-46.1	2016	336.67					336.67

MURRAY								
Ribble, Bruce	88.5-2-45	2013-2015	14,575.60	2,015.55	17,293.07	1,525.67	10,889.33	46,299.22
Ribble, Bruce	88.5-2-45	2016	1,702.53		799.31	219.74	2,296.84	5,018.42
RIDGEWAY								
Mowing – Local Law	various	various					1,734.75	1,734.75
SHELBY								
Hellert, Eileen & David	101.-1-37	2016	389.84	247.08				636.92
Mowing – Local Law	various	various					132.50	132.50
YATES								
Zimmerman, John & Joanne	3.10-1-7.1	2014	49.23	24.27				73.50
Zimmerman, John & Joanne	3.10-1-7.1	2015	48.22	23.94				72.16
Zimmerman, John & Joanne	3.10-1-7.1	2016	48.24	23.88				72.12
Lopez, Antonio & Dianna	26.-1-31	2016	253.41	111.07	413.61			778.09
TOTALS			18,400.04	5,705.31	18,505.99	1,745.41	18,253.42	62,610.17

Grand Total = \$ 62,610.17

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 423-1216

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion		
Barre		
Carlton	\$2,616.33	
Clarendon	643.19	
Gaines		
Kendall		

Murray	2,015.55
Ridgeway	
Shelby	247.08
Yates	183.16

Total amount charged to Towns: \$ 5,705.31

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 424-1216

APPROVING CHARGE BACKS TO TOWNS FOR DATA MANAGEMENT SERVICES, USER FEES, TAX BILLS, AND RATE AND MAP FILES

RESOLVED, that this Legislature authorizes charge backs for Data Management Services, user fees, tax bills, and rate and map files to be levied on to the 2017 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2016

TOWN		NO. OF PARCELS	Real Property	Tax Collector User Fees	RATE & MAP Files	RPS User Fees	Total	Total Town
Albion	Inside	1,603	2,003.75				2,003.75	
	Outside	948	1,185.00		150.00	1277.00	2,612.00	4,615.75
Barre		1,408	1,760.00	216.96	150.00	1227.00	3,353.96	3,353.96
Carlton		2,450	3,062.50	98.52	150.00	1595.00	4,906.02	4,906.02
Clarendon		1,787	2,233.75	214.44	150.00	1288.00	3,886.19	3,886.19
Gaines	Inside	235	293.75				293.75	
	Outside	1,043	1,303.75		150.00	640.00	2,093.75	2,387.50
Kendall		1,684	2,105.00		150.00	1271.00	3,526.00	3,526.00
Murray	Inside	688	860.00	23.76			883.76	
	Outside	1,424	1,780.00	48.84	150.00	1540.00	3,518.84	4,402.60
Ridgeway	Inside	1,396	1,745.00				1,745.00	
	Outside	1,761	2,201.25		150.00	1809.00	4,160.25	5,905.25
Shelby	Inside	957	1,196.25				1,196.25	
	Outside	1,355	1,693.75		150.00	1,572.00	3,415.75	4,612.00
Yates	Inside	384	480.00				480.00	
	Outside	1,361	1,701.25		150.00	1281.00	3,132.25	3,612.25
Totals		20,484	25,605.00	602.52	1,500.00	13,500.00	41,207.52	41,207.52

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 425-1216

SETTING UNIT CHARGE FOR 2017 COUNTY SOLID WASTE/RECYCLING PROGRAM

RESOLVED, that this Legislature sets the unit charge for the 2017 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 205.00
One-half unit of Service	\$ 102.50

and, be it

FURTHER RESOLVED, that an Administrative Fee of \$2.00 shall be added to each unit of service, and a \$1.00 fee to each half unit of service.

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

RESOLUTION NO. 426-1216

APPROVING ABSTRACT OF 2017 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2017 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

Town	No. of Units	*Cost per Unit	Total to be Collected
Albion	2,100.00	\$207.00	434,700.00
Barre	778.50	207.00	161,149.50
Carlton	1,571.00	207.00	325,197.00
Clarendon	1,087.50	207.00	225,112.50
Gaines	1,073.50	207.00	222,214.50
Kendall	1,128.50	207.00	233,599.50
Murray	1,592.00	207.00	329,544.00
Ridgeway	2,506.00	207.00	518,742.00
Shelby	1715.50	207.00	355,108.50
Yates	1163.50	207.00	240,844.50
Totals	14,716.00		3,046,212.00

*Includes \$2.00 Administrative charge per unit.

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

RESOLUTION NO. 427-1216

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein contained, be and hereby are, adopted by this Legislature and that the several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 428-1216

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 429-1216

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending September 30, 2016; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment
April 1, 2016 through September 30, 2016**

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	217,421,263	434,842,526	118,559,880	27.27%	16,264.50	4,434.52	11,829.98
Barre	97,995,266				9,294.98		9,294.98
Carlton	204,910,413				26,356.97		26,356.97
Clarendon	160,421,773				13,225.63		13,225.63
Gaines	125,144,736	250,289,472	23,215,047	9.28%	10,504.29	974.30	9,529.99
Kendall	156,445,691				17,978.08		17,978.08
Murray	180,983,038	361,966,076	53,218,231	14.70%	16,864.14	2,479.46	14,384.68
Ridgeway	220,568,369	441,136,738	90,924,668	20.61%	21,916.56	4,517.32	17,399.24
Shelby	182,697,365	365,394,730	73,404,147	20.09%	19,912.11	4,000.14	15,911.97
Yates	<u>152,513,838</u>	305,027,676	<u>29,039,266</u>	9.52%	14,798.03	1,408.80	13,389.23
Total	1,652,760,623				167,115.29	17,814.54	149,300.75

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

With there being no further business, Legislator Allport moved to adjourn;
second by Legislator DeFilipps. Meeting adjourned at 9:38 a.m.

LEGISLATURE MEETING

December 21, 2016

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Allport.

Legislator DeRoller presented a special recognition award to Michael Walsh from Oak Orchard on the Lake Neighbors who volunteered and worked diligently to clean out the vegetation on the jetties at Oak Orchard Harbour. Legislator DeRoller expressed how extremely grateful we are for Mr. Walsh's drive to secure the proper permits and collect \$1,000 in pledges from the Oak Orchard Neighborhood Association and St. Mary's Archer's Club to make this area beautiful again. Mr. Walsh stated that it started nearly three years ago when contacting the agencies to obtain the proper permits. He indicated that this is the first step and more work needs to be done in these jetties.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$217.78, that has been reviewed and authorized by her office. The Orleans County Treasurer has provided the annual examination of Petty Cash Accounts report which has been filed in our office. Orleans County Economic Development Agency forwarded a thank you letter for supporting the access roads, sewer and water projects and development in general in Medina Business Park and across the County. ProAct – Pharmacy Benefit Management forwarded a letter updating us on our partnership with the Prescription Discount Card Program. Since our partnership began with ProAct program implementation in 2009, residents have saved over \$750,000. The Clerk of the Legislature Office continues to have available this discount cards upon request. Orleans County Chamber of Commerce, the Kendall Community Innovations Advisory Committee, the Kendall Lions Club and Kendall Leos Club; along with Kendall Student Drivers and students all forwarded letters or petitions to our office concerning a request for the Kendall High School Speed Limit reduction. Resolutions were also received from the Kendall Central School Board of Education and the Town of Kendall requesting the same.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through November, 2016. She wanted to remind the board

when looking at the balance that they did the IGT the last couple days of November so the \$4.3 million will not appear until the December report is prepared and the money is received back. She encouraged everyone to shop locally for Christmas, even on line would help.

Chairman Callard called for open discussion as it related to the resolutions. Chairman Callard first called upon Legislator Johnson to inform the room about our dredging efforts. Legislator Johnson stated that Chairman Callard received a phone call advising us that we were awarded \$75,000 to create a dredging plan with other lake bordering counties. This will start the vehicle that will represent the counties for dredging so we can continue on in a coordinated effort and dredging will then be done on a continual basis. She expressed that this has been great news from the State that we were awarded this money. Chairman Callard stated that we have never had standardization of dredging in the county and we have gone fifteen years before we could do this. Our plan is to have standardization to where harbors could be dredged every five years and done on a rotational basis. Congressman Collins will be conducting a regional meeting with the lake counties here in Orleans County on January 4th and work will begin. He has assured us that there may be more funding to move this dredging project forward.

Jim Simon, Yates Town Supervisor, expressed his appreciation to the Board for all of the support given to the Town of Yates, and Legislator Johnson, for the proposed project Apex Clean Energy Lighthouse Wind. He said in particular, he speaks in support of Resolution No. 475 and the debate the Air Reserve Station is ongoing and at this time it is not closing. This particular resolution and what Congressman Collins is trying to do will preclude any encroachment on this air base which is a beautiful asset that tomorrow could announce another aircraft is coming in to operate. So looking to the future, he asked for support of this resolution by this board.

Paul Lauricella, Yates, stated that he supports Resolution No. 475. He hopes that Congressman Collins, and hopefully the Trump administration will eliminate the tax credits and the funding for the biggest scam ever perpetuated on the American public in the idea of industrial wind or solar projects.

John Riggi, Town of Yates Councilman, shared commendation to the board in Resolution No. 475 and felt it was important to ensure that we are keeping encroachment from becoming a problem in the operations in the air. Another thing to keep in mind in considering this resolution is that

this is on a national border, Canada and US, and we want to also ensure that our borders are secure due to the current political nature.

Legislator Eick moved to add 3 resolutions to the agenda; second by Legislator Miller. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 430-1216

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.253, Capital Project – Infrastructure Project – County Building Roof Replacement:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$25,639.27	Grove Roofing Services	Installation of asphalt roof 2 nd floor Public Safety Building

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 431-1216

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

RESOLVED, that this Legislature approves the agreements between the County and the ten Towns within the County providing for snow and ice control on County roads from October 1, 2016 through September 30, 2021; the County to pay the towns for each mile of County roads sanded and for each mile plowed as follows:

2016 – 2017 season at \$5,717.57, additional years based on CPI-U; and be it

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

2017 season at \$592.28, additional years based on CPI-U; and be it

FURTHER RESOLVED, that the payments be made on three vouchers submitted at a rate of 1/3 of the seasonal cost a mile per each of the three mowing; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute said agreements on behalf of the County.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 432-1216

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C. FOR MARSHALL ROAD BRIDGE

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State St., Suite 201, Rochester, NY 14614 to perform Professional Services for the design and construction phase of Marshall Road Bridge over Johnson Creek in the Town of Yates, Bin #3318840; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$185,800 and to be paid out of the Capital Project Infrastructure for Bridge Replacements Account #H-5120.250.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 433-1216

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C. FOR CULVERT ROAD BRIDGE

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State St., Suite 201, Rochester, NY 14614 to perform Professional Services for the design and construction phase of Culvert Road Bridge over Fish Creek in the Town of Ridgeway, Bin #3318900; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$151,500 and to be paid out of the Capital Project Infrastructure for Bridge Replacements Account #H-5120.250.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 434-1216

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C. FOR MILLERS ROAD AND EAST SHELBY ROAD CULVERTS

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State St., Suite 201, Rochester, NY 14614 to perform Professional Services for the design phase of Millers Road Culvert in the Town of Yates and East Shelby Road Culvert in the Town of Shelby; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$45,000 and to be paid out of the Capital Project Infrastructure for Culvert Improvements Account #H-5120.251.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

Legislator Eick moved to approve an agreement between Highway and Coordinated Care Services. Mr. Nesbitt explained that they are not for profit firm that does customized excel spreadsheets for the Highway Department in order to help them manage their costs and coordinate their finances. Legislator Miller seconded the motion. Chairman Callard stated it also helps streamline the operations in this department. The following resolution was adopted:

RESOLUTION NO. 435-1216

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND COORDINATED CARE SERVICES INC.

RESOLVED, that this Legislature approves an agreement between the Highway Department and Coordinated Care Services, Inc. 1099 Jay St., Rochester, New York 14611 for the completion of Phase I and the commencement of Phase II and Phase III of the development and implementation of a financial management software program specifically developed for the Highway Department at a cost of \$14,475; and be it

FURTHER RESOLVED, the agreement is in effect from January 1, 2017 through December 31, 2017; to be paid out of the Road Fund account D5010.418.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 436-1216

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE
CULVERT RAIL AND PARTS FOR MULTIPLE BRIDGE
LOCATIONS

RESOLVED, that this Legislature authorizes the Highway Department to purchase culvert rail and miscellaneous parts for multiple capital project bridge locations from Elderlee, Inc., 729 Cross Road, Oaks Corners, NY 14518 for a total of \$16,659.00 to be purchased off of NYS OGS Contract #PC66722; to be paid from account #D5120.470.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 437-1216

AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY
BUDGET

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

<u>Revenue:</u>		
D3501/5112	CHIPS Revenue Account	\$357,243.50

Appropriation:

D5112.100	Road Construction - Personal Serv.	\$177.99
D5112.101	Road Construction – Overtime	\$178.38
D5112.442	Road Construction – Materials	\$354,235.74
D5112.436	Road Construction – Equipment Rental	\$2,651.39

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 438-1216

APPROVING AGREEMENT WITH BUILDINGS AND GROUNDS AND CUSTOM CARPET CENTERS AND AUTHORIZING THE TREASURER TO TRANSFER FUNDS INTO THE BUILDINGS AND GROUNDS BUDGET

RESOLVED, that this Legislature approves an agreement between Custom Carpet Centers, 2847 Southwestern Blvd, Orchard Park, NY 14127, for the purpose of installing flooring in the break room at the COB, in the amount not to exceed \$5,974.04 with such work to be completed and paid from Buildings & Grounds account 1620.403 and to apply the remaining funds of \$9,025.96 to 1620.403 to finish year end projects as follows; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Buildings & Grounds budget for the purposes as described above as follows:

FROM:

A1990.435	Contingency	\$15,000
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TO:

A1620.403	Building Maintenance Projects	\$15,000
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Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 439-1216

APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR THE AGING DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements for the Aging Department:

Community Action of Orleans and Genesee County, Inc 409-411 E. State St., Albion, NY to provide transportation services for Orleans County residents age 60 and older from January 1, 2017 to December 31, 2017 at a cost of \$24,000. County cost is \$2,791.

ARC of Orleans County, 122 Caroline St., Albion, NY 14411 to provide – Renewal Contract for the Nutrition Program services; Contract will be from January 1, 2017-December 31, 2020 at a rate of \$10.38 per meal to a guaranteed cap of \$415,272 (or 40,000 meals). Reimbursement will be at a rate of \$2.91 per hot meal and \$2.33 per cold meal once guarantee rate is met. Rate changes for the years following 2016 will be adjusted upwards based upon the Consumer Price Index for all urban consumers as published by the US Department of Labor, Bureau of Labor Statistics for the Northeast Region.

Ellen Foster, RD of 33 Willmont St., Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2017 to December 31, 2017 at a cost not to exceed \$13,983. County cost \$651.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 440-1216

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE OFFICE FOR THE AGING BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Office for the Aging Budget as a result of additional 2016 final Federal allocations were received as follows:

<u>Revenue:</u>		
A4772	Programs for Aging – Federal	\$523
<u>Appropriation:</u>		
A6772.461	Postage	\$523

and be it,

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Office for the Aging Budget as a result of additional 2016 final local allocations received as follows:

<u>Revenue:</u>		
A1972	Programs for Aging – Local	\$1,586
 <u>Appropriation:</u>		
A6772.461	Postage	\$100
A6772.462	Travel - In County	\$1,386
A6772.463	Travel – Out of County	\$100

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 441-1216

**APPROVING AGREEMENTS WITH THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

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

Building and Grounds, A Division of the Highway Department, Albion, NY for the provision of Messenger and Custodial Services; to be effective January 1, 2017 through December 31, 2017 at a cost of \$55,542. County cost is \$19,540.

Orleans County Attorney, Medina, NY for the provision of 1.25 part-time attorneys assigned to Social Services; to be effective January 1, 2017 through December 31, 2017 at a cost of \$92,356. County cost is \$31,835.

Orleans County Attorney, Medina, NY for the provision of 0.75 part-time attorney assigned to Social Services; to be effective January 1, 2017 through December 31, 2017 at a cost of \$55,414. County cost is \$18,841.

Job Development Agency, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2017 through December 31, 2017 at a cost of \$334,782. County cost is \$128,616.

Orleans County Health Department, Albion, NY for the provision of licensed nursing assessments for DSS Medicaid Personal Care Aide clients; to be effective January 1, 2017 through December 31, 2017 at rates established by the NYS Department of Health. County cost \$0.

Orleans County Office for the Aging, Albion, NY for the provision of assisting select public assistance clients in applying for SSI; to be effective January 1, 2017 through December 31, 2017 at a cost of \$5,000. County cost is dependent upon program for which the client is eligible.

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance, and consultation services; to be effective January 1, 2017 through December 31, 2017. County cost \$21,579.

Willcare, Inc. to provide personal care aide services to Medicaid clients at rates to be set by the NYS Department of Health for the period of January 1, 2017 through December 31, 2017.

Pathstone Corporation, Rochester, NY for the provision of housing at a safe dwelling to victims of domestic violence who are eligible for DSS payment of these services; to be effective January 1, 2017 through December 31, 2017. Rates are established by NYS Office of Children & Family Services

GCASA, Batavia, NY for the provision of alcohol assessments for Public Assistance clients; to be effective January 1, 2017 through December 31, 2017 at a cost of \$169/client. Reimbursement/County cost is dependent upon case type (TANF – 0% local cost, Safety Net – 100% local cost).

Ontario County Department of Social Services, Canandaigua, NY for the provision of Youth Care Facility for detention of PINS and JD youth; to be effective January 1, 2017 through December 31, 2017. County Cost 51%

Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2017 through December 31, 2017 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Center for Disability Rights, Rochester, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2017 through December 31, 2017 at rates set by NYS Department of Health. County cost \$0.

G4S Secure Solutions f/k/a The Wackenhut Corporation, Williamsville, NY for the provision of armed security services for the County Office Building; to be effective January 1, 2017 through December 31, 2017 at a cost of \$28.09 per hour. County cost is \$9.83 per hour.

Angels in Your Home, Hilton, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2017 through December 31, 2017 at rates set by NYS Department of Health. County cost \$0.

Angels in Your Home, Hilton, NY for the provision of Personal Care Aide services to eligible Medicaid clients; to be effective January 1, 2017 through December 31, 2017 at rates set by NYS Department of Health. County cost \$0

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 442-1216

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2017 calendar year:

Spectrum Human Services, Inc., 227 Thorn Ave, P.O. Box 631, Orchard Park, New York 14127 providing services as a mobile mental health crisis intervention team at a cost of \$80,497. County cost \$0.

Mental Health Association of Genesee and Orleans Counties, 25 Liberty St., Batavia, NY 14020 providing mental health support services and Drop-In Center at a cost of \$79,223. County cost \$0.

Hillside Children's Center, 24 Main St., Mount Morris, NY 14510 providing a program of family resiliency as a community support service

for individuals with mental and emotional problems who are living in the community at a cost of \$79,271. County cost \$0.

Hillside Children's Center, 24 Main St., Mount Morris, NY 14510 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a cost of \$14,000. County cost \$0.

Amanda J. Lewis, NPP, 56 Beresford Rd, Rochester, NY 14610 providing individual and family psychotherapy, prescribing and monitoring of psychotropic medications and evaluations with an emphasis on child and adolescent services at a cost of \$47,006. County cost is \$3,290.

Worldwide Dictation, 1545 Saw Mill River Rd, Suite 2C, Ardsley, NY 10502 providing internal transcription services at a cost of \$5,500. County cost is \$385.

Interpretek, 75 Highpower Road, Rochester, NY 14623 providing sign language interpreting services at a cost per the fee schedule identified in the Community Interpreting Service Agreement. County cost \$0.

Living Opportunities of DePaul, Inc., 2240 Old Union Rd, Cheektowaga, NY 14227, providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services. Funding provided by NYS Office of Mental Health from reinvestment of funding from the realignment of State psychiatric facility network at a cost of \$149,164. County cost \$0.

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 443-1216

AMENDING RESOLUTION NO. 370-1115 BETWEEN MENTAL HEALTH DEPARTMENT AND AMANDA J. LEWIS, NPP.

WHEREAS, Resolution No. 370-1115 approved an agreement between Mental Health Department and Amanda J. Lewis, NPP providing individual and family psychotherapy, prescribing and monitoring of psychotropic medications and evaluations with an emphasis on child and adolescent services at a cost of \$47,006 with a County cost of \$3,290; and

WHEREAS, contractor worked an additional 12 hours in 2016 at a rate of \$97.93 for a total of \$1,175.16; be it

RESOLVED, that this Legislature authorizes the additional \$1,175.16 increase to this agreement, now totaling \$48,181.16 with a County cost of \$82.68.

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 444-1216

AMENDING RESOLUTIONS 27-116 AND 154-416 FOR AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES FOR COLA INCREASES

WHEREAS , Resolutions 27-116; 154-416 approved various agreements between Mental Health and Spectrum Human Services, ARC of Orleans County, Hillside Children’s Center and Mental Health Association in Genesee and Orleans to provide services to the Mental Health Department; and

WHEREAS, there has been COLA increases for these contractors; now be it

RESOLVED, that this Legislature amends Resolution No. 27-116 and authorizes the addition of \$120 COLA increase to Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127 now at a cost of \$80,457 with no County cost; and be it

FURTHER RESOLVED, that this Legislature amends Resolution No. 27-116 and authorizes the addition of \$120 COLA increase to Hillside Children’s Center (Family Resiliency), 24 Main Street, Mount Morris, NY 14510 now at a cost of \$ 79,231 with no County cost; and be it

FURTHER RESOLVED, that this Legislature amends Resolution No. 27-116 and authorizes the addition of \$75 COLA increase to Arc of Orleans County, 122 Caroline Street, Albion, NY 14411 now at a cost of \$51,003 with no County cost; and be it

FURTHER RESOLVED, that this Legislature amends Resolution No. 154-416 and authorizes the addition of the \$86 COLA increase to

Mental Health Association in Genesee and Orleans Counties, 25 Liberty Street, Batavia NY 14020 now totaling \$79,159 with no County cost.

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

Legislator Miller moved to appoint Donald Snyder to the Community Services Board, second by Legislator DeRoller who stated that they met Mr. Snyder at their last Community Services Board meeting and look forward to his participation. The following resolution was adopted:

RESOLUTION NO. 445-1216

APPROVING APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the appointment of Donald Snyder to the Community Services Board, to serve a four-year term to begin December 22, 2016 and ending December 21, 2020.

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 446-1216

AUTHORIZING SETTING UP NEW MONEY IN THE MENTAL HEALTH DEPARTMENT BUDGET

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

<u>Revenue:</u>		
A1625	Misc. Revenue	\$15,307
<u>Appropriation:</u>		
A4310.418	Other Contractual	\$15,307

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 447-1216

**AUTHORIZING THE MENTAL HEALTH DIRECTOR TO UPGRADE
THE DEPARTMENT'S CLINICAL RECORD FORMAT**

WHEREAS, New York State has made available HIT (Health Information Technology) funds for information technology and clinical records toward services for youth and family; and

WHEREAS, the New York State Clinical Record Initiative (NYSCRI) has made significant advances in clinical record keeping; be it

RESOLVED, that this Legislature authorizes the Mental Health Director to spend \$10,270.56 to upgrade the Department's clinical record format. Funds will be New York State Office of Mental Health HIT monies to be paid to DocuTrac, Inc., 1800 Dual Hwy, Suite 306, Hagerstown, MD 21740 to upgrade clinical records to incorporate parts of NYSCRI.

Moved, Miller; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 448-1216

**APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

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

Agri-Business Child Development Newfane ABCD-Rathigaber Center at 3820 Lockport-Olcott Rd, Lockport NY Memorandum of Agreement to establish the responsibilities of OCHD and Head Start relative to services for infants and toddlers who are suspected of, or diagnosed as having disabilities. Both OCHD and Head Start support the right of all infants and toddlers with disabilities to receive free and appropriate services including all necessary evaluations, early intervention, and related services which parents request, in accordance with state and federal statute's and regulations. No cost to county.

Erie County Public Health Lab at 503 Kensington Ave, Buffalo NY 14214 to provide Lab Services for Public Health Nursing and the

Environmental Health Water Program. Contract reimbursement is from NYS Water Grant fees and State Aide. Reimbursement in accordance with the most current fee schedules for environmental and clinical testing services. County cost \$0.

Intermunicipal Agreement between Monroe & Orleans Counties at 39 West Main St.; Rochester NY 14614, to provide a Tuberculosis Control Program with consulting pulmonary and critical care physicians and certified infection control practitioners for providing comprehensive medical and nursing / case management consultative services under the statutory jurisdiction of the Department of Public Health. A flat fee of \$4,714.76 is paid for electronic health record access, VNP services, IT consultations and continuing Ed, telemedicine access, and ongoing clinical support. A fee of \$200.00 an hour for physician consults, and \$50.00 an hour for RN consults.

Mary Cariola Children's Center at 1000 Elmwood Ave, Rochester NY 14620 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 New York State Educational Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. These services qualify for 59.5% reimbursement from NYS less and Medicaid payment from Medicaid eligible children. Cost to county 40.5%

Opalecky Physical Therapy Services, PLLC at 1965 Sweden Walker Rd, Hilton NY 14468 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. These services qualify for 59.5% reimbursement from NYS less and Medicaid payment from Medicaid eligible children. Cost to county 40.5%

Student Transport, Inc. (DBA:WNY Bus Co) at 79 Sheldon Ave, Depew NY 14043 for the provision of transport services to Early Intervention participants pursuant to Public Health Law, title 11-A of article 25, and preschool supportive health services students pursuant to section 4410 of education law and part 200 regulations of the commissioner of education. These services qualify for 59.5% reimbursement from NYS less and Medicaid payment from Medicaid eligible children. Cost to county 40.5%

Theresa Lehman at 32 Mission Hill Dr., Brockport NY 14420 to provide related services to Orleans County children (ages3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement. Contract is to run from July 1, 2016 through June 30, 2019.

Office of the Aging at 14016 Rte. 31 West, Albion NY 14411, to provide chronic disease and accident prevention along with safety programs for Orleans County Residents sixty and above. Reimbursement is from New York State Health Department. County Cost \$0.

Genesee Community College at 1 College Road Batavia NY 14020 a Memorandum of Agreement to secure Genesee Community College to assist Orleans County Health Department in opening a POD(Point of Distribution) to administer treatment should an incident occur; also to allow for staff training and preparation should an incident occur. Changes to current contract include the possible use of both the Albion and Medina Campus's and the use of the GCC Wi-Fi system. Contract to run from January 1, 2017 through December 31, 2020. County Cost \$0.

Thomas Graham at 32 Farnsworth Ave, Oakfield NY 14125 to conduct hearings for alleged violations and nuisance complaints when efforts of Orleans County Health Department have failed to bring about compliance with regard to laws and codes. Provider is to provide a written report of all hearings and their findings and facts and make recommendations to the Orleans County Board of Health. Cost is \$25 per hour.

David C. Schubel, County Attorney at 113 West Center St., Medina NY 14103 to provide Attorney Services to the Orleans County Health Department and its various programs. Contract to follow terms of legislature. Reimbursements is from various grants. County Cost \$0.

ARC of Orleans -Rainbow Preschool at 122 Caroline St., Albion, NY 14411 to provide related services to Orleans County children (ages3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education

Department and Medicaid. The related services rates are set by the county. 59.5% from NYS and 40.5% cost to county.

Music Therapy Pathways- Creative Arts Therapy PLLC at 80 South Main St., Oakfield, NY 14125 to provide related services to Orleans County children (ages3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. Our responsibility is 40.5 % and 59.5% is from NYS

Alan Barcomb M.D. at 1 Dennis Dr., Batavia, NY 14020 to provide medical consultant services throughout the various departments within the Orleans County Health Department. The contract period will run from January 1, 2017 through December 31, 2017. Reimbursement is from State Aide. County Cost \$0.

Cathy Rosenburg at 10436 Freeman Rd, Medina, NY 14103 to provide related services to Orleans County children (ages3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. These services qualify for 59.5% reimbursement from NYS less and Medicaid payment from Medicaid eligible children. Cost to county 40.5%

GCASA at 430 East Main St., Batavia, NY 14020 Contract to provide for counseling services for alcohol and drugs (substance abuse) for the migrant population. Contract funded through New York State Migrant Grant. Contract period to run concurrent with the New York State Contract October 1, 2016 through September 30, 2017. County Cost \$0.

Timothy Hens PE at 7319 Quinlan Rd. LeRoy, NY 14482 to provide Engineering Services for the Orleans County Environmental Department. Reimbursement from New York State water grant and State Aide. Contract period January 1, 2017 through December 31, 2017. County Cost \$0.

3D Delivery, Inc- d/b/a Genesee Delivery at 58 Kingsbury Ave., Batavia, NY 14020 to provide Delivery Services for the Orleans County Health Departments various programs regarding Lab samples taken within the Environmental and Nursing Divisions, Reimbursement through New York State Aid, County Cost \$0. Contract period from January 1, 2017 through December 31, 2017.

Elizabeth Olmstead Center for the Visually Impaired at 1170 Main St., Buffalo, NY 14209 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. Contract period to run from July 1, 2016 to June 30, 2019.

Elizabeth Olmstead Center for the Visually Impaired at 1170 Main St., Buffalo, NY 14209 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. Contract period to run from July 1, 2016 to June 30, 2019.

Monroe County Public Health at 111 Westfall Rd., Room 962C, Rochester, NY 14620 to provide "14" full autopsy examinations and 5 blood description autopsy exams. All autopsy's over the approved 14 full autopsy's and the approved 5 blood description autopsy's for 2016 will be charged at a rate as approved by the Monroe County Legislature in the 2016 budget as listed in the Public Health Medical Examiner Fees and Charges Schedule. If the county does not utilize all autopsy serviced, they may use the balance on other services. 2016 fees and charges attached. Full cost to county.

Wayne A. Secord Therapeutic Preschool at 6395 Old Niagara Rd, Lockport, NY 14094 to provide appropriate special education related services (speech, music, physical therapies and evaluations) for eligible preschool children of Orleans County with disabilities through the 3-5 program placed by the Board Of Education. Rates are set by NYS Department of Education. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement.

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 449-1216

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

WHEREAS, an Account Clerk Typist (4010.34) retired on November 30, 2016 and an evaluation of the duties was performed and the title reclassified to a Senior Account Clerk; now be it

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Account Clerk Typist in the Public Health Department at Grade 9 of the CSEA Salary Schedule effective November 30, 2016; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Senior Account Clerk in the Public Health Department at Grade 10 of the CSEA Salary Schedule; be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant Senior Account Clerk position at Grade 10 of the CSEA Salary Schedule effective immediately.

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 450-1216

**AUTHORIZING PURCHASE OF SOFTWARE FOR PRESCHOOL
EDUCATION BILLING**

WHEREAS James McGuinness & Associates, Inc. is the sole developers and owners of the Preschool billing software that is used by thirty-one other New York counties; now be it

RESOLVED that the Legislature approves the purchase of the license to use this software at a cost of \$50,000 to be paid over three years, interest fee from the Education Handicapped Children Budget Account A2960.452 – Personal Services Contracts; and be it

FURTHER RESOLVED that the Legislature approves the additional maintenance and support charges of \$625/month (\$7,500 annually) and the use of the Medicaid Service Bureau via the Preschool

software charge of \$167/month (\$2,000 annually) through December 31, 2019.

Moved, Miller; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 451-1216

**AUTHORIZING PLANNING AND DEVELOPMENT DEPARTMENT
TO ENTER INTO AGREEMENT WITH WESTERN ORLEANS
MUNICIPALITIES FOR REIMBURSEMENT OF COMPREHENSIVE
PLAN PREPARATION COSTS**

WHEREAS, the County Department of Planning and Development has agreed to provide professional staff assistance over a maximum of eighteen months at no charge to the Towns of Ridgeway, Shelby, and Yates and the Villages of Lyndonville and Medina in the update of the Western Orleans Comprehensive Plan; and

WHEREAS, the Towns of Ridgeway, Shelby, and Yates and the Villages of Lyndonville and Medina have agreed to reimburse the County Department of Planning and Development for certain non-labor costs associated with the project including bulk mailing, stationery, printing, labels, and publishing; be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to enter into a Memorandum of Agreement with the Towns of Ridgeway, Shelby, and Yates and the Villages of Lyndonville and Medina for the purposes of formalizing this arrangement; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to sign said Memorandum of Agreements on behalf of the County subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 452-1216

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

<u>NAME</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Thomas Fenton 12411 Ridge Road Medina, New York 14103	Town of Ridgeway	12-31-19
Timothy Elliott 201 Mead Avenue Medina, New York 14103	Town of Ridgeway (Alternate)	12-31-19
Christine Buongiorno 111 Chamberlain Street Albion, New York 14411	Village of Albion	12-31-19
Tracy VanSkiver 4274 Oak Orchard Road Albion, New York 14411	Village of Albion (Alternate)	12-31-19
Kelly Cousins 61 South Main Street Lyndonville, New York 14098	Village of Lyndonville	12-31-19
Andrew Cousins 61 South Main Street Lyndonville, New York 14098	Village of Lyndonville (Alternate)	12-31-19
Martin Busch 600 Main Street Medina, New York 14103	Village of Medina	12-31-19
Wilson Southworth 117 Starling Drive Medina, New York 14103	Village of Medina (Alternate)	12-31-19

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 453-1216

**APPROVING AGREEMENT WITH LYNNE MENZ DESIGNS FOR
TOURISM MANAGEMENT SERVICES**

RESOLVED, that this Legislature hereby approves an Independent Agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide Tourism Marketing and Management Services to Orleans County in 2017 at a cost not to exceed \$32,640 to be paid in equal monthly installments from Tourism Account A6410.466; said agreement to be in effect from January 1, 2017 to December 31, 2017.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 454-1216

**APPROVING AGREEMENT WITH MICHAEL R. WATERHOUSE
FOR SPORTFISHING COORDINATOR SERVICES**

RESOLVED, that this Legislature approves an Independent Agreement with Michael R. Waterhouse of Albion, NY for the provision of sportfishing coordinator services in the Tourism Department at a cost not to exceed \$20,977; said agreement to be in effect from January 1, 2017 to December 31, 2017.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 455-1216

**APPROVING RE-APPOINTMENT TO THE SOIL AND WATER
DISTRICT BOARD**

RESOLVED, that this Legislature approves the following re-appointment to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
John Kast	At Large - Farmer	1/1/2017-12/31/2019

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 456-1216

**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) modifying Article 29, covering the years 2017 through 2020; said agreement under Article 15 includes a 2% salary increase for 2017, 2018, 2019, and 2020; said agreement includes changes to Article 18 Hospitalization, Medical, and Dental Benefits - including changes to the high deductible health plan; said agreement includes changes to the salary schedule in Appendix A including the addition of one step to grades 2, 3 and 4 in each 2017 and 2018 and one step to grade 1 in 2018.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 457-1216

**APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE
PROGRAM COMMITTEE**

RESOLVED, that this Legislature authorizes the following appointments to the Employee Assistance Program Committee for the following terms:

Nadine Hanlon	Clerk of the Legislature - Management	1/1/17-12/31/18
Nola Goodrich-Kresse	Public Health - (GCASA Liaison)	1/1/17-12/31/18
Nicole Spohr	Sheriff's Office - OCSEA Representative	1/1/17-12/31/18

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 458-1216

APPROVING THE EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PLAN FOR 2017

WHEREAS, the Employee Assistance Program (EAP) Committee has been authorized to operate an Employee Assistance Program (EAP) and other related programs for the County; and

WHEREAS, the Legislature requires the EAP Committee to submit for approval a plan of operations, together with a proposed budget for the year 2017; be it

RESOLVED, that this Legislature authorizes the Orleans County Employee Assistance Program budget and plan of operations for the year 2017 as follows:

EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PROGRAM PLAN

Program Revenues:

Commissions/Deposits 2017	\$2,890.00
Raffles	\$1,350.00
Fund Balance	\$520.00
Total	\$4,760.00

Program Expenditures:

GCASA Contract	\$1,500.00
Employee of the Month Program	\$700.00
Summer Picnic	\$1,250.00
Holiday Luncheon	\$1,310.00
Miscellaneous	\$0.00
Total	\$4,760.00

Moved, Johnson; second, DeFilippis.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 459-1216

ADOPTING LOCAL LAW NO. 3 OF 2016, ENTITLED A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

WHEREAS, Local Law No. 3-Intro of the year 2016 was introduced at a regular meeting of the Orleans County Legislature held on November 16, 2016 and a Public Hearing was held on December 21, 2016, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 3 of 2016:

COUNTY OF ORLEANS
LOCAL LAW NO. 3 of 2016

A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

Be it enacted by the Legislature of the County of Orleans, as follows:

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salaries of the following County Employees are raised as follows, at an annualized salary as set forth below:

<u>Employee</u>	<u>Proposed</u>	<u>Annual Longevity Bonus</u>
County Attorney	\$91,835	
County Clerk	\$79,080	***\$1,250
County Treasurer	\$79,080	*****\$2,000
Director of Personnel	\$85,958	*\$200
Highway Superintendent	\$85,958	*****\$2,000
Public Defender	\$72,748	
Real Property Tax Director	\$72,748	*\$200
Sheriff	\$74,803	****\$1,750
Social Services Commissioner	\$85,958	

- * Indicates 10 years of Service and at top of the grade
- ** Indicates 20-24 years of service
- *** Indicates 25-29 years of service
- **** Indicates 30-34 years of service
- ***** Indicates 35 and over years of service

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by one affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, after petition, whichever event first occurs.

Moved, Johnson; second, DeFilipps.

Roll Call: 6 ayes: Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 1 absent, Allport.

Adopted.

RESOLUTION NO. 460-1216

AUTHORIZING COUNTY TREASURER TO MAKE YEAR END ADJUSTMENTS FOR YEAR ENDING DECEMBER 31, 2016

WHEREAS, the independent auditors have recommended that the County Treasurer request a “blanket resolution” to allow for any budget adjustments that may be required at year end; be it

RESOLVED, that this Legislature authorizes the Treasurer to make the necessary budget adjustment and inter-fund transfers, and furnish copy of said adjustment to the Clerk of the Legislature when completed.

Moved, Johnson; second, DeFilipps.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 461-1216

APPROVING APPORTIONMENT OF 2017 SALES TAX TO TOWNS AND VILLAGES

RESOLVED, that the apportionment of the 2017 Sales Tax to Towns and Villages as presented below by the Clerk of the Legislature in the foregoing warrants be, and hereby is approved by this Legislature.

2017 Sales Tax Apportioned to Towns and Villages				
Town	Apportioned To Town	% Due Village	Amount Due Village	Amount Due Town Outside
Albion	\$269,873.14	53.69%	\$144,894.89	\$124,978.25
Barre	\$64,536.27			
Carlton	\$95,418.07			
Clarendon	\$116,260.89			
Gaines	\$107,656.06	18.32%	\$19,722.59	\$87,933.47
Kendall	\$86,813.23			
Murray	\$158,966.37	28.73%	\$45,671.04	\$113,295.33
Ridgeway	\$216,076.99	40.22%	\$86,906.17	\$129,170.82
Shelby	\$169,515.26	39.38%	\$66,755.11	\$102,760.15
Yates	\$81,554.72	18.78%	\$15,315.98	\$66,238.74
Totals	\$1,366,671.00		\$379,265.78	\$624,376.76

The percentage due to the village is determined by dividing the village taxable value by the town taxable value

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 462-1216

AUTHORIZING THE SHERIFF’S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Division of Criminal Justice Services under the Police Protective Equipment Program, funding for the purpose of obtaining personal protective gear for officers of the Sheriff’s Office.

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 463-1216

APPROVING ANIMAL CONTROL SERVICES AGREEMENTS WITH THE TOWNS IN ORLEANS COUNTY

RESOLVED, that this Legislature approves renewal agreements with the Towns of Albion, Barre, Carlton, Clarendon, Gaines, Kendall, Murray, Ridgeway, Shelby, and Yates to assist in the provision of Animal Control Services and to maintain a shelter for seized animals effective January 1, 2016 through December 31, 2016; and be it

FURTHER RESOLVED, that the Towns shall pay the Orleans County Treasurer the sum of money set forth in their respective contracts by the due date of December 21, 2016.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 464-1216

AUTHORIZING ACCEPTANCE OF DONATION TO ORLEANS COUNTY ANIMAL SHELTER

RESOLVED, that this Legislature does hereby accept a donation from The Friends of the Orleans County Animal Shelter which includes the purchase of a gas furnace to be placed in the dog run area, and for costs involved in installation of the furnace, at the Orleans County Animal Shelter, 4125 Oak Orchard Road, Albion, NY.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 465-1216

AUTHORIZING FILLING OF VACANCIES IN THE SHERIFF'S OFFICE/JAIL

RESOLVED, that this Legislature authorizes the filling of vacancies in the Sheriff's Office/Jail for two Part Time Correction Officers (positions 3150.29 and 3150.38), at an hourly rate of \$13.92, effective December 22, 2016.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 466-1216

**REGARDING PURCHASE OF A TAHOE PATROL VEHICLE FOR
THE SHERIFF'S DEPARTMENT AND AUTHORIZING
INTERDEPARTMENTAL INSTALLMENT OBLIGATION**

WHEREAS, Resolution No. 226-516 authorized the Orleans County Sheriff's Department to purchase a Tahoe patrol vehicle and related accessories and authorized a Lease Agreement with Niagara Leasing Inc for the financing of this patrol vehicle; and

WHEREAS, this Legislature desires to obtain funding by means of an Interdepartmental Installment Obligation whereby the Orleans County Treasurer will finance \$50,912.30 of the purchase price of the Tahoe patrol vehicle and related accessories by means of an Interdepartmental Installment Obligation in the principal amount of \$50,912.30 payable in annual installments of principal and interest in the amount of \$17,399.84 commencing on December 22, 2016 and with interest at the rate of 2.55% on the unpaid principal balance with the unpaid balance principal and interest being due in full on December 22, 2018; now be it

RESOLVED, that the Legislature amends Resolution No. 226-516 to rescind the execution of a Lease Agreement with First Niagara Leasing for the financing of this 2016 Chevrolet Tahoe for the Orleans County Sheriff's Department; and be it

FURTHER RESOLVED, that this Legislature approves funding for the purchase in the amount of \$50,912.30 by an Interdepartmental Installment Obligation payable, commencing on December 22, 2016, in annual principal and interest installments of \$17,399.84 with interest at the rate of 2.55%, the final payment to be due on December 22, 2018 which payments shall be paid out of the Orleans County Sheriff's Department budget; and be it

FURTHER RESOLVED that the acquisition of a Tahoe Patrol vehicle and related accessories (hereinafter the "Property") is hereby authorized and the County is hereby authorized to finance the acquisition of the Property by an Interdepartmental Installment Obligation, and that any action taken by the County in connection therewith is hereby ratified and confirmed; and be it

FURTHER RESOLVED, that either the Chairman or the Vice-Chairman acting on behalf of the County is hereby authorized to enter into, execute, and deliver an Interdepartmental Installment Obligation in substantially the form set forth in the document presently before this Legislature; and be it

FURTHER RESOLVED, that the County's obligations under the Interdepartmental Installment Obligation shall be subject to annual appropriation or renewal by this Legislature and the County's obligations under the Interdepartmental Installment Obligation shall not constitute general obligations of the County or indebtedness under the Local Finance Law or Constitution of New York State; and be it

FURTHER RESOLVED, that it is hereby determined that the purpose of the acquisition of the Property is an object or purpose described in subdivision 29 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probably usefulness of said purpose is five years; and be it

FURTHER RESOLVED, that the Chairman or Vice-Chairman and the County Treasurer are authorized to take such actions and execute such documents as may be necessary to effectuate this Resolution; and be it

FURTHER RESOLVED, that this Resolution is not subject to any mandatory or permissive referendum pursuant to the Local Finance Law or General Municipal Law.

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 467-1216

AUTHORIZING EMERGENCY PURCHASE OF A COMMERCIAL WASHER EXTRACTOR FOR THE ORLEANS COUNTY JAIL AND AUTHORIZING THE TREASURER TO TRANSFER FUNDS INTO THE SHERIFF/JAIL BUDGET

RESOLVED, that this Legislature authorizes an emergency purchase of a UniMac 80 lb. Commercial Hard Mount Washer Extractor for the Orleans County Jail, to replace a twenty year old machine that is no longer operational, from Statewide Machinery Inc, 319 W. Main St., Suite

5, Batavia, NY 14020 at a cost of \$12,500 to be paid from Sheriff/Jail Account A3150.250; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Sheriff's/Jail budget for the purposes as described above as follows:

<u>FROM:</u>		
A1990.435	Contingency	\$12,500
<u>TO:</u>		
A3150.250	Other Equipment	\$12,500

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 468-1216

APPROVING AGREEMENT BETWEEN PROBATION AND NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

RESOLVED, that this legislature approves the following agreement with the Orleans County Probation Department and New York State Division of Criminal Justice Services, Alfred E. Smith Office Bldg., Albany, NY 12210 to provide monies from the Governor's Traffic Safety Council to implement and supervise Leandra's Law Ignition Interlock cases, which is a state mandated program, effective October 1, 2016 through September 30, 2017 in the amount of \$63 per case. This amount represents a reduction from \$135 per case in 2015-2016.

Moved, DeFilipps; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 469-1216

APPROVING AGREEMENT BETWEEN PROBATION DEPARTMENT AND AUTOMON CORPORATION

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 6621 N. Scottsdale Rd. Scottsdale, AZ 85250, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2017 through June 20, 2018 at a cost of \$7,027.76.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 470-1216

**APPROVING EXTENSION OF AGREEMENT BETWEEN PUBLIC
DEFENDER AND NYS OFFICE OF INDIGENT LEGAL SERVICES**

WHEREAS Resolution 134-313 approved an agreement between the Orleans County Public Defender and NYS office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds in the amount of \$78,219 to assist the County in improving the quality of indigent legal services initially effective June 1, 2012 through May 31, 2015, and Resolution 259-715 extending that contract to November 30, 2015, and Resolution 300-816 extending it to November 30, 2016; now be it

RESOLVED, that this Legislature approve extending the agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to continue to provide funds in the amount of \$78,219 through March 31, 2017.

Moved, DeFilippis; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 471-1216

**AUTHORIZING EMERGENCY MANAGEMENT TO PURCHASE
OSCILLATOR**

RESOLVED, that this Legislature authorizes the Emergency Management Department to purchase a Spectracom Secure Sync GPS Master Oscillator and accessories from Spectracom, 1565 Jefferson Rd, Rochester, NY 14623 at a total of \$8,415 (PO#58254) to be paid from Emergency Management Account A3640.418 – Other Contractual Expenses.

Moved, Johnson; second, DeFilippis.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 472-1216

AUTHORIZING REVISIONS TO ANNEX ONE OF THE ORLEANS COUNTY FIRE MUTUAL AID PLAN REGARDING THE FIRE ADVISORY BOARD BY-LAWS

WHEREAS, Resolution No. 360-1111 was the last revision to the Orleans County Fire Mutual Aid Plan; and

WHEREAS, position titles and wording changes are needed to bring the Fire Advisory Board By-Laws to current standards; be it

RESOLVED, that this Legislature approves the revisions as presented.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 473-1216

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves a 48-month lease agreement between Orleans County and Toshiba Business Solutions, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to provide twelve (12) Toshiba e-Studio and two (2) Lexmark multifunction machines effective January 1, 2017 through December 31, 2020 as follows:

Personnel & Self Insurance	e-Studio 3005AC	\$150.00 per month
Mental Health-Administration	e-Studio 3505AC	\$232.00 per month
Real Property	e-Studio 3005AC	\$167.00 per month
Sheriff-Jail	e-Studio 3005AC	\$150.00 per month
Sheriff-Office	e-Studio 3005AC	\$180.00 per month
Sheriff-Deputies	e-Studio 3005AC	\$150.00 per month

Above are bill per copy B&W .0075 per page and Color .0475 per page,
with an annual increase of 2.5%

County Clerk-DMV	e-Studio 3008A	\$84.00 per month
Mental Health-Clinic	e-Studio 4508A	\$149.00 per month
DSS-Administration	e-Studio 3008A	\$106.00 per month
DSS-CFS	e-Studio 3008A	\$106.00 per month
DSS-Temporary Assistance	e-Studio 4508A	\$141.00 per month

closure to due to any future closure attempts by the government. It is her pleasure to pass this resolution with Legisaltor DeFilipps seconding her motion. The following resolution was adopted.

RESOLUTION NO. 475-1216

URGING CONGRESS TO PASS LEGISLATION, H.R. 6397, “PROTECTION OF MILITARY AIRFIELDS FROM WIND TURBINE ENCROACHMENT ACT” AND PRESIDENT-ELECT DONALD J. TRUMP TO ENACT THE SAME

WHEREAS, it has been contended that the proposed Apex Clean Energy wind turbine farm, which would be situated along the Lake Ontario shore in the Town of Somerset, would present a navigational hazard that would be deleterious to the mission of the Niagara Falls Air Reserve Station; and

WHEREAS, mindful of the complexities of emerging threats to national security, and remembering the specific challenges to the airspace above New York State presented by the 9/11 terrorist attacks, this Legislature deplors any action that could reduce military readiness of the United States; and

WHEREAS, this Legislature must further object to any action by a monied interest, such as Apex, that could have a net negative impact on the finances of the County of Niagara and its citizens, and fully aware that the Niagara Falls Air Reserve Station generates a positive impact exceeding \$200 million annually throughout the regional economy of Western New York, and employs nearly 3,000 Western New Yorkers directly; and

WHEREAS, the Department of Defense did announce in February 2016 that the Niagara Falls Air Reserve Station will be home to an Air Force Reserve KC-135 aerial refueling mission, and NFARS further is slated to be the home for command and control assets of an Unmanned Aerial Vehicle Remote Split Operations Squadron; and

WHEREAS, the siting of wind turbines exceeding 600 feet in height could have a damaging effect on the ability of the Niagara Falls Air Reserve Station to take on either mission; and

WHEREAS, the Honorable Chris Collins, U.S. Representative for the 27th District, which includes the Niagara Falls Air Reserve Station, did introduce on November 29th of this year legislation, H.R. 6397, the

Protection of Military Airfields from Wind Turbine Encroachment Act;
and

WHEREAS, the Protection of Military Airfields from Wind Turbine Encroachment Act would make corporations owning wind turbine farms located within 40 miles of a military airfield ineligible for tax breaks for the same; and

WHEREAS, such legislation has been enthusiastically endorsed by the governmental leadership of our neighboring Town of Somerset and our Town of Yates here in Orleans County, where the proposed wind turbine farm would be located; and

WHEREAS, this Legislature has long been committed to a policy of protecting the Niagara Falls Air Reserve Station from closure due to BRAC processes and other threats to its ongoing operation, and has invested many hundreds of thousands of public dollars in that cause; now be it

RESOLVED, that the Orleans County Legislature does urge the United States Congress to take up and pass H.R. 6397 at the earliest opportunity, and urges that the Ways and Means Committee move its passage to the floor for a full vote at the earliest opportunity; and be it further

RESOLVED, that the Orleans County Legislature does further urge the Honorable Donald J. Trump, President-Elect of the United States, to sign such legislation into law upon its passage; and be it further

RESOLVED, that the Clerk of the Orleans County Legislature shall forward copies of this Resolution to Representative Collins; the Honorable Kevin Brady, Chairman, House Ways and Means Committee; the Honorable Kevin McCarthy, House Majority Leader; the Honorable Paul Ryan, Speaker of the House; the Honorable Charles E. Schumer, U.S. Senator for New York; the Honorable Kirsten E. Gillibrand, U.S. Senator for New York; the Honorable Donald J. Trump, President-Elect of the United States; the Honorable Mike Pence, Vice President-Elect of the United States and Chairman of the Presidential Transition Team; Ms. K.T. McFarland, Vice Chair, Presidential Transition Team; the Honorable Tom Reed, Vice Chair, Presidential Transition Team; and all others deemed necessary and proper.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 476-1216

AUTHORIZING THE TREASURER TO PROVIDE AN ALLOCATION TO COBBLESTONE MUSEUM FROM THE CONTINGENCY FUND

RESOLVED, that the Treasurer is authorized to provide an allocation to the Cobblestone Museum for programs as follows:

<u>From:</u>		
A1990.435	Contingency Fund	\$3,000
<u>To:</u>		
A7450.439	Cobblestone Museum	\$3,000

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 477-1216

APPROVING UPDATES TO THE ORLEANS COUNTY PURCHASING AND PROCUREMENT POLICY AND THE TRAVEL POLICY

WHEREAS, the Policy Review Committee has organized to review and update the Orleans County Policies and Procedures; now be it

RESOLVED, that this Legislature approves the updates of the Orleans County Purchasing and Procurement policy that have been presented by the Policy Review Committee which includes the increase to the dollar limits for the selection of vendors/contractors for Public Work Contracts and Commodities, Equipment and Goods procurements per GML §104-b; purchases over \$250 require a purchase order; removed approval by the CAO for printing orders; clarification of procedures for contract approvals; and updated FACT sheet; and be it,

FURTHER RESOLVED, that this Legislature approves the clarifications to the Orleans County Travel Policy as presented by the Policy Review Committee which establishes our policy in a more user friendly layout and also includes the need to use a “One Day Out of County Travel” form; and be it

FURTHER RESOLVED, that this Legislature authorizes these updates and clarifications to take effective January 1, 2017 and will be printed in full in the 2016 Orleans County Legislature Proceedings.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 478-1216

SETTING LEGISLATURE MEETING SCHEDULE FOR 2017

RESOLVED, that the regular meetings of the Orleans County Legislature will be held on the fourth Wednesday of the months of January through October at 4:30 p.m. at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that the the regular meeting of the Orleans County Legislature will be held on the third Tuesday of the month of November at 4:30 p.m. at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that the the regular meeting of the Orleans County Legislature will be held on the third Wednesday of the month of December at 4:30 at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that should additional meetings warrant scheduling, special meetings will be called with proper notice as described by Open Meetings Law Article 7, Section 104; and be it

FURTHER RESOLVED, that Legislative workshops will be scheduled one hour prior to the scheduled conference session unless otherwise posted.

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 479-1216

AUTHORIZING PAYMENT OF CLAIMS FOR JANUARY AGAINST
THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 January 11, 2017:

Fund/Department	Check Number (s):	Amount:
General	6739-6852	\$253,294.71
Highway	889-892; 2076-2088	\$31,112.79
Job Development	2295-2304	\$5,901.95
Self Insurance	57677-57680	\$23,114.36

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 Superintendent of Highways, 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 January 25, 2017:

Fund/Department	Check Number (s):	Amount:
General	6866-7068	\$555,329.93
Highway	893-900; 2089-2119	\$70,776.30
Job Development	2307-2312	\$1,299.21
Self Insurance	57726-57728	\$657.03

Moved, Johnson; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 480-1216

**AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR 2017
ANNUAL IMPLEMENTATION PLAN GRANT**

RESOLVED, that the Office for the Aging is authorized to apply for the New York State Office for the Aging Annual Implementation Plan grant, in the amount of \$1,349,754 with a county cost of \$94,553; and be it

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

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 481-1216

APPROVING AGREEMENT BETWEEN PROBATION AND GOVERNMENT PAYMENT SERVICES, INC.

RESOLVED, That this legislature approves an agreement between the Orleans County Probation Department and Government Payment Services Inc., for the provisions of collecting offender dues by credit card, at no cost to the county; with such agreement effective January 1, 2017 through December 31, 2021.

Moved, DeFilipps; second, Johnson
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

RESOLUTION NO. 482-1216

AUTHORIZING PAYMENT FROM CAPITAL PROJECT COURTHOUSE RENOVATION ACCOUNT

WHEREAS, Resolution No. 252-716 authorized an agreement with Panek Coatings, LLC to paint the exterior of the Orleans County Courthouse Building and County Clerk/Legislature building; now be it

RESOLVED, that this Legislature authorizes the Orleans County Treasurer to make the following payment from account H1160.250, Capital Project Courthouse Renovations Account as follows:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$20,438.99	Panek Coatings, LLC	Payment for painting the Orleans County Courthouse and Clerk/Legislature Buildings – Portion of Invoice #3229

Moved, Eick; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Allport.

Chairman Callard called for old business. Legislator DeRoller asked to comment on the correspondence that was received concerning the Kendall Jr/Sr High School speed reduction request. We should note that there are a lot of stakeholders participating in this request. As this board knows, 360 letters were submitted by the Kendall community. A letter was received from the Kendall Leo's club which is an offspring of the Kendall Lions Club which consists of 60 members. He added that the Lions Club of Lyndonville has embraced the Leo's Club concept for their school allowing students to learn more and participate in public service. A letter was also received from the Kendall Community Innovation Advisory Committee, consisting of 15 members, which has been active nearly over a year now to oversee the quality of life in Kendall. A certified resolution has been received by both the Town of Kendall and from the Kendall Central School Board supporting the drive to get the speed limit reduced. The Orleans County Chamber of Commerce has also submitted their support along with signed petitions from current and potential student drivers at the Kendall Jr/Sr High School. Legislator DeRoller stated that many are driving forward to take a look at those speed zones on Route 18 in the school zone. Assemblyman Hawley has launched a plea for the Department of Transportation to do a study which has been recognized now and will take place. Sheriff Bower has acknowledged to him that the study is going on and Legislator DeRoller asked him to continue to keep an eye on this process for the best interest and safety for our youth. He shared his appreciation to the Board for the support of this initiative. Chairman Callard thanked him for his efforts.

Chairman Callard opened the floor for other comments and this time is not meant to debate an issue. Terry Williams, Carlton, who indicated he has been a hunter safety instructor for forty years with Mike Donahue and he does a lot of hunting with every weapon there is. He wanted to recommend, to help rifles be allowed to hunt, is to not allow semi automatic rifles for big game hunting in Orleans County. He said this would be a good safety factor for the people; also as well for the game, so

they are not over shooting too much game. He said other than that, it would be a good safe process to have.

Chairman Callard asked if a sample resolution was submitted. Mr. Newton indicated the packet included a resolution. Chairman Callard asked if it addressed the use of semi automatic rifles. Mr. Newton said it does not and asked if his resolution only goes to this body. Chairman Callard indicated that it is only a recommendation.

Steve Colon, Yates, stated NYS does allow semi automatics for rifle hunting but they have a clip capacity of five.

Paul Lauricella, Yates, stated that he would support the use of rifles in Orleans County. He asked if there will be a two year review on this. Chairman Callard stated that we would make a recommendation to the Legislature, which he believes they did in Genesee County. A gentleman expressed that this is in place in every county in the state. Mr. Lauricella stated that a lot of farming land has been opened and rented out. He was wondering if the Legislature could suggest to the farming community, without creating another program or burden to the tax payer, if they can put some type of wind break in to help with local drifting. Chairman Callard stated that our Highway Superintendent is here today and has heard Mr. Lauricella's concern.

Bruce Schmidt, Gaines, thanked the County administration for this year's Veterans Service. He attended this year's service and commended Veterans Director Earl Schmidt for his great work. He said the Daughters of the American Revolution provided the refreshments along with three Legislators, DeRoller, Allport and Johnson who spoke poignantly about our government, service, and our flag. He said Director Schmidt was able to present medals to a veteran's widow. The best thing is that Director Schmidt got Al Nixon a combat veteran of WWII and Korea, to speak, who after completing his service duty went on to another career of being a Lutheran Minister for fifteen years. He spoke poignantly of his fellowships that he obtained going through the various services, but did not speak of his service in combat which is typical of a service veteran. Mr. Schmidt said it was great to see the largest honor guard present and hear the program of this year's service. He shared his great appreciation of this day. Chairman Callard thanked Mr. Schmidt for his comments and agreed it was a great Veteran's Day service held in our County.

Mr. Newton asked if the documents he left in the Legislature packets were sufficient. If more information is needed to please advise him. He thanked the Board for having the Sportsmen Federation speak at this evening's board meeting. Chairman Callard thanked him for the details and now the board can begin their review process. Mr. Newton added that information that he provided to the Clerk may not all be included in their packets. Chairman Callard assured him that we will make sure all of the board members have a complete file.

Andrew Fleming, Clarendon, expressed that he supports rifle use for big game hunting. He indicated that he had sent e-mails to Legislator Eick supporting this effort. He was unaware of the efforts of the Federation of Sportsmen and he commended them for moving this forward, for he said he didn't know exactly how to spearhead this on his own, which was his intend to do so.

Paul Kroth, who resides in Carlton and is our local DEC Officer, said whether or not rifles are allowed for big game hunting in Orleans, it will be his job to enforce the wishes of this body. He said currently New York State allows rifles, shotguns, pistols, muzzleloaders, bow and arrow, and crossbows as the only legal implements to use to hunt big game. The only one in this area not allowed to use is a rifle. He said hunters still need to practice basic safety standards, such as identifying their target and knowing what is beyond it. He said if they miss or it goes straight through, they need to know where that round is going to go if it goes through their target. Some spots in Orleans are not appropriate for rifles, Kroth said, because roads and houses are too close by. DEC Officer Kroth said there are a lot of smaller blocks where a rifle would not be an appropriate implement to use, a hunter needs to know this. Hunters who use poor judgment and injure or even kill someone can face charges from reckless endangerment to manslaughter. DEC Officer Kroth stated that we are going to enforce the law no matter which way you decide.

Legislator DeFilipps moved to adjourn; second by Legislator DeRoller. Merry Christmas! Meeting adjourned at 5:17 p.m.

Orleans County Procurement Policy

Purpose

Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner that:

- Insures the prudent use of public monies, in the best interests of the taxpayers.
- Facilitates the acquisition of quality goods and at the lowest possible cost.
- Avoids favoritism, improvidence, extravagance, fraud and corruption.

To further these objectives, the County Legislature has adopted internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of the General Municipal Law, Section 103 or of any other general, special or local law.

Is the Procurement Subject to Bidding?

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

Generally, the official responsible for making the particular procurement will make the determination of whether competitive bidding is required. In making this determination, the following questions must be considered:

- Is the proposed procurement a purchase contract or a contract for public work?
- If it is a purchase, will the combined total of similar procurements made by all County departments exceed the bid limit and if so, do any exceptions apply?
- If not a purchase, what type of procurement is it?

The procuring official must document the basis for any determination that competitive bidding is not required. This documentation may include evidence of written or verbal quotes that the price of the item or service will not exceed the bidding limits. The official may also document the amount expended in previous years in comparison with the threshold to show that the bidding will not be required. The documentation must also

state how it was determined whether the procurement was a purchase or a contract for public work.

PROCEDURE FOR SELECTING VENDOR, CONTRACTOR OR SERVICE PROVIDER

COMMODITIES, EQUIPMENT OR GOODS	
<i>Dollar Limit</i>	<i>Procedure</i>
\$1 to \$499	At the discretion of the Department
\$500 to \$2,999	Documented verbal quotes from three vendors
\$3,000 to \$4,999	Formal written quotes from at least three vendors
\$5,000 to \$19,999	Formal request for proposal (RFP) with a response from 3 vendors
\$20,000 and over	Sealed bids in conformance with Municipal Law, Section 103.
PUBLIC WORKS PROJECTS (<i>Prevailing wage rates apply to all public works projects</i>)	
<i>Dollar Limit</i>	<i>Procedure</i>
Less than \$999	At the discretion of the Department
\$1,000 to \$4,999	Documented verbal quotes from three vendors
\$5,000 to \$9,999	Formal written quotes from at least three vendors
\$10,000 to \$34,999	Formal request for proposal (RFP) with a response from 3 vendors
\$35,000 and over	Sealed bids in conformance with Municipal Law, Section 103.
PROFESSIONAL SERVICES (<i>recommended not required</i>)	
<i>Dollar Limit</i>	<i>Procedure</i>
Less than \$5,000	At the Departments discretion
\$5,000 to \$20,000	Written quotes from two sources should be obtained
20,000	Written RFP with response from 3 sources <i>Document all quotes (including verbal quotes) using the summary of quotations form attached to purchase order</i>

Formal Bids

When formal bids are required, specifications will be prepared by the ordering department and submitted to the Chief Administrative Officer for approval.

If the Chief Administrative Officer approves the specifications, the department may place the bid notice and proceed with the bid process. The County's general bid specifications; non-collusion clause and non-response form must be incorporated into every bid. Approval or rejections of bids may only be done by resolution of the Legislature.

Required Documentation

Documentation of actions taken in connection with each such method of procurement is required. Documentation of quotes must be made on an approved form and maintained by the ordering department for the same period of time as the corresponding purchase or contract. Documentation, acceptable to the Chief Administrative Officer, must be provided whenever the required number of quotes is not provided.

Awards Not Based on Lowest Price

The purchasing official *must clearly state in writing* on the quotation form, the reason for any award made to other than the lowest price offered.

Procedure for Purchase Orders

All commitments or orders in excess of \$250 shall be either by a purchase order or contract (see following procedure for contracts) signed by the appropriate officials. No contract shall be recommended or purchase released until after determining that unencumbered appropriations are sufficient to cover such obligation.

Purchase orders or agreements with a value less than \$500 may be released to the vendor by the ordering department. Orders of \$500 or more require the approval of the Chief Administrative Officer and certification from the Treasurer that funds are available before being released.

The County Attorney, prior to final approval by the County, must review all contracts and agreements with a value of more than \$1,000 or which extend for more than one year. If approved by the County Attorney, the agreement then must be signed by the department head and forwarded to the Legislature Office for final approval. A properly completed fact sheet signed by an authorized department representative must accompany each submission.

The Chief Administrative Officer may approve contracts, agreements and purchase orders for goods and services which have been budgeted provided the value is less than \$5,000 and the term is one year or less. When the value of an agreement or purchase order is \$5,000 or more or extends beyond one year, it must be approved by an affirmative vote of the County Legislature.

Supplies used by various departments should be uniform whenever practical. The Chief Administrative Officer is authorized to require a department to reconsider specification or quality of material if it appears County interests could be better served. In the event an agreement cannot be reached, the Chairman shall make the final determination.

Distribution of the purchase order set shall be as follows:

Green Treasurer's Copy:

Department Level approved (\$499 or under) – return green copy to Treasurer's Office after Department Head signed.

All others, (\$500 or more) – green copy remains with PO until all authorizations are completed.

Once the order is completed to department head's satisfaction, the voucher is signed by the designated department official and forwarded along with invoices and other related material to the Clerk of the Legislature's Office. If the payment is for a purchase made from a state bid, a copy of the appropriate section of the state award must be attached. Any modifications to an approved order shall be confirmed in writing.

Blanket Purchase Orders

In certain circumstances, orders are placed with certain vendors numerous times each month. To eliminate the need for processing many small orders, a department may use a "Blanket" purchase order. The estimated value of items to be acquired during the month will be placed on the order prior to release to the vendor. Treasurer copies will be sent to the Treasurer for encumbrance. The voucher, along with all the individual invoices, will be processed at the end of the month and a new "Blanket" order issued for the following month.

A department desiring to use this system must submit a list of proposed vendors, estimated average monthly amounts to be authorized and the reason a blanket order is desired for the approval of the Chief Administrative Officer. Once this has been obtained, no further approval

of subsequent “Blanket” orders are necessary even though they may exceed the \$500 limit, unless a single item is over \$500.

Vouchers for reimbursement of mileage paid on a contractual basis. Payment will be made at the same rate as the current approved rate for County employees, unless authorized for a different amount.

PROCEDURE FOR CONTRACT APPROVALS

A contract is a legal obligation between a buyer and a seller to perform certain duties for a specified price. Technically, it may be verbal or written. However, the County recognizes only written contracts. Generally, a formal (written) contract will be used when the terms and conditions involved in a commitment are such that a standard purchase order is not adequate.

In addition, there is a formal contract when:

1. The purchase period extends beyond one year; or
2. The procurement involves an installation or labor component; or
3. Professional services are involved.

Because contracts can expose the County to significant liability and risks, processes are needed to establish clear controls and accountability. The contracting process has a number of important factors including writing, review, approval, and administering. Considering the complexity of the key issues involved, proper training of all staff involved in the contract process is necessary. The primary goal of the contracting process is to establish agreements needed to conduct County business in a manner that serves the best interest of the County. For county purposes, an agreement will fall within one of five categories, each with a different approval process.

1. **A Memorandum of Understanding/Memorandum of Agreement** is an agreement to share information in a structured way in order to facilitate service delivery that does not involve monetary terms. All such agreements must include language indicating there is no financial obligation on behalf of either party to such an agreement. A properly completed fact sheet signed by an authorized department representative must accompany each submission and approval requires the signature of the department head, a review by the County Attorney and approval by the Chief

Administrative Officer. If the term of these exceed one year, a resolution is required. Examples include agreements defining procedures for serving joint clients, for undertaking joint responsibilities or transfer agreements.

2. **Department Level Contracts** are contracts, which define standard terms of payment for budgeted services, which include a payment to or from a County department that does not exceed \$5,000, and which does not exceed a term of one year. Approval requires the signature of the department head, a review by the County Attorney and approval by the Chief Administrative Officer. A properly completed fact sheet signed by an authorized department representative must accompany each submission. Examples include annual fire safety inspection for \$3,000, purchase of services between County departments that don't exceed \$5,000 or copy machine maintenance agreement.
3. **Grant Applications** must first be approved by the department head. This is to be followed by a review with the Legislative Committee. The application, accompanied by a properly completed fact sheet signed by the department head, is then submitted to the Legislature Office. A resolution will then be placed on the agenda for the Legislature's consideration. Any agreement for the acceptance of grant monies must be approved by resolution. All new grant opportunities must be presented at conference session.
4. **Insurance Company Generated Contracts** are contracts with health insurance companies where language is standard for a large line of business and where the negotiation is limited to rate setting. Approval process is by the department head following consultation with the Chief Administrative Officer. Examples include Mental Health contracts with health insurance companies or Social Services Managed care Contracts.
5. **All Other** including contracts, agreements, grant applications and other commitments not covered elsewhere in this policy. Process begins with approval by the department head. This is followed by a review with the Legislative Committee. It is then reviewed by the County Attorney and then the Chief Administrative Officer. It will then be placed on the Legislative agenda for consideration by the Legislature. A properly completed fact sheet signed by an authorized department representative must accompany each

submission. Examples include \$15,000 contract with CATS, \$6,000 contract for auditors or grant funding application.

Summary of the General Approval Process

1. Purchases over \$250 require a purchase order.
2. Purchases of \$500 or more require documented comparison quotes except for state bid purchases, which must have a copy of the State Bid attached with the payment voucher.
3. The department head may approve purchase orders less than \$500*.
4. The County Treasurer's approval is required for all purchase orders over \$500*.
5. The Chief Administrative Officer's approval is required for:
 - a. All purchase orders over \$500*.
 - b. All contracts under \$5,000.
6. The County Attorney's review is required for all agreements over \$1,000.
7. Purchases and Contracts over \$5,000 must be approved by the Legislature.
8. The Highway Committee's approval is required (in writing) for all Highway equipment purchases between \$1,000 and \$5,000.
(*Except for Highway Department non-equipment purchases)

Exceptions to Policy

Emergency: An emergency exists only when the delay caused by soliciting quotes would endanger the health, welfare, or property of the County. When this situation exists, the procurement of goods or services will be at the discretion of the department head. Documentation as to the nature of the emergency and shall be sent to the Chief Administrative Officer, within five (5) working days of such procurement.

Statutory Exceptions from these Policies and Procedures: Except for procurements made pursuant to General Municipal Law, Section 103(3) (through County contracts) or Section 104 (through State contract, State Finance Law, Section 175-b) (from agencies for the blind or severely handicapped), Correction Law, Section 186 (articles manufactured in correctional institutions) or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law, Section 104-b.

Highway Department: As an exception to the preceding purchase order procedure, the Highway Department may release purchase orders below the bidding limits to the vendor without any further approval except as follows: Section 133 of the Highway Law establishes a County road machinery fund from which the highway superintendent may make purchases for equipment, buildings and supplies. The County Legislature's Highway Committee must approve in writing the purchase of new machinery valued at more than \$1,000, but less than \$5,000. Purchases in excess of \$5,000 must be approved by the Legislature.

Annual Review

The governing board shall annually review these policies and procedures. The Chief Administrative Officer shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy. Comments concerning the policies and procedures shall be solicited from officers of the political subdivision or district therein involved in the procurement process prior to the enactment of the policies and procedures, and will be solicited from time to time hereafter.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of the General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the County of Orleans, or any officer or employee thereof. This policy shall go into effect January 1, 1992 and will be reviewed annually.

Resolution #17-192 Effective Date: January 8, 1992

Resolution #81-193 Revision Date: January 27, 1993

Resolution #31-197 Revision Date: January 22, 1997

Resolution #392-898 Revision Date: August 13, 1998

Resolution #198-499 Revision Date: April 28, 1999

Resolution #276-799 Revision Date: July 14, 1999

Resolution #477-1216 Revision Date: December 21, 2016

**See complete Orleans County Purchasing and Procurement Policy for all forms and additional requirements.*

**ORLEANS COUNTY
TRAVEL AND CONFERENCE POLICY
Effective January 1, 2017**

SECTION A

GENERAL INFORMATION

1. The Travel and Conference Policy described will be the general guide used for the reimbursement process. The policy is intended to encompass all travel and conference issues. Questions or issues not specifically answered by this policy will be addressed on an individual basis by the Chief Administrative Officer.

2. This Travel and Conference Policy shall apply to all Orleans County employees and elected officials.

3. Travel and conference will be approved only when the benefit derived is of value to Orleans County.

4. The Chief Administrative Officer (Chairman of the Orleans County Legislature, in the CAO's absence) has the authority to approve or deny all travel and conference requests.

5. Any travel or conference attendance taken prior to receiving approval may be deemed unauthorized and any expenses incurred may be denied.

6. Each overnight conference must be approved. "Meeting Attendance Request" forms must be completed in full, signed by the Department Head and submitted to the Chief Administrative Officer (Chairman of the Orleans County Legislature in his absence) for approval. A copy of the "Meeting Attendance Request" form is included at the end of this policy. (Exhibit 1)

7. Out of State Travel must be approved by resolution of the Orleans County Legislature. A "Meeting Attendance Request" form (Exhibit 1) must be completed in full, signed by the Department Head, reviewed with their committee and submitted to the Orleans County Clerk of the Legislature. Upon Legislative approval it will be processed and returned by the Chief Administrative Officer.

8. A one day out of county travel request must be approved by Department Head. "One Day Out of the County Travel" form must be completed in full and signed by Employee and Department Head. This

form must be attached to voucher, with necessary receipts, for reimbursement of expenses requested. A copy of the "One Day Out of the County Travel" form is included at the end of this policy. (Exhibit 2) A copy of this completed form must be sent to the Self Insurance Department in the Personnel Office.

9. Expenses incurred must be reasonable, necessary, actual, and in accordance with the guidelines established in this policy. If actual expenses incurred are in excess of the estimated expense, a full justification for the additional expenses will be required before reimbursement is made. **A COPY OF THE APPROVED TRAVEL REQUEST AND AUTHORIZATION FORM or ORLEANS COUNTY ONE DAY OUT OF COUNTY TRAVEL FORM MUST ACCOMPANY VOUCHER FOR REIMBURSEMENT.**

10. Travel or conference expenses must not exceed the funds appropriated in the adopted budget, unless budget transfers are initiated and approved prior to the requested travel.

11. The Orleans County Legislature reserves the right to periodically review the funds expended on travel and conference. They may ask for reports detailing the conferences attended by employees in various departments.

12. A full justification for attending the conference may be required by the Chief Administrative Officer/ Chairman of the Legislature prior to approval.

13. Employees may find the resources of a travel agency beneficial when out-of-town travel is necessary. Travel agencies can make arrangements for the trip in a more efficient manner and often can offer discounts or special price features. All travel arrangements and accommodations must be made in the most economical manner.

SECTION B
DEFINITIONS
CONFERENCE

A conference is defined to be a meeting or school conducted for the betterment of the County that does not require the employee's attendance for it to be held. If the meeting would occur even in the employee's absence it is defined as a conference. When an overnight stay is necessary, prior approval is required before the employee can attend.

OUT-OF-COUNTY TRAVEL

Out-of-County travel is official travel that occurs outside of Orleans County. An employee traveling outside of Orleans County conducting official County business is entitled to receive reimbursement for meals, mileage, parking and toll expenses incurred.

Overnight lodging accommodations will be reimbursable only if prior written approval was given by the Chief Administrative Officer.

Out-of State travel requires approval by the Orleans County Legislature. An employee is entitled to receive reimbursement for meals, mileage, parking, and toll expenses incurred if not covered by the out of state travel sponsor.

IN-COUNTY TRAVEL

In-County travel is official travel that occurs inside Orleans County. An employee traveling inside Orleans County conducting official County business is entitled to receive reimbursement for any mileage incurred, but will not be reimbursed for their meal expenses.

All charges for both Out-of-County and In-County travel should be properly charged to code .462 or .463.

TRAVEL TO AND FROM OTHER COUNTY OFFICES

Employees may be asked to travel to and from other County offices in performing the duties of their job. (i.e. Genesee County Public Health/COB to Legislature). The employee may receive reimbursement for the mileage incurred in travel of this nature.

STARTING WORK IN THE FIELD

If an employee is required to make home visits/transport clients or conduct some other form of official County business before arriving to work, they shall receive mileage reimbursement for the "**additional miles**" traveled for that purpose. "**Additional miles**" is equal to the actual mileage incurred less the normal mileage from the employee's home to the office. (Commuter miles) The same principal applies if an employee drives directly to their home following their last appointment of the day.

MEETINGS

Mandated

A mandated meeting is one that the Department Head requires the employee to attend as part of their regular duties, and occurs either before, during, or after the employee's regularly scheduled workday.

Voluntary

A voluntary meeting is defined as being a meeting which the Department Head desires the employee to attend, but does not require the employee to attend. The meeting occurs either before, during, or after the employee's regularly scheduled workday.

For both mandated and voluntary meetings the employee has the option of receiving the cost of a meal and mileage reimbursement to their home and return if the meeting is conducted outside of the employee's normal working hours.

EMERGENCY TRAVEL AND/OR CONFERENCES

Emergency travel cannot always be approved through the appropriate channels because of time constraints. If the employee recognizes the need for emergency travel they should at least receive verbal approval from the Department Head and Chief Administrative Officer/Chairman of the Legislature prior to leaving. A complete justification for the emergency travel must be documented on a claim voucher and submitted to the endorsing official who, upon review, will determine whether payment of the incurred expenses is warranted.

REIMBURSABLE EXPENSES

Expenses will be reimbursable if they are appropriate expenses of Orleans County. In that regard, the employees will be reimbursed for any expenses that are deemed allowable expenses. Allowable expenses are defined in Section D of this policy.

RECEIPT

A receipt is a document that provides evidence of incurred expenses. In those cases where a receipt is required to support the expense, the receipt must contain the following information:

1. Name of establishment rendering the service.
2. Total amount of charge. Itemized receipts are preferred.
3. Date on which the expense was incurred.
4. Handwritten receipts will be accepted provided that the items

listed above are included and is signed by an employee of the establishment.

SECTION C

OVERVIEW OF TRAVEL AND CONFERENCE PROCEDURES
TRAVEL AND CONFERENCE REQUESTS

The following procedures should be followed when completing the

Meeting Attendance Request or Orleans County One Day Travel Out of County forms:

1. Employees are responsible for obtaining prior approval for conference and training expenses. This requires completion of the appropriate forms stated above with authorizing advanced approval by the appropriate department head that should complete all pertinent information on the form. Information that is not completed but is deemed necessary will be required before approval is granted by the Department Head, Chief Administrative Officer/Chairman of the Legislature.

2. Before being submitted to the Chief Administrative Officer/Chairman of the Legislature for approval of the conference, it is essential that proper measures have been taken to ensure that the funds are available in the budget line appropriated for such expenses. If shortfalls exist, a budget transfer should be initiated and approved before the request is submitted for approval.

3. The Chief Administrative Officer/Chairman of the Legislature reserve the right to reduce, increase, or deny the funds requested in connection with a conference or travel request.

4. All claim vouchers for travel should be signed by both the employee and the Department Head before being submitted for payment to the Clerk of the Legislature. **A completed "MEETING ATTENDANCE REQUEST FORM/ONE DAY OUT OF COUNTY TRAVEL" form must be attached to the voucher, where applicable.** Vouchers for reimbursement that do not include this form will be returned to the Department.

5. Employees are required to prepare claim vouchers for travel within 10 days after returning from the conference.

SECTION D

REIMBURSABLE AND ALLOWABLE EXPENSES

This section of the Travel and Conference Policy describes allowable expenses for which Orleans County will reimburse the employee. This section will also list those expenses which require the employee to submit a receipt to substantiate the expense. Reimbursement of expenses incurred will occur after the employee has completed the claim voucher, which provides for an accounting of travel expenses.

LODGING

Arrangements for lodging accommodations, in connection with an approved conference, should be made in the most economical manner possible. An itemized bill detailing the expenses incurred at the hotel or motel should be attached to the claim voucher.

Expenses of spouses who accompany the County employee are not reimbursable. Expenses incurred by the County employee cannot be more than if the employee traveled alone.

An itemized receipt detailing the expenses incurred at the hotel or motel is required. Direct billing should be utilized whenever possible.

TRANSPORTATION

Arrangements for transportation should be made in the most economical manner possible. A County owned vehicle should be used whenever possible and practical. Other methods are acceptable provided that they are the most economical form of transportation. Car pooling should be used whenever possible and is strongly encouraged.

Air Travel

When air travel is necessary, the County will pay for the cost of coach or economy rates. Air travel should be the most direct route possible. Additional expenses incurred by indirect routing will be the responsibility of the employee. Additional expenses incurred for non-stop versus direct flight (with reasonable layover), will not be reimbursed.

Bus or Train Travel

When traveling by bus or train, the County will reimburse only those costs for economy rate accommodations.

Reimbursement for luxury accommodations will be reimbursed at the coach or economy rates. Additional expenses will be the responsibility of the employee.

County Owned Vehicles

The employee is encouraged to use a County owned vehicle whenever possible and practical. The employee will be reimbursed for all gasoline, parking and toll expenses provided that receipts substantiating the expenses are attached to the claim voucher.

Any unexpected maintenance expenses incurred for the County vehicle will be reimbursed, provided that the expenses did not result from negligence on the part of the employee. Receipts to substantiate the expenses will be required.

Employee Owned Vehicles

When the employee uses a personally owned vehicle, the employee will be reimbursed for mileage. The employee will be reimbursed for all parking and toll expenses incurred, provided that receipts are attached to the claim voucher.

Mileage reimbursement to a conference/seminar will be paid from home or work site, whichever is closer.

All required receipts must be attached to the claim voucher at the time that it is submitted to the Clerk of the Legislature for payment.

MEAL EXPENSES

Reimbursement for meal expenses will be allowed for the following situations:

1. The employee has received prior approval to attend a conference and expenses for meals are necessary in connection with the conference.
2. While an employee is traveling out-of-county on official County business, that employee is entitled to reimbursement for meal expenses incurred. Meal expenses should be charged to their departments' appropriate account and will be reimbursed the meal limits provided below.

MEAL LIMITS

Reimbursement for meals will be made in accordance with General Municipal Law (Section 77-c) and the employee is away for at least four hours including the hour between: (unless alternative reimbursement rates and time periods have been stated in a collective bargaining agreement)

Time:		Rate:
7 a.m. to 8 a.m.	Breakfast	\$ 5.00
Noon to 1 p.m.	Lunch	\$ 8.00
6 p.m. to 7 p.m.	Dinner	\$19.00

Employee is away for at least 11 hours including the hours between:

7 a.m. to 6 p.m.	Daily	\$32.00
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These per diem meal rates apply to all locations in and out of New York State.

When meals are included in the cost of the conference, employees are **not** entitled to the per diem allowances.

Employees attending day conferences shall only be eligible for reimbursement for the meals for which the conference cost does not include those meals.

UNAUTHORIZED EXPENSES

Employees will only be reimbursed for those expenses which are considered allowable and authorized. Unauthorized expenses would not be reimbursable expenses. The following expenses would be considered unauthorized expenses:

1. Alcoholic beverages
2. Maid or valet service
3. Laundry service
4. Newspapers or magazines
5. Personal items

6. Entertainment expenses
7. Repairs to employee owned vehicles
8. Spouse or travel companion expenses

SALES TAX EXEMPTION CERTIFICATE

When employees are traveling within New York State they should use a New York State Tax Exemption Certificate to avoid sales tax payments on items other than food and gasoline. These certificates may be obtained from the Orleans County Treasurer's Office.

The County **will not** reimburse employees for New York State sales taxes paid in cases where a Sales Tax Exemption Certificate could have been used to avoid the payment.

When employees are traveling outside New York State, a New York State Tax Exemption Certificate may not be recognized. The employee will be reimbursed for sales tax paid in those states that do not recognize the Exemption Certificates.

SECTION E

Legislature

1. Each Legislator shall also receive from the County, travel allowance and expenses in the performance of his duties in attending meetings, committee work and other duties committed to him, at the rate of 1 cent per mile less than the IRS rate in effect for each calendar year per mile for the miles actually traveled by the most usual route in going and returning between his residence to the place of the performance of each duty.

2. Any member of the Legislature wishing to attend a County related overnight conference must obtain prior approval of the Chairman of Legislature. Once approved, all other travel and conference procedures as defined in Section C of this policy must be adhered to.

SECTION F

CONCLUSION

The Travel and Conference policy outlined shall be used to provide consistent treatment to all Orleans County employees. Specific questions regarding the treatment of an individual circumstance should be directed to the County Administrative Officer for disposition.

All travel and conference expenses are subject to audit and review before payment will be made. **ANY VOUCHERS SUBMITTED FOR REIMBURSEMENT THAT DO NOT ADHERE TO THESE**

Travel and Conference Policy

GUIDELINES WILL BE RETURNED TO THE DEPARTMENT.

It is essential that every attempt is made to abide by these guidelines. The policy was established as a means of providing guidance and direction to the various Orleans County Departments and to answer some of the questions regarding the treatment of the travel and conference expenses.

Questions and concerns not specifically addressed by this policy may be directed to the Chief Administrative Officer's office or to the Clerk of the Legislature's Office.

Approved by the Orleans County Legislature
Res No. 311-806 – Effective 8/6/2006
Res No. 477-1216 – Effective 1/1/2017
Written and reviewed by members of the Policy Committee
**See complete Orleans County Travel and Conference Policy for all forms.*

SALARIES OF TOWN OFFICERS - 2017

TOWN	SUPERVISOR	HIGHWAY	TOWN	JUSTICES	COUNCILMEN
		SUPER.	CLERK		
Albion	5,865.00	55,911.00	37,060.00	17,490.00	3,778.00
Barre	7,500.00	56,100.00	28,400.00	\$6,000.00	2,200.00
Carlton	10,133.00	52,909.00	28,007.00	9,821.00	3,182.00
Clarendon	10,200.00	59,956.00	38,097.00	13,770.00	3,731.25
Gaines	5,500.00	56,731.24	31,150.00	15,175.56	2,800.00
Kendall	8,400.00	51,250.00	28,428.00	7,725.00	3,120.00
				6,600.00	
Murray	8,500.00	63,305.00	30,152.00	12,665.00	3,400.00
Ridgeway	9,882.00	58,199.00	42,217.00	26,523.00	3,560.00
Shelby	10,455.00	64,600.00	32,500.00	22,134.00	4,530.00
Yates	8,000.00	64,180.00	43,286.00	8,670.00	3,275.00

SUMMARY OF THE TOWN BUDGETS FOR THE YEAR 2017

	Expenditures	Estimated Revenue	Unexpended Balance	Amount to be Raised by Tax
ALBION				
General	595,232.00	185,770.00	12,657.00	396,805.00
General Outside Village	125,103.00	125,103.00	-	-
Highway Townwide	427,526.00	165,800.00	61,347.00	200,379.00
Highway Outside Village	201,397.00	61,000.00	12,330.00	128,067.00
Fire District	108,000.00	-	7,000.00	101,000.00
Water District #1	45,688.00	27,946.00	-	17,742.00
Water District #2	28,150.00	28,150.00	-	-
Water District #3	126,295.00	56,295.00	-	70,000.00
Water District #4	61,794.00	28,770.00	4,455.00	28,569.00
Water District #5	112,203.00	43,090.00	8,727.00	60,386.00
Water District #6	32,854.00	10,054.00	-	22,800.00
Water District #7	12,218.00	2,858.00	-	9,360.00
Water District #8	22,821.00	7,600.00	-	15,221.00
Water District #9	13,512.00	2,849.00	-	10,663.00
Sewer District #1	60,324.00	9,500.00	59.00	50,765.00
TOTALS	1,973,117.00	754,785.00	106,575.00	1,111,757.00
BARRE				
General	409,882.00	134,334.00	3,619.00	271,929.00
Highway Townwide	1,147,554.00	510,951.00	-	636,603.00
Barre Fire District	189,500.00	-	-	189,500.00
Water District #1	188,974.00	182,320.00	6,654.00	-
Water District #2	14,258.00	13,966.00	292.00	-
Water District #3	15,541.00	15,392.00	149.00	-
Water District #4	18,281.00	17,592.00	689.00	-

Town Salaries/Budgets

Water District #5	10,358.00	9,300.00	1,058.00	-
Water District #6	9,636.00	9,636.00	-	-
Water District #7	3,083.00	3,083.00	-	-
WD#1 Debt Service	-	-	-	-
WD#2 Debt Service	12,350.00	-	-	12,350.00
WD#3 Debt Service	10,415.00	-	-	10,415.00
WD#4 Debt Service	14,849.00	-	-	14,849.00
WD#5 Debt Service	35,360.00	-	-	35,360.00
WD#6 Debt Service	46,571.00	-	-	46,571.00
WD#7 Debt Service	14,347.00	-	-	14,347.00
TOTALS	2,140,959.00	896,574.00	12,461.00	1,231,924.00

CARLTON

General	488,145.00	177,230.00		310,915.00
Highway Townwide	1,169,069.00	488,765.00	43,092.00	637,212.00
Light District 1	7,000.00		1,000.00	6,000.00
Light District 2	9,000.00		1,000.00	8,000.00
Carlton Water District	716,307.00	264,000.00	84,832.00	367,475.00
Carlton Fire District	161,280.00			161,280.00
TOTALS	2,550,801.00	929,995.00	129,924.00	1,490,882.00

CLARENDON

General	669,991.00	245,000.00	60,000.00	364,991.00
Highway Fund Townwide	742,942.50	306,500.00	60,000.00	376,442.50
Water District No. 1	57,723.00	57,723.00		-
Water District No.2	61,603.62	25,500.00		36,103.62
Water District No. 3	104,363.29	31,500.00		72,863.29
Water District No. 4	79,494.00	25,550.00	-	53,944.00
Water District No. 5	26,031.55	12,100.00		13,931.55
Water District No. 6	40,514.08	13,150.00		27,364.08
Water District No. 7	59,940.56	10,612.03	-	49,328.53
Water District No. 8	12,419.64	3,575.00		8,844.64
Water District No. 9	9,789.34	2,185.00		7,604.34
Water District No. 10	84,831.81	16,123.92		68,707.89
Water District No. 11	80,183.34	11,440.00		68,743.34
Water District No. 9 Extension	2,830.02	1,040.00		1,790.02
Fire District	171,634.30			171,634.30
TOTALS	2,204,292.05	761,998.95	120,000.00	1,322,293.10

GAINES

General	456,596.80	181,573.00	29,523.80	245,500.00
General Outside Village	27,912.58	8,900.00	1,234.32	17,778.26
Highway Townwide	320,020.44	142,890.59	958.85	176,171.00
Highway Outside Village	202,254.67	130,100.00	6,834.67	65,320.00
Water District No.1	73,830.95	103,920.00	-	-
Water District No.2	24,963.66	35,047.00	-	-
Water District No. 3	21,478.15	25,343.25		-
Water District No. 4	26,863.00	60,400.00		-
Water District No. 5	27,580.95	35,523.75		-
Water District No. 6	8,977.34	10,888.00		-
Water District No. 7	11,578.59	13,517.53	-	-
Water District No. 8	16,323.30	19,055.00	-	-
Water District No. 9	12,587.00	13,906.00		-
Water District No. 10	13,286.00	18,668.00	-	-

Town Salaries/Budgets

Fire District	90,000.00			90,000.00
TOTALS	1,334,253.43	799,732.12	38,551.64	594,769.26

KENDALL

General	559,424.00	236,379.00	28,503.00	294,542.00
Highway	715,472.00	284,629.00	5,000.00	425,843.00
Library	2,000.00	1,730.00	270.00	-
Water District No.1	4,503.00	-	2,000.00	2,503.00
Water District No.2	13,811.00	-	2,000.00	11,811.00
Water District No.3	19,765.26	-	3,000.00	16,765.26
Water District No. 4	65,200.26	-	4,000.00	61,200.26
Water District No. 5	30,029.76	14,078.76	4,000.00	11,951.00
Water District No. 6	18,141.00	7,200.00	-	10,941.00
Light District No. 1	5,700.00	-	500.00	5,200.00
Light District No. 2	3,385.00	-	500.00	2,885.00
Light District No. 3	1,975.00	-	500.00	1,475.00
Fire District No. 1	165,000.00	100.00	1,000.00	163,900.00
Fire District No. 2	74,417.00	-	-	74,417.00
TOTALS	1,678,823.28	544,116.76	51,273.00	1,083,433.52

MURRAY

General	494,746.00	146,525.00	-	348,221.00
General Outside Village	59,493.00	17,450.00	6,326.00	35,717.00
Highway Townwide	383,509.00	178,000.00	-	205,509.00
Highway Outside Village	366,528.00	163,987.00	11,628.00	190,913.00
Light District No. 1 (Fancher)	2,800.00	-	200.00	2,600.00
Light Dist. #2 (Hulberton)	4,000.00	-	200.00	3,800.00
Light Dist. #3 (Brockville)	1,500.00	-	300.00	1,200.00
Murray Fire District	199,000.00	-	-	199,000.00
FHM Fire District	107,600.00	-	-	107,600.00
Water District No. 1	16,668.00	8,760.00	2,908.00	5,000.00
Water District No. 2	115,823.00	67,300.00	17,523.00	31,000.00
Water District No. 3	67,507.00	38,300.00	6,625.00	22,582.00
Water District No. 4	12,969.00	4,400.00	2,569.00	6,889.00
Water District No. 5	6,889.00	2,300.00	289.00	4,300.00
Water District No. 6	51,614.00	26,500.00	13,114.00	12,000.00
Water District No. 7	37,934.00	16,000.00	2,434.00	19,500.00
Water District No. 8	27,515.00	10,200.00	875.00	16,440.00
Water District No. 9	13,424.00	5,000.00	1,924.00	6,500.00
Water District No. 10	12,500.00	5,500.00	-	7,000.00
Water District No. 11	183,694.00	56,000.00	24,640.00	103,054.00
Water District No. 12	16,295.00	3,100.00	1,195.00	12,000.00
Water District No. 13	24,668.00	5,467.00	-	19,201.00
Water District No. 14	5,701.00	1,200.00	601.00	3,900.00
Water District No. 15	69,003.00	7,750.00	2,253.00	59,000.00
Water District No. 20	6,459.00	5,900.00	559.00	-
TOTALS	2,287,839.00	769,639.00	96,163.00	1,422,037.00

RIDGEWAY

General	704,486.00	167,615.00	207,294.00	329,577.00
General Outside Village	97,894.00	32,510.00	10,409.00	54,975.00
Highway Townwide	587,553.00	146,520.00	53,462.00	387,571.00
Highway Outside Village	474,729.00	210,050.00	63,098.00	201,581.00
Fire Protection District	193,963.00	5.00	(5.00)	193,963.00

Town Salaries/Budgets

Knowlesville Light District	3,375.00	5.00	(5.00)	3,375.00
Knowlesville Sewer District	37,646.00	5.00	6,141.00	31,500.00
Water Debt Service 31E	8,800.00			8,800.00
Water Debt Service 269	7,915.00			7,915.00
Water #2 Debt Service	19,225.00			19,225.00
Water #3 Debt Service	32,228.25			32,228.25
Water #4 Debt Service	64,493.73			64,493.73
Water #5 Debt Service	26,443.63			26,443.63
Water #6 Debt Service	13,918.62			13,918.62
Water #7 Debt Service	6,950.00			6,950.00
Water #8 Debt Service	9,373.85			9,373.85
Water #9 Debt Service	5,265.68			5,265.68
Water #10 Debt Service	14,335.00		2,567.25	11,767.75
Water #11 Debt Service	2,041.26			2,041.26
Water #12 Debt Service	14,026.28			14,026.28
Water #13 Debt Service	10,562.49			10,562.49
Total Water Improvement Areas				-
TOTALS	2,335,224.79	556,710.00	342,961.25	1,435,553.54

SHELBY

General	1,084,946.00	263,625.00	388,326.00	432,995.00
General Outside Village	94,200.00	62,617.00	9,624.00	21,959.00
Highway Townwide	580,550.00	168,700.00	190,808.00	221,042.00
Highway Outside Village	536,721.00	222,005.00	27,375.00	287,341.00
Shelby Center Light	3,000.00	-	450.00	2,550.00
Millville Light	1,500.00	-	200.00	1,300.00
Shelby Fire Co.	301,657.00			301,657.00
Cemetery	10,000.00	9,200.00	800.00	-
Water District No. 1	102,142.00	102,142.00		-
Water District No. 2	27,477.00	27,477.00		-
Water District No. 3	76,762.00	76,762.00		-
Water District No. 4-A	62,530.00	62,530.00		-
Water District No. 4-B	59,911.00	59,911.00		-
Water District No. 5	5,106.00	5,106.00		-
Water District No. 6	64,158.00	64,158.00		-
Water District No. 7	62,194.00	62,194.00		-
Water District No. 8	67,248.00	67,248.00		-
Water District No. 9	59,690.00	59,690.00		-
Water District No. 10	61,623.00	61,623.00		-
Water District No. 11	45,868.00	45,868.00		-
TOTALS	3,307,283.00	1,420,856.00	617,583.00	1,268,844.00

YATES

General	472,569.00	94,600.00	90,241.00	287,728.00
General Outside Village	25,180.00	10,050.00	305.00	14,825.00
Highway Townwide	389,477.50	210,500.00	78,757.50	100,220.00
Highway Outside Village	438,075.00	140,000.00	71,535.00	226,540.00
Fire Protection District	66,600.00	-	-	66,600.00
Water District No. 2	78,100.00	78,100.00	-	-
Water District No. 4	339,919.65	120,900.00	41,270.65	177,749.00
TOTALS	1,809,921.15	654,150.00	282,109.15	873,662.00

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2017



PROCEEDINGS
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ORLEANS COUNTY

2017

Donald J. Allport	Member at Large
E. John DeFilipps	Member at Large
David B. Callard	Member at Large (Retired, August)
William H. Eick	District No. 1
Lynne M. Johnson	District No. 2
Fred Miller	District No. 3
Kenneth DeRoller	District No. 4
David B. Callard	Chairman (Jan-July)
E. John DeFilipps	Chairman (August-December)
Lynne M. Johnson	Vice-Chairman
Charles H. Nesbitt, Jr.	Chief Administrative Officer
Nadine P. Hanlon	Clerk of Legislature
Lisa Stenshorn	Deputy Clerk of the Legislature

By Order
of the
Legislature

COUNTY OF ORLEANS)

ss:

STATE OF NEW YORK)

I hereby certify that the following Proceedings of the Legislature of Orleans County by the authority of said Legislature are a true statement of the record of such proceedings as filed in this office.

Nadine P. Hanlon
Clerk of the Legislature



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2016-2017 Orleans County Legislature

FRONT ROW: David B. Callard, Chairman, At Large – West; Lynne M. Johnson, Vice Chairwoman, District 2.

BACK ROW: Donald J. Allport, At Large – Central; David C. Schubel, County Attorney; Fred Miller, District 3; Charles H. Nesbitt, Jr., Chief Administrative Officer; William H. Eick, District 1; Kenneth DeRoller, District 4; E. John DeFilippis, At Large – East; Nadine P. Hanlon, Clerk of the Legislature

County Officials of Orleans County for 2017

Aging, Office for the, Director	Melissa Blanar
Assistant Director	Susan Miller
Budget Officer	Charles H. Nesbitt Jr.
Deputy Budget Officer	Susan M. Heard
Chief Administrative Officer	Charles H. Nesbitt, Jr.
Clerk of the Legislature	Nadine P. Hanlon
Deputy Clerk of the Legislature	Lisa Stenshorn
Computer Services, Director	Edwin L. Moss
Coroner, Chief	Scott M. Schmidt, CFSP
Coroners	Rocco Sidari
	Charles Smith, RN

County Attorney	David C. Schubel
Assistant County Attorney	John C. Gavenda
	James D. Bell
County Clerk	Karen Lake-Maynard
Deputy County Clerk	Diane L. Shampine
Deputy County Clerk – DMV	Susan K. Rustay
Development, Industrial/Economic	James Whipple
District Attorney	Joseph V. Cardone
1 st Assistant District Attorney	Susan Howard
2 nd Assistant District Attorney	Katherine Kersch-Bogan
3 rd Assistant District Attorney	John Sansone
Election Commissioners	Kathleen Case (R)
	Janice Grabowski (D)
Deputy Commissioners	Dorothy Morgan (R)
	Eileen Aina (D)
Emergency Management, Director	H. Dale Banker
Health, Director	Paul A. Pettit
Highway Superintendent	Gerald R. Gray
Deputy Highway Superintendent	Peter Houseknecht
Buildings and Grounds Assist.	James J. Noreck
Super.	
Historian	Matthew Ballard
Job Development, Director	Kelly Kiebala
Mental Health Services, Director	Mark O'Brien
Personnel and Self Insurance, Director	John C. Welch, Jr.
Planning and Development, Director	James Bensley
Probation, Director	Luci Welch
Public Defender	Sanford A. Church
1 st Assistant Public Defender	Patricia Pope
2 nd Assistant Public Defender	Dominic Saraceno
3 rd Assistant Public Defender	Nathan D. Pace
Real Property Tax, Director	Dawn M. Allen
Records Management Officer	Charles H. Nesbitt, Jr.
Sheriff	Randall Bower
Undersheriff	Christopher Bourke
Chief Deputy	Michael Mele
Jail Superintendent	Scott Wilson
Social Services, Commissioner	Thomas Kuryla
Tourism, Director	Lynne Menz
Treasurer	Susan M. Heard
Deputy Treasurer	Roxie J. Basinait/Kim DeFrank
Veterans, Director	Earl Schmidt
Weights and Measures, Director	Craig D. Lape (Jan-July)
Youth Bureau, Director	Jocelyn Sikorski

LEGISLATIVE STANDING COMMITTEES-2017

LEGISLATIVE

Callard, Johnson

Chief Administrative Officer
Clerk of Legislature
County Attorney
Historian
Emergency Management
Employee Assistance Program
Fire Advisory Board
Off Track Betting
Safety Committee

PUBLIC SAFETY

DeFilipps, Johnson, Callard

District Attorney
Probation
Public Defender
Sheriff
Courts
Emergency Medical Services
Stop DWI

HEALTH

Allport, DeRoller, Callard

Mental Health
Public Health
ARC

ELECTIONS

Eick, Miller, Callard

Board of Elections

EDA

DeRoller, DeFilipps, Callard

LDC

Eick, Miller, Callard

ADMINISTRATION & FINANCE

Johnson, DeFilipps, Callard

Budget Officer
Computer Services
County Clerk
Personnel & Self-Insurance
Records Management
Real Property Tax Services
Treasurer
Education (Community Colleges,
Medical Scholarship, Libraries)

HOME & COMMUNITY SERVICES

DeRoller, Allport, Callard

Planning & Development
Soil and Water Conservation
Solid Waste
Tourism
Cooperative Extension
Gen/F. Lakes Regional Planning Council
Go Art!
Orleans Sportsman Federation
Parks

ECONOMIC ASSISTANCE & OPPORTUNITY

Miller, Eick, Callard

Housing - Section 8
Job Development Agency
Office for the Aging
Social Services
Veterans Service Agency
Youth Board

HIGHWAY

Eick, Miller, Callard

Buildings & Grounds
Highway
Weights & Measures
Genesee Transportation Council
RGRTA - Rochester Genesee Regional
Transportation Authority

SPECIAL LEGISLATURE MEETING

January 6, 2017

Chairman Callard called the meeting to order at 10:02 a.m. After the pledge to the flag, the Clerk called the roll. All Legislators were present with the exception of Legislators Allport and Johnson.

The following resolutions were presented for adoption:

RESOLUTION NO. 1-117

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$7,620.61	Crane-Hogan Structural Systems	Work Performed - Carton Road Bridge Repl. 9/14/16-10/13/16 – Pymnt 5-Final
\$14,681.60	Labella Associates, PC	Prof. Services for Carton Road Bridge Repl; Inv #75201 – 9/24/16-12/9/16
\$62,155.48	Labella Associates, PC	Prof. Services for East Scott Road Bridge Repl; Inv #75206 – 9/24/16-12/9/16

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 2-117

**AUTHORIZING EMERGENCY REPAIR TO THE 2012 PETERBILT
DUMP TRUCK AT THE HIGHWAY DEPARTMENT**

RESOLVED, that this Legislature authorizes the emergency repair to the 2012 Peterbilt Dump Truck (Truck #12) at the Highway Department (PO# 57313) payment in the amount of \$13,097.05 to Penn Power Group, 350 Bailey Ave, Buffalo, NY 14210 from Highway/Road Machinery Fund DM5130.414 – Machine Maintenance Tires and Batteries.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 3-117

APPOINTING COMMISSIONER OF ELECTIONS

WHEREAS, a recommendation has been received from the Orleans County Democratic Committee recommending that Janice Grabowski be appointed as Commissioner of the Board of Elections; and

WHEREAS, a recommendation has been received from the Orleans County Republican Committee recommending that Kathleen Case be appointed as Commissioner of the Board of Elections; and

WHEREAS, Ms. Case is receiving a health insurance retirement benefit as a retired county employee; therefore be it

RESOLVED, that this Legislature affirms the appointment of Janice Grabowski as Democratic Commissioner of Elections and appoints Kathleen Case as Republican Commissioner of Elections effective January 2017 through December 31, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the suspension of the health insurance retirement benefit for Kathleen Case during her time of service as the Commissioner of Elections; and be it

FURTHER RESOLVED, that this Legislature authorizes the resumption of the health insurance retirement benefit for Kathleen Case once her service as the Commissioner of Elections concludes.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 4-117

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

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Clerk (4010.41) in the Public Health Department at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a part-time Clerk in the Public Health Department at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant part-time Clerk, effective January 9, 2017.

Moved, DeRoller; second, DeFilipps.
Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 5-117

AUTHORIZING PAYMENT FOR REAL PROPERTY SERVICES ANNUAL LICENSING FEE

RESOLVED, that this Legislature authorizes payment to the Office of Real Property Tax Services NYS Department of Taxation and Finance, W.A. Harriman State Campus, Albany, NY 1227 in the amount of \$10,200 (PO 57966) to be paid from budget account A1970.432 for the Annual Real Property System Licensing Fee (RPS) which will be charged back to the Towns in 2017.

Moved, DeFilipps; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 6-117

AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY TAX REFUNDS

WHEREAS, the New York State Real Property Tax Law, Section 554 and 556, provide an administrative correction of error process to assist the property owner in obtaining real property tax refunds and corrections caused by certain clerical errors, unlawful entries and errors in essential fact; and

WHEREAS, Real Property Tax Law, Section 554 and 556 provides that the tax levying body may delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law section 554 and 556; and

WHEREAS, the Administration and Finance Committee does recommend that the delegation to the Treasurer be continued to perform said duties; now be it

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 554 and 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a correction or a refund and said correction/refund is two-thousand five hundred dollars or less; and be it

FURTHER RESOLVED, that on the fifteenth day of each month, the Orleans County Treasurer shall submit a report to the Orleans County Legislature of the refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund and when no refunds are given no report will be issued.

Moved, DeFilipps; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

Legislator DeFilipps moved to authorize purchase of a linear amplifier for the radio system; second, by Legislator DeRoller. EMO Director Banker explained, upon Legislator DeRoller's request, that we needed to replace a piece that has become defective but needed to make sure enough money was available at year end. Director Banker explained that the defective piece will be sent out for reconditioning and will then provide a backup for us. Kevin Doherty explained it is a power amplifier, which we have twenty-one of them in the system. Due to us only using 12% of what we have, this did not impact the end users at all. Rather than buy spares, we would rather address them as they needed repair to keep up on the current software needs and not have outdated spares. The following resolution was adopted:

RESOLUTION NO. 7-117 (Rescinded – RESOLUTION NO. 392-1017)

**AUTHORIZING PURCHASE FROM EMERGENCY MANAGEMENT
BUDGET**

RESOLVED, that this Legislature authorizes purchase of a HPA MDI Linear Amplifier through NYS OGS State Contract #67050 - Group #77200, purchased from Harris PSPC, 1280 University Ave, Rochester, NY 14618 in the amount of \$8,551.69 (PO #58268) to be paid out of the Emergency Management budget account A3640.418 – Other Contractual expenses.

Moved, DeFilipps; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

The Legislature applauded and welcomed Kathy Case as our newly appointed Election Commissioner.

Chairman Callard highlighted the new windows that were installed in the Chambers. Shades will arrive soon.

Legislator Eick moved to adjourn; second by Legislator Miller. Meeting adjourned at 10:11 a.m.

LEGISLATURE MEETING

January 25, 2017

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: The Albion Strawberry Festival Committee, under the authority of the Village of Albion, is requesting permission to hold its 31st annual festival on the Courthouse Lawn on June 9th and June 10th, 2017. Hours of operation will be 11 a.m. to 9 p.m. on Friday and 9 a.m. to 9 p.m. on Saturday. As in the past, the Courthouse grounds will be used for the same purposes, which include arts and crafts and entertainment. The Board approved this request. A free Narcan training opportunity was announced for the Legislators through GCASA. If interested please see the Clerk.

Emergency Management Director Dale Banker asked Legislators DeFilipps and Johnson to help present recognition plaques to those that dedicated many years to the Orleans County Auxiliary Police. David Thom, was recognized for 27 years of service. He was applauded for his service. Others recognized but were unable to attend the meeting included Joseph Riley for 43 years of service and Captain John “Jack” Manella for his 47 years of service. Director Banker stated these guys were great to work with. They too were applauded for their service.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through December 2017 with notations included in the report explaining the larger numbers that stand out in her report.

Chairman Callard called for open discussion as it related to the resolutions beginning with the Legislators. Legislator DeRoller and Planning Director James Bensley reported on positive news concerning the e-waste and household hazardous waste collection in our County.

Legislator DeRoller explained that when NYS changed their regulations for e-waste, by taking it out of the mainstream, the new process was broken. The Legislators were able to step up and find a mechanism to improve the collection of e-waste. In 2014 and 2015, we had endless pallets of e-waste; we linked up with NORA and developed a process. Legislator DeRoller explained that now the household hazardous waste would be done on an annual basis. He said that since 2009 when the

collection program began, 41,205 pounds of solid waste was and 22,291 gallons of liquid waste was collected. Since 2015, Albion has collected 208,665 pounds of e-waste, with Shelby also collecting 115,510 pounds and Murray collecting 44,812 pounds through the end of December 2016. Legislator DeRoller indicated that we have a successful program with improvement to the quality of life and our county looks better too. He commended the Orleans County Highway and Buildings and Grounds Department and Planning Department for their help in getting this program initiated. Chairman Callard stated there was an impressive growth in collections of our e-waste. Planning Director Bensley stated that since the state program did not work therefore, it was an important issue to protect our environment by getting these items out of our ditches and then they were starting to pile up like seen in the photos. Director Bensley stated that when this program started it was completely a county effort. Over the summer, the State realized, might not want to admit it stated Bensley that their program was not working and decided to provide some funding. In keeping good records, a grant application was submitted. The State put aside, \$3 million dollars that would help pay up to half of the costs spent by the counties. So far, Orleans County applied in October and paperwork is in the process of signatures for getting to \$15,000 to cover our efforts.

Chairman Callard asked for public comments as it relates to resolutions, with their being none, Legislator Eick moved to add three resolutions to the agenda; second by Legislator Miller. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 8-117

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$31,441.04	Union Concrete & Construction Corp.	East Scott Road Bridge Project – Final Payment – 10/17/16- 12/12/16

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$1,279.91	Brigden Memorials	Pole Barn Signage

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

RESOLUTION NO. 9-117

AUTHORIZING AN EXTENSION OF A JOINT SERVICE AGREEMENT WITH ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY

WHEREAS, The Rochester-Genesee Regional Transportation Authority ("Authority") and the County of Orleans ("County") have previously entered into a June 9, 2003 Joint Service Agreement ("JSA") which has been amended from time to time; and

WHEREAS, under the JSA as amended the Authority leases space from the County, the Authority uses the County's radio base station, the County sells fuel to the Authority and the County performs vehicle repairs and maintenance for the Authority; and

WHEREAS, the Authority and the County plan to enter into a superseding Joint Service Agreement under which the Authority will construct a building on County property and the County will continue to lease property and provide services to the Authority; and

WHEREAS, it is anticipated that the construction will conclude on approximately May 1, 2018; now therefore be it

RESOLVED, that the term of the June 9, 2003 Joint Service Agreement, as amended, is now to run until completion and occupancy of the new facility or the date the parties execute a superseding Joint Service Agreement, whichever occurs first; and be it

FURTHER RESOLVED, that the Chairman or his designee is hereby authorized, empowered and directed, for and on behalf of the County, to perform any and all actions and to execute any and all

documents on behalf of the County as may deemed necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolution.

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

RESOLUTION NO. 10-117

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A UTILITY TRUCK, ROAD PLANER, AND DUMP TRUCK

RESOLVED, that this Legislature authorizes the Highway Department to make the following purchases:

(1) 2018 International Dump Truck, Model #4300 SBA 4X2 (MA025) from National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 for \$105,177.00 (PO#57314) to be purchased under the (NJPA) National Joint Powers Alliance Bid Number #102811 and to be paid from account #DM5130.270. County cost \$0.

(1) Road Planer from Clark Equipment Company/dba Bobcat Company, 250 East Beaton Drive, West Fargo, ND 58078 for \$12,369.00 (PO#57315) to be purchased under the NYS Contract PC67141 (Award #22792) and to be paid from account #DM5130.270.

(1) New 2017 Ford F-550 Utility Truck from Van Bortel Ford, 71 Marsh Road, East Rochester, NY 14445 for \$45,877.21 (PO#57316) to be purchased under the Onondaga Bid #7974 2017 and to be paid from account #DM5130.270. County Cost \$0.

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

RESOLUTION NO. 11-117

AUTHORIZING THE HIGHWAY AND BUILDINGS AND GROUNDS DEPARTMENTS TO PURCHASE FOUR NEW PICKUP TRUCKS

RESOLVED, that this Legislature authorizes the Highway Superintendent to order four (4) New 2017 Chevrolet Silverado Pickup Trucks from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New

York 14043 for a total amount of \$123,832.40 through Chautauqua County contract #E-11-14-PFTH with two (2) to be paid from the Highway Fund and two (2) to be paid from the General Fund; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chief Administrative Officer to negotiate future municipal financing for this purchase; which will be subject to the review and approval of the County Attorney.

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

Legislator Eick moved a resolution to approve Dude Solutions for the Highway and Buildings and Grounds Department; second by Legislator Miller. Legislator Eick asked CAO Nesbitt to explain this new work order product. CAO Nesbitt expressed that this work order software will track all the work that is done on all of our assets. It will track maintenance issues, track history of issues on any piece of equipment or building. Highway Superintendent Gray also added that all of our boilers and HVAC systems will be entered and tracked for rotation of maintenance. Part numbers and details can be stored for our assets and will be at our fingertips should something need immediate repair. Chairman Callard expressed that this is highly efficient and will increase productivity. It will help in handling the hundreds of work orders and be able to retrieve the status and history of these. The following resolution was adopted:

RESOLUTION NO. 12-117

AUTHORIZING PURCHASE AND APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND DUDE SOLUTIONS

RESOLVED, that this Legislature approves an agreement with Dude Solutions, 11000 Regency Parkway #110, Cary NC 27518 for an online work order tool with a onetime total set up fee of \$6,090.10 from January 1, 2017 – December 31, 2017 to be paid out of budget account 1620.470 and be it;

FURTHER RESOLVED, this Legislature approves a maintenance fee subscription from January 1, 2018 – December 31, 2018 at a total cost of \$4,340 to be paid out of budget account 1620.447.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 13-117

APPROVING RENEWAL AGREEMENT BETWEEN OFFICE FOR THE AGING AND CENTER FOR ELDER LAW & JUSTICE, INC.

RESOLVED, that this Legislature does hereby approve a renewal agreement between the Office for the Aging and Center for Elder Law Justice, Inc. 237 Main Street, Buffalo, NY 14203 to provide legal services for Orleans County residents age 60 and older from January 1, 2017 to December 31, 2017 at a cost of \$7,000. County cost is \$700.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 14-117

AUTHORIZING SETTING UP NEW MONEY IN THE OFFICE FOR THE AGING BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money received through the Western and Central Health Foundation for recruiting older adults to participate in a workshop that looks at the needs of older adults in the Office for the Aging budget, as follows:

Revenue:

A1972	Office for the Aging-Local Grants	\$1,500
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Appropriation:

6772-461	Postage	\$250
6772.462	Mileage	\$250
6772.492	Transportation Services Non Employees	\$1,000

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 15-117

APPROVING SUBMISSION OF THE ANNUAL PLAN UPDATE OF THE CHILD AND FAMILY SERVICES CONSOLIDATED SERVICE

PLAN TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES ON BEHALF OF SOCIAL SERVICES

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

WHEREAS, New York State Office of Children and Family Services requires each local district to submit an Annual Plan Update for 2017 in lieu of a five year plan; and

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

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

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Miller moved a resolution for DSS to purchase laptops; second by Legislator Eick. Legislator DeRoller asked for more information. Computer Services Director Ed Moss stated that nearly six years ago a mobility project was initiated and now the aging laptops are now needed to be upgraded due to aging equipment. These include your caseworkers, social welfare examiners and school caseworkers to allow them the mobility to take technology with them to home visits and on call visits. Commissioner Kuryla also added that it provides them immediate and timely entry of mandated notations. The following resolution was adopted:

RESOLUTION NO. 16-117

AUTHORIZING PURCHASE OF LAPTOPS AND ACCESSORIES FOR THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature authorizes the purchase of nineteen (19) Dell Latitude E5470 14" Notebooks; nineteen (19) carrying

cases; three (3) Dell external USB slim DVD hard drives; and eleven (11) Dell E-Port Replicator Docking Stations at a cost of \$12,742.94, from Dell Marketing, c/o Dell USA, LP, P O Box 643561, Pittsburgh, PA 15264 (Contract #81AGQ) (PO#58235) all to be paid from Social Services Administration Account 6010.220 – Office Equipment. County Cost is \$3,950.31.

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

RESOLUTION NO. 17-117

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY [COIDA] FOR THE YEAR 2017

WHEREAS, it is in the best interest of the County that the many advantages of Orleans County be publicized to those who may be interested in establishing, maintaining, or expanding business and industry in the County of Orleans, in order to create new jobs and keep a healthy economy; and

WHEREAS, equally as important, is the ability to retain within the county the jobs already located here; and

WHEREAS, among the most important tasks facing New York State are the need to increase jobs and encourage higher levels of private capital investment in business and industry, thereby improving the general prosperity and economic welfare of the people of New York State and its constituent municipalities; and

WHEREAS, the County recognizes that the Agency is a community-wide organization with the expertise and capacity to improve the general prosperity and economic welfare to the people of the County; and

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County; and

WHEREAS, New York State Public Officers Law Section 18 states that a county legislative body may provide for the defense and indemnification of the officers and employees of a public entity and additional indemnification of said Agency may be contracted in return for services; and

WHEREAS, the County has, by Resolution adopted by the Orleans County Legislature, authorized the execution of this contract and the indemnification agreement herein between the County and the Agency; now, therefore be it

RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with the County of Orleans Industrial Development Agency [COIDA] to provide the services as set forth in the agreement at an annual cost of \$170,000, to be paid in quarterly payments of \$42,500.

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

RESOLUTION NO. 18-117

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between Orleans County Mental Health and the following agencies:

Genesee County Mental Health, 5130 E. Main St, Rd, #2, Batavia, NY 14020 for joint legal feasibility analysis for the development of a behaviour health intermunicipal consortium for the sum not to exceed \$17,000 per county for the period from December 6, 2016 to December 31, 2017.

Coordinated Care Services, 1099 Jay Street, Rochester, NY 14611 providing specialized financial management services and preparation and submission of CFR reports beginning January 1, 2017 and ending December 31, 2017 at a cost of \$32,000. County cost is \$2,240.

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

RESOLUTION NO. 19-117

AUTHORIZING SETTING UP NEW MONEY IN THE HEALTH DEPARTMENT

RESOLVED that the County Treasurer is authorized to set up new monies in the Public Health Department budget (A4010) as a result of a grant award from the Voluntary National Retail Food Regulatory Program Standards Grant Program as referenced in Resolution No. 363-1016:

Revenue:

A4403	Association of Food and Drug Officials	\$ 2,000
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Appropriations:

A4010.460	Training & Education	\$1,000
A4010.463	Travel Other Than Mileage	\$1,000

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

Legislator Allport moved to approve the appointment of Dr. Baker onto the Board of Health. He stated that it has been a benefit of combining a Board of Health between Genesee and Orleans Counties to provide a better opportunity to fulfill the requirement of having three doctors to serve on this board. He expressed that Dr. Baker, semi-retired, will be a great asset on this board for he has worked in both counties through GCASA. The following resolution was adopted:

RESOLUTION NO. 20-117

APPROVING APPOINTMENT TO ORLEANS COUNTY BOARD OF HEALTH

RESOLVED, that this Legislature authorizes the appointment of Dr. Bruce Baker, to be appointed to the Orleans County Board of Health; term effective January 1, 2017 through December 31, 2020.

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

RESOLUTION NO. 21-117

**AUTHORIZING A PURCHASE FROM HEALTH DEPARTMENT
BUDGET FOR RABIES VACCINE**

WHEREAS, the Orleans County Health Department needs to purchase Human Rabies Vaccine for post exposure treatment and other vaccinations to treat the residents of Orleans County; now, therefore be it

RESOLVED, that this Legislature allows the Health Department to make purchases of vaccine, when needed, up to the amount of \$100,000.00 from budget account line 4010.409 as approved in the 2017 Orleans County Budget.

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

RESOLUTION NO. 22-117

**APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

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

Jan Healey, SLP, PLLC, 7924 Newco Dr. Hamlin, NY 14464 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. Contract period January 1, 2017 through June 30, 2019.

NYS Department of Health at Corning Tower Room 2834- Empire State Plaza, Albany, NY 12237, a NYS Master Contract for Grants is to ensure that the needs of people who may be developmentally delayed are met. This grant is approved through Grants Gateway, and is for a 5 year period with disbursements of 29,955.00 per year. Grant period is from October 1, 2015 through September 30, 2020. County Cost \$0.

WNY Speech-Language Pathology, OT & PT Consultants, PLLC., 590 Fishers Station Dr., Suite 130 Victor, NY 14564 to provide related services to Orleans County children (ages3-5) who are eligible for the

Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. Contract period from July 1, 2016 through June 30, 2019.

Lyndonville Central School District at 25 Housel Ave Lyndonville NY 14098 Contract is to provide related services to Orleans County children (ages3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county, 59.5% reimbursement from state, and 40.5% is the counties responsibility. Contact period is December 1, 2016- June 30, 2019.

State Food Safety.com, 507 E. Technology Ave, Bldg C, Orem, UT 84097 to provide a link to online training to meet the food works training requirements in the Orleans County Code effective December 7, 2016 through January 18, 2020. County cost \$0.

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

RESOLUTION NO. 23-117

APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

WHEREAS, the County of Orleans has appropriated the sum of \$6,647 as its share of the year 2017 operating funds of the Genesee Finger Lakes Regional Planning Council, and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore, be it

RESOLVED, that the Orleans County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

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

RESOLUTION NO. 24-117

AUTHORIZING THE TREASURER TO SET UP NEW MONIES IN THE PLANNING AND DEVELOPMENT DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Planning and Development Department budget for revenue and expenses related to land use plan preparation for municipalities:

<u>Revenue:</u>		
A2116	Planning Services	\$6,204.94
<u>Appropriation:</u>		
A8020.426	Miscellaneous Fees for Services	\$6,204.94

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

RESOLUTION NO. 25-117

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

<u>NAME</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Elaine Berg	Town of Murray	12-31-19

3211 Fancher Road
Albion, New York 14411

Charles Felice
17140 Route 31
Holley, New York 14470

Town of Murray
(Alternate)

12-31-19

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

RESOLUTION NO. 26-117

**APPROVING AGREEMENT WITH SOIL AND WATER
CONSERVATION DISTRICT**

RESOLVED, that this Legislature authorizes the agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, New York, for the provision of services by “Soil and Water” for the calendar year 2017, at a cost of \$80,000, to be paid in quarterly payments of \$20,000.

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

RESOLUTION NO. 27-117

**GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND
WATER SYSTEMS**

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina and Lyndonville located outside their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant or reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2017 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 28-117

DESIGNATING DEPOSITORIES AND AMOUNTS ALLOWED

RESOLVED, that pursuant to Section 212 Subdivision 3 of the County Law, the following institutions be, and hereby are, designated as depositories of all monies received by the County Treasurer, and be it further

RESOLVED, that the maximum amount which may be on deposit at any time in each depository shall not exceed that listed below:

Five Star Bank	\$ 30,000,000
Bank of America	\$ 5,000,000
M & T Bank	\$ 10,000,000
JPMorgan Chase	\$ 5,000,000
Key Bank	\$ 5,000,000
Bank of Castile	\$ 15,000,000
Citizens Bank	\$ 5,000,000

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 29-117

APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements with the Sheriff's Office and the following agencies:

EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226 for a renewal agreement for Jail Management System (JMS) software support and maintenance, in the amount of \$5,250, and for on-site maintenance at \$125.00 per hour plus travel expenses, for period January 1, 2017 through December 31, 2017; and be it

MorphoTrust USA, 5705 West Old Shakopee Road, Bloomington, MN 55437, for a two-year System Maintenance Agreement - annual 9/5 maintenance support services for the MorphoTrust Touch Print Live Scan equipment at the Jail, at a cost of \$5,806, to be billed annually at \$2,903, effective February 10, 2017 through February 9, 2019.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 30-117

**APPROVING AGREEMENT WITH TASER INTERNATIONAL AND
PURCHASE FROM SHERIFF'S OFFICE BUDGET**

RESOLVED, that this Legislature authorizes approval of a five-year agreement between the Sheriff's Office and Taser International, 17800 N. 85th Street, Scottsdale, Arizona, for the purchase and support of 25 Premium X26P Tasers with extended warranties and accessories, at a total cost of \$44,510.81, to be paid in annual payments from the Sheriff's budget account 3110.250 – Other equipment.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 31-117

**AUTHORIZING THE FILLING OF VACANCIES IN THE SHERIFF'S
OFFICE**

RESOLVED, that this Legislature does hereby authorize the filling of vacancies within the Sheriff's Office for those positions noted below effective January 26, 2017:

Deputy Sheriff-Marine Patrol Officer, part-time	(3110.73)	\$13.68/hour
Public Safety Dispatcher, part-time	(3020.20)	\$14.20/hour
Correction Officer, part-time	(3150.39)	\$14.20/hour
Correction Officer, part-time	(3150.24)	\$14.20/hour

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 32-117

**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 and with the approval of the County Legislature and Sheriff, and

WHEREAS, a 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 the 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 3150.51, to begin January 16, 2017 and ending of February 15, 2017; 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, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 33-117

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up grant funds in the Sheriff's Budget as follows:

Revenue:

A3781	NYS Canal Corp Marine Patrol Grant	\$3,812.75
A4308.5316	Homeland Security (SLETPP 2016)	\$2,226.00
A4308.5315	Homeland Security (SLETPP 2015)	\$3,641.00

Appropriation:

3110.0100	Personal Services	\$3,812.75
3110.486.5316	Special Grants/SLETPP 2016	\$2,226.00
3110.486.5315	Special Grants/SLETPP 2015	\$3,641.00

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 34-117

APPROVING AGREEMENTS BETWEEN PUBLIC DEFENDER AND
VARIOUS AGENCIES.

RESOLVED, that this Legislature approves agreements between
the Orleans County Public Defender and the following:

NYS Office of Indigent Legal Services, A.E., Smith Building, 11th Floor,
80 South Swan St, Albany, NY 12210 (Contract #C000734) for Attorney
Pay, Parole Revocation, Expert Services, Legal Services for Appeals
through the Legal Aid Bureau of Buffalo, Interpreter, and Computer
Technology in the amount of \$156,438.00 effective January 1, 2015
through December 31, 2017

Legal Aid Bureau of Buffalo, Inc., 290 Main St., Suite 350, Buffalo, NY
14202 providing for the Legal Aid Bureau to provide legal services for
appeals in a base amount of \$22,500 plus additional funds for appeal
from trials from August 1, 2016 through July 31, 2019.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 35-117

APPROVING AGREEMENT WITH ORLEANS COUNTY DISTRICT
ATTORNEY'S OFFICE AND THE U.S. DEPARTMENT OF JUSTICE

RESOLVED, that this Legislature approves the Federal Equitable
Sharing Agreement between the District Attorney's Office and the U.S.
Department of Justice effective January 1, 2017 through December 31,
2017 allowing receipt of seized funds on Federal forfeitures; and be it

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

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 36-117

AUTHORIZING ACCEPTANCE OF NYS DHSES MEMBER INITIATIVE GRANT AND EXPENDING GRANT FUNDS AND AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 308-816 authorized the Emergency Management Office to apply for a NYS DHSES Member Initiative Grant in the amount of \$9,000; be it

RESOLVED, that this Legislature authorizes acceptance of the NYS DHSES Member Initiative Grant and expending said grant funds through seminars, brochures and advertising; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money as follows:

Revenue:

A4309.1042	State Homeland Security LG2015	\$9,000
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Appropriation:

3640.486.1042	Special Grants LG2015 - Legislative Line Item	\$9,000
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Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 37-117

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2016 Grant Funds in the amount of \$3,250 for Personal Protective Equipment, \$3,125.50 for Interop Radio Accessories and \$18,000 for Physical Security Enhancements at the Emergency Management Office in accordance to DHSES grant guidelines; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up FY 2016 Homeland Security Funds as follows:

Revenue:

A4309.2016	State Homeland Security Grant Program	\$24,375.50
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Appropriation:

3640.486.2016	Special Grants – SHSP FY2016	\$24,375.50
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Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 38-117

APPROVING EXTENSION TO INTERGOVERNMENTAL
MEMORANDUM OF AGREEMENT

RESOLVED, that this Legislature approves an extension with New York State Department of Homeland Security/Emergency Services Statewide Interoperable Communications for the Intergovernmental Memorandum of Agreement #X300134 – Mutualink, at no cost to the county; said extension to be in place through January 31, 2018.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 39-117

AUTHORIZING FILLING OF VACANCY IN EMERGENCY
MANAGEMENT OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time, permanent position of Deputy Fire Coordinator in the Emergency Management Office at a salary of \$2,178.00 authorized for certain part-time employees by Resolution No. 400-1116 and will be effective January 26, 2017.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 40-117

APPROVING AGREEMENT WITH MERCY FLIGHT

RESOLVED, that this Legislature approves an agreement with Mercy Flight, Inc. for the provision of necessary air medical transfers; Orleans County to pay \$5,000 for the 2017 calendar year; no increase from 2016.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 41-117

APPROVING APPOINTMENTS TO INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK

RESOLVED, that this Legislature appoints the following delegates and alternates to the InterCounty Association of Western New York to represent Orleans County:

<u>Name</u>	<u>Representation</u>
David B. Callard	Delegate
E. John DeFilipps	Delegate
Kenneth DeRoller	Delegate
Lynne M. Johnson	Alternate
Charles H. Nesbitt	Alternate
Nadine P. Hanlon	Alternate

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 42-117

AUTHORIZING SETTING UP NEW MONEY IN THE LEGISLATURE BUDGET

RESOLVED, that the Treasurer is authorized to set up new money in the Legislature Budget regarding grant funding from the NYS Department of State for the Law Enforcement Study:

Revenue:

A3389	Law Enforcement Study Grant	\$29,800
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Appropriations:

A1010.418	Other Contractual Expenses	\$29,800
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Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 43-117

AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 February 8, 2017:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	7077-7210	\$317,645.90
Highway	901-908;2120-2149	\$69,538.85
Job Development	2317-2344	\$34,719.62
Self Insurance	1126-1127; 57796	\$19,129.52

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 Superintendent of Highways, 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 February 22, 2017:

Fund/Department	Check Number (s):	Amount:
General	7219-7356	\$249,157.30
Highway	909-916; 2150-2169	\$35,075.16
Job Development	2347-2360	\$3,753.96
Self Insurance	57797, 57846-57848	\$5,054.77

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption. Before the first add on resolution presented, Legislator Miller requested Veterans Service Agency Director Earl Schmidt to provide information on the Legislation he wishes for our Legislature to ask the New York State Legislature to enact on behalf of our veterans. Director Schmidt explained that there are several different veteran exemptions off real property tax law. Exemptions are permanent with no sunshine dates if a veteran is a wartime era vet or a combat vet with a service connected disability. In 2007, state law authorized a veteran's tax exemption for peacetime veterans, which has a sunset term of ten years. In this resolution, we are asking our state officials to look for an amendment to continue the exemption of 10%, which burdens the taxpayer of less than a half a penny for providing security of our country. We are looking to have this law made permanent. Legislator Miller moved to request our New York State Legislature to enact Legislation for the extension and Permanent continuation of the Cold War Real Property Tax Exemption. Legislator Allport suggested that a unanimous second by the board could provide a stronger position for this resolution, with the entire Board in agreement. Chairman Callard shared his appreciation of our Veterans Service Agency Director bringing this to the Boards attention on behalf of our veterans. The following resolution was adopted:

RESOLUTION NO. 44-117

REQUESTING NEW YORK STATE LEGISLATURE TO ENACT LEGISLATION FOR THE EXTENSION OR PERMANENT CONTINUATION OF THE COLD WAR REAL PROPERTY TAX EXEMPTION AS PROVIDED IN RPTL SECTION 458-b

WHEREAS, the New York State Legislature enacted section 458-b of the Real Property Tax Law in 2007, and

WHEREAS, section 458-b provides for a real property tax exemption for Cold War veterans and permits each county, city, town or village to adopt a local law to provide the exemption for qualifying residential real property, and

WHEREAS, under the State statute the duration of the basic exemption is 10 years, and commences with the first taxable status date occurring on or after the effective date of the local law allowing the exemption, and

WHEREAS, the Cold War 10% benefit is set to sunset ten years after adoption, which for the County of Orleans is 2018, and

WHEREAS, this Legislature recognizes the services rendered by the Cold War veterans to our country and is desirous of the New York State Legislature amending the statutory provision so as to enable this County and other municipalities to grant an exemption for more than ten years; now therefore be it

RESOLVED, that the County of Orleans Legislature hereby requests the New York State Legislature to enact the appropriate legislation which will enable the granting of the Cold War real property tax exemption as provided in RPTL section 458-b for a term greater than ten years either by extension or permanent continuation; and be it further

RESOLVED, that the Clerk of this Legislature shall forward this resolution to Governor Andrew Cuomo, Senator Robert Ort, Assemblyman Steve Hawley, Assemblyman Michael Norris, Assemblywoman Sandra R. Galef, Chairman of the Real Property Taxation Committee, Assemblyman Carl Heastie, Speaker of the Assembly and all others deemed necessary and appropriate.

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

RESOLUTION NO. 45-117

APPROVING AGREEMENT BETWEEN THE COUNTY ATTORNEY
AND THOMSON REUTERS

RESOLVED, that this Legislature approves an agreement between the Orleans County Attorney and Thomson Reuters, 610 Opperman Drive, Eagan MN 55123 to provide Westlaw PRO/Government plan library and legal data services to the County Attorney and assigned paralegals effective February 1, 2017 through January 31, 2020 at a monthly cost of \$140. A 3% increase may be realized in the second and third years of this agreement.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 46-117

**AUTHORIZING THE SHERIFF'S OFFICE TO PURCHASE THREE
TAHOE'S FOR SHERIFF PATROL AND K-9 UNIT**

RESOLVED, that this Legislature authorizes the Sheriff's Office to order two (2) New 2017 Chevrolet Tahoe's for Sheriff Patrol Vehicles at a total cost of \$101,824.60 and one (1) new 2017 Chevrolet Tahoe for the K-9 Unit at a total cost of \$50,912.30 from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New York 14043 for a grand total amount of \$152,736.90 through Chautauqua County contract # E11-14-PFTA; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chief Administrative Officer to negotiate future municipal financing for this purchase; which will be subject to the review and approval of the County Attorney.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called to discuss old business, with there being none, he requested comments from the public.

Doug Piedemonte, Holley, voiced that he was in favor of rifle hunting in Orleans County. He explained that his home was hit by a slug with his wife in the room next to where it was hit. He expressed that the 12-gauge slug ended up in his home breaking a mirror inside. In his opinion, he felt that if it was a rifle shot it would not have made it through his home.

Michael VanDurme, a retired chief conservation officer for Region 8 of the DEC, explained in length why rifles are safer than shotgun for deer hunting. He is currently a managing member of a firm that is the world's experts on hunting accident investigations. He is eager to gain the facts and tell the truth when it comes to providing safety information on the use of firearms. Mr. VanDurme said with no doubt or opinion, the fact is rifle rounds for white tail deer are safer than shotguns. He said a rifle does have the potential to propel around a thousand yards but to do so you must shoot eight to twelve feet above your target. As far as a rifle going long range to hit an individual, it does not happen Mr. VanDurme stated. In the county here, the same kind of rifles you are speaking to use for deer have been used since their invention for small game, woodchucks and foxes. Never has there been an instance shooting at a woodchuck has someone hit an individual from a long ways away.

Paul Lauricella, Yates, voiced his concerned with the AIM funding. He wondered if the county had any plans to share more sales tax money with the towns and villages in 2018 budget to reduce their taxes. Chairman Callard stated that there is a limited pot of money and it is divided. Each town has an allocation in the formula which many towns share their sales tax if there is a village within that town. The Towns have the option to change that formulation to share more with the villages if they felt it could be useful, stated the Chairman. Chairman Callard stated if you take it away from the County, it does not serve any practical purposes. If you give to the villages or towns, it lowers their taxes however; it would increase the County taxes. So what benefit has been gained asked the Chairman. Furthermore, he said, of the counties with populations of less than fifty thousand, our county is the only county that shares tax. At the same time, Chairman Callard stated that we also pick up the towns cost for community colleges which is in excess of two million dollars. (CAO Nesbitt clarified it is \$1.85 million, up 71% over 10 years). Chairman Callard said the point is that there is no extra money to share and people have a hard time grasping this concept. Mr. Lauricella said he is getting tired of people from other states telling him how good they have it. Chairman Callard advised Mr. Lauricella that he should look at the NYS budget and understand how it continues to increase taxes, very quietly, pushing back to the counties and expect counties to operate within a 2% tax cap. He said it would be more equitable to pay through income tax for their mandates rather than through property taxes. Chairman Callard further expressed his concerns in length with the cost of Medicaid on the New York State taxpayers and how mandate relief could be beneficial to our property tax payers.

Michael Donahue, 36-year hunter safety instructor and Vice President of the Sportsmen Federation, stated he is in favor of the rifle bill. He said this has been in the works for a year and those that are not in favor, or coming around now with concerns, have not attended a gun club meeting or participated in anything to do with our county Sportsmen Federation.

Legislator Johnson questioned Mr. VanDurme as to when they deliberate in the use of rifles in Orleans County for big game, a statement was made that no one has ever been hurt. She referenced an article she read that a man got shot from a long distance away from another that was target shooting in Parma with a rifle. She said she learned in her first gun course that one should always know what is behind your target. She asked when he makes the statement that no one has gotten hurt, was he saying no one has been hurt during hunting season or across the board. Mr. VanDurme stated that the instances that people are being shot in ranges with a rifle which would exceed the range of the shotgun, in forty years he would know of two in the whole country that conditions were just right that a rifle round went that far. A primary cause of individuals and houses being hit during deer season is multiple shots at running deer, with 100% of them are with a shotgun. Legislator Johnson said key word is multiple shots. Mr. VanDurme explained that people with shotguns inherently believe they are not as accurate and they tend to take four or five shots. People with a rifle, with a scope, know of more accuracy and tend to take one shot. She asked about semi-automatic rifles. Mr. VanDurme said that people would most likely not spend an additional \$1,200 when switching from a shotgun to a rifle. Mr. VanDurme stated that there are no statistics available that shows you that one type of rifle or shotgun is safer or more dangerous than another type. Legislator Johnson thanked him for his explanations.

Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:15 p.m.

LEGISLATURE MEETING

February 22, 2017

Vice Chairwoman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, Vice Chairwoman Johnson called for a moment of silence to remember Michael Paduchak who passed away on January 31, 2017. Mike served as the Town of Kendall Supervisor for 32 years and served on the Orleans County Board of Supervisors from 1958-1967 and 1970-1979 – a total of 19 years. While on the Board of Supervisors, Mike was instrumental in the formation of the Community Action Board, which he served on for over 40 years, holding the position of Chairman for many years. Mike continued to serve as an appointee by this Legislature as a board member on the Orleans County Soil and Water Conservation District Board serving nearly thirty years on and again held the post of Chairman for many years. Mike did all of this while being a full time farmer. Mike’s service to his country and community, and love for his family will never be forgotten.

Clerk Hanlon called the roll. All Legislators were present with the exception of Chairman Callard. The Clerk presented the following communications: Town/Village resolutions that have been received

Orleans County Town/Village Resolution Submissions

<u>Town/Village</u>	<u>Resolution Title</u>
T/Yates	Support Villages Calling for Increases to New York State Aid and Incentives to Municipalities

Scott Wilson, Superintendent of the Orleans County Jail, shared his appreciation to the Orleans County Buildings and Grounds Department in respect of the Commission of Corrections Audit that was performed November 14th through 18th of 2016. The Commission of Corrections did not find any deficiencies with the physical plant of the Orleans County Jail. Mr. Wilson wishes to personally thank and share his appreciation to the Buildings and Grounds Department in providing the assistance necessary to maintain the Jail and improve the maintenance program overall. Friends of the Orleans County Animal Shelter has forwarded a letter requesting consideration to increase the adoption fees for all canines to \$80. This letter has been forwarded to you for review. The Albion Strawberry Festival Committee has requested to display a 5’ x 12’ banner on the Courthouse Lawn from May 30, to June 11, 2017 to advertise the Annual Strawberry Festival Event and are asking for use of power at the square. The Board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through January of 2017. Treasurer Heard stated that January looks nice and February has brought in tax collection money.

Vice Chairwoman called for open discussion as it related to the resolutions with there being no comments, the following resolutions were presented for adoption:

RESOLUTION NO. 47-217

APPROVING AGREEMENT WITH THE HIGHWAY AND BUILDINGS AND GROUNDS DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement with the Highway and Buildings and Grounds Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform various professional services on an as needed basis effective March 19, 2017 through March 18, 2022.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 48-217

APPROVING AMENDED RENEWAL AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 465-1213, 242-715 approved an agreement for the county to clean and maintain the Court Facility; now be it

RESOLVED, that this Legislature approves a one (1) year amended renewal agreement between the Buildings and Grounds Department and the Unified Court System, which provides for the county to clean and maintain the Court Facility, Contract #C300357, at an increased cost of \$171,543, from \$155,006 as initially approved, for the period of April 1, 2016 through March 31, 2017, with 100% reimbursement to be made to the county by the state.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 49-217

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND DOMINION VOTING SYSTEMS CORPORATION

RESOLVED, that this Legislature approves an agreement between the Orleans County Board of Elections and Dominion Voting Systems Corporation, 215 Spadina Avenue, Toronto, Ontario, Canada provide extended hardware and firmware warranties on 14 BMD voting machines for 3 years effective January 1, 2017 through December 31, 2019 at a cost of \$9,072.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 50-217

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 a grant renewal 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 required by the federal Balance Incentive Program (BIP) authorized under the Affordable Care Act; now be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Orleans County Office for the Aging to reapply for a grant from NYSOFA through the Balancing Incentive Program(BIP), for \$184,029 from January 1, 2017 to March 31, 2018 at no county cost.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 51-217

**AUTHORIZING ABOLISHING, CREATING AND FILLING
POSITIONS IN OFFICE FOR THE AGING**

WHEREAS, the following position is in demand due to a waiting list for home care service and this program is 75 % funded by the state; now be it

RESOLVED, that this Legislature authorizes the abolishing of a part-time Personal Care Aide position in the Office for the Aging effective upon the filling of the newly created vacant full time position; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full- time Personal Care Aide position at grade 4 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position, effective February 23, 2017.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 52-217

**AUTHORIZING SETTING UP NEW MONEY IN THE OFFICE FOR
THE AGING'S BUDGET**

RESOLVED, that the Treasurer is authorized to set up new money received through the Western and Central Health Foundation for recruiting older adults to participate in a survey that looks at the needs of older adults in the Office for the Aging budget, as follows:

<u>Revenue:</u>		
6772-1972	Office for the Aging-Local Grants	\$1,000
<u>Appropriation:</u>		
6772-100	Personnel Services	\$1,000

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator Miller moved a resolution to approve an agreement for residential foster care services with Villa of Hope Youth and Family Services; second by Legislator Eick. Legislator DeRoller asked if Commissioner Kuryla could provide more information on this. Commissioner Kuryla advised that this would allow the Department for placement into institutional foster care should our local foster care homes be unable to house such youth that may need more supervision. DSS has done business with this institution for many years. The following resolution was adopted:

RESOLUTION NO. 53-217

APPROVING AGREEMENT BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VILLA OF HOPE YOUTH AND FAMILY SERVICES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and Villa of Hope Youth and Family Services, Rochester, NY for the provision of residential foster care services; effective March 13, 2017 through March 12, 2018 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 54-217

AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature, as the result of a termination, does hereby authorize the filling of a vacant full-time Caseworker position (6010.0229) at the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective April 3, 2017.

Moved, Miller; second, Eick,
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 55-217

APPROVING EXTENSION OF AGREEMENT BETWEEN MENTAL HEALTH AND WESTERN NEW YORK CLINICAL INFORMATION EXCHANGE, INC. (HEALTHeLINK)

WHEREAS, Resolution No. 324-913 authorized an agreement between Western New York Clinical Information Exchange, Inc. (HealtheLink) and the Department of Mental Health to provide Health Home Care Coordination services for the Department at no County cost; and

WHEREAS, the length of this agreement is to be extended another five years, originally effective September 18, 2013 and ending September 17, 2016; and

WHEREAS, this agreement continues to be available to providers at \$0 cost; now be it

RESOLVED, that this Legislature approves the extension of this Western New York Clinical Information Exchange, Inc. (HealtheLink) agreement effective September 18, 2016 through September 17, 2021.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 56-217

AUTHORIZING FILLING VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a vacant Clinic Therapist position (4310.08) in the Mental Health Department at Grade 22 of the CSEA Salary Schedule effective February 23, 2017.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator Allport moved to appoint Jeannette Riley to the Community Services Board. He expressed that Ms. Riley will be a great contributor to this important board in our County as she continues to serve the public. Legislator DeRoller seconded the motion, concurred with Legislator

Allport's statements, and added that she had many years of service in our Probation Department. The following resolution was adopted:

RESOLUTION NO. 57-217

APPROVING APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the appointment of Jeannette Riley to the Community Services Board, to serve a four-year term to begin February 23, 2017 and ending February 22, 2021.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 58-217

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Carol Heiligenthaler at 319 Pearl St, Medina, NY 14103 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program effective July 1, 2016 through June 30, 2019. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The state pays 59.5% and the Orleans County Health Department is responsible for 40.5%.

Laura Calla at 1550 Genesee St Corfu, NY 14036 to provide for Municipal Representative Services to ensure appropriate healthcare services provision to clients of the Municipality in accordance with accepted professional standards and federal, state, and local regulations effective January 1, 2017 through December 31, 2017. Provider shall provide services under the administrative supervision of the County Public Health Director, or his/her duly constituted agent. Provider shall maintain close working relationships with the Orleans County Department Staff. Cost to county is \$40 per hour.

Breaking Boundaries at 3860 Atlantic Ave Fairport, NY 14450, contract to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program effective July 1, 2016 through June 30, 2019. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The state pays 59.5% and the Orleans County Health Department is responsible for 40.5%.

ARC of Orleans-Rainbow Preschool at 122 Caroline St, Albion, NY 14411 to provide center-based, evaluation and special education itinerant services (SEIS) to Orleans County Children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program effective July 1, 2016 through June 30, 2019. There is a 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. The state pays 59.5% and the Orleans County Health Department is responsible for 40.5%.

Oak Orchard Community Health Center at 300 West Ave., Brockport, NY 14420 to provide for translation services and referral liaison services between available health care service and the migrant community. Contract is funded through the New York State Migrant Grant. No Cost to County. Contract period to run concurrent with the New York State Contract.

WNY Speech-Language, Pathology, OT & PT Consultants, PLLC at 590 Fishers Station Drive, Suite 130 Victor, NY 14564 contract 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 effective July 1, 2016 through June 30, 2019. There is partial reimbursement from New York State Education Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%.

James McGuinness and Associates, 1482 Erie Boulevard, Schenectady NY 12305 to provide consultation for the development of software application, as approved in Resolution No. 450-1216, and to assist Public Health Department in the use of new software and provide technical support for the completed software product for preschool reporting with maintenance and support charges of \$625 per month/ \$7,500 per year effective for three years.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 59-217

**AUTHORIZING THE HEALTH DEPARTMENT TO ADD AN
ADDITIONAL MIFI TO VERIZON ACCOUNT**

RESOLVED, that this Legislature authorizes the Orleans County Public Health Department to add an additional MiFi to our existing Verizon Account as approved in our 2017 budget account A4010.404 Communications Maintenance; and be it

FURTHER RESOLVED, that this Legislature approves the MiFi Use Agreement for the Health Department to be used by various Health Department employees as assigned and overseen by the Director of Public Health.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 60-217

**APPROVING AGREEMENT BETWEEN TOURISM DEPARTMENT
AND BUFFALO SPREE PUBLISHING, INC.**

RESOLVED, that this Legislature approves the agreement between the Tourism Department and Buffalo Spree Publishing, Inc., 1738 Elmwood Ave., Buffalo, NY 14207 to provide:

- 1/3 page advertising in May 2017 issue of Buffalo Spree;
- 1/3 page advertising in May/Jun 2017 issue of 585 (Rochester);
- 2 page custom spread advertising in Jul/Aug 2017 issue of 585 (Rochester);
- 1/3 page advertising in Sept 2017 (Day Trips/Getaways) issue of Buffalo Spree;
- 1/3 page advertising in Sept/Oct 2017 (Home) issue of 585 (Rochester);

at a cost of \$5,772.43 all to be paid from Tourism Account 6410.468 – I Love NY Matching funds.

Moved, DeRoller; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 61-217

**APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL
COOPERATIVE EXTENSION**

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$240,000 for the calendar year 2017, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$60,000.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 62-217

**SUPPORTING AN INCREASE IN THE SHARE OF REVENUE
COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES**

WHEREAS, in New York State 51 of 62 counties are mandated to operate a local Department of Motor Vehicles (DMV) office; and

WHEREAS, local DMV Offices provide customer service and process many no-fee transactions on behalf of New York State; and

WHEREAS, under current law the State of New York takes 87.3% of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by local DMV offices has increased in the same time period; and

WHEREAS, the Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, increasing the county DMV revenue sharing rate with the state will not result in any increased cost or fees to local residents or

taxpayers and will provide counties with the needed revenue to continue to provide necessary local government services; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services including overhead and staffing to fulfill these DMV needs for state residents, yet the State takes 87.3% of the revenue generated from providing said services; and

WHEREAS, the New York State Association of County Clerks strongly supports Bill numbers S1908 and A3397, which would increase the DMV revenue to counties and provide a more equitable share in order to run DMV offices and help offset county property taxes; and

RESOLVED, that the Orleans County Legislature, calls upon Governor Andrew M. Cuomo and members of the State Legislature to support Senate Bill Number S.1908 and Assembly Bill A.3397 that relates to increasing the retention percentage for certain motor vehicle service fees; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Robert G. Ort, Assemblyman Steve Hawley, Assemblyman Michael J. Norris, NYSAC, New York State Association of County Clerks (NYSACC), and all others deemed necessary and proper.

Moved, DeFilippis; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 63-217

APPROVING LEASE AGREEMENT FOR MICROSOFT OFFICE STANDARD AND PROFESSIONAL PLUS 2016 SOFTWARE FOR ALL ORLEANS COUNTY PERSONNEL

WHEREAS, the Computer Services Department has determined that the current productivity software, Microsoft Office 2007 has reached end-of-life during the 2017 calendar year and poses a security and productivity risk to Orleans County; and

WHEREAS, the Computer Services Department has received a quote for the current software replacement, Microsoft Office Standard 2016 and Microsoft Office Professional 2016 from CDW-G, 75

Remittance Drive, STE # 1515; Chicago, IL 60675-1515 in the amount of \$83,888 under Volume Pricing, GSA; and

WHEREAS, the Computer Services Department has received a lease offer from American Capital 1 Financing, 2015 Ogden Avenue, STE # 400; Lisle, IL 60532 in the amount of \$22,509.48 per year for four (4) years with a one (1) dollar buyout option at the end of the lease using KS State Bank, Government Finance Department, PO Box # 69; Manhattan, KS 66505-0069 as the financing arm; and

WHEREAS, acquisition of this software will provide continuing productivity for eight (8) years; now be it

RESOLVED, that this Legislature authorizes the Chairman to execute a four (4) year lease agreement with American Capital 1 Financing, 2015 Ogden Avenue, STE # 400; Lisle, IL 60532 in the amount of \$22,509.48 per year for four (4) years with a one (1) dollar buyout option at the end of the lease and that the Chairman is authorized to make payments to KS State Bank, Government Finance Department, PO Box # 69; Manhattan, KS 66505-0069 to be paid as a lease apportionment amount from all departments Lease Budgets (AXXXX.222) in Orleans County in the 2017, 2018, 2019 and 2020 calendar years.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 64-217

AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE NETWORK SECURITY CONTROL PROJECT

WHEREAS, the Computer Services Department has determined that the growth of network usage has undermined the ability of the current security appliance to handle edge-of-network security control and as the current appliance no longer has the capacity to grow further with the advent of current technologies and has reached obsolescence; and

WHEREAS, it is vital that the Orleans County network remains inviolate regarding HIPAA, PII and current standards of security compliance; now be it

RESOLVED, that this Legislature authorizes the purchase of one (1) SOPHOS XG450-3yr-TP appliance from Layer 3 Technologies, 1645 Lyell Avenue, STE 200; Rochester, NY 14606 for the Computer Services Capital Project Network Security Upgrade and Renewal project in the amount of \$21,775 (PO # 58384) to be paid from the Computer Services Account A1680.270 — Capital Equipment which will protect the Orleans County Network from external threats to security and provide improved protected wireless access control throughout the county offices.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeFilipps moved to set the date and terms of the Auction for county-owned tax properties; second by Legislator Allport. Legislator DeRoller questioned if anything has changed from past auctions. Treasurer Heard stated that all of the necessary terms are included and covered. The auction date has been moved back to May where it should be. CAO Nesbitt encouraged all those that attend our Auction to read these terms before they bid on properties. The following resolution was adopted:

RESOLUTION NO. 65-217

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

RESOLVED, that the following terms of auction for County-owned property for the auction to be held Wednesday, May 24, 2017 at 11:00 a.m. at the Albion Elk Lodge #1006, 428 West State Street, Albion, New York, be approved by this Legislature as follows:

**TERMS OF AUCTION
ORLEANS COUNTY TAX PROPERTY AUCTION
ALBION ELK LODGE#1006
ALBION, NEW YORK
May 24, 2017
11:00 AM**

This is the sale at public auction of various parcels of real property, which have been conveyed in the County of Orleans by final judgment under the so-called In Rem Tax Foreclosure Proceedings. This sale is ordered by

various resolutions of the Orleans County Legislature and is in accordance with the appropriate provisions of the Real Property Tax Law. This sale and sale of each and every parcel herein is upon the following terms:

TERMS AND CONDITIONS
OF THE
ORLEANS COUNTY AUCTION OF TAX FORECLOSED PROPERTY

1. Orleans County acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings; and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water assessments are the responsibility of the purchaser, whether they are received or not; (d) the levied 2017 Town and County tax bill including any releived taxes, 2016/2017 village taxes, 2016/2017 school tax, any village or town water and sewer rents and assessments, in addition to any other applicable charges (including, but not limited to, omitted and pro rata taxes, demolition charges, interest and penalties); and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the public auction.
4. The purchaser shall be solely responsible for the payment of: the levied 2017 Town and County tax bill including any releived taxes; any Village taxes levied after May 31, 2017, the 2017/2018 school taxes, the 2018 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.
5. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date of the auction. Upon delivery of the quitclaim deed by the County of Orleans to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
6. No personal property is included in the sale of any of the parcels owned by Orleans County, unless the former owner or occupant has abandoned same. The disposition of any personal property

located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.

7. All informational tools, such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. THE COUNTY, THE AUCTIONEER, AND THE AUCTION SERVICE MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.
8. The County of Orleans reserves the right, in its sole discretion, to withdraw from the auction any of the properties listed on the schedule of real property.
9. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and sold subject to the provisions of law applicable thereto.
10. All bidders are required to register and provide suitable personal identification prior to the auction. Auctioneer reserves the right to decline registration if identification is not sufficient.
11. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.
12. Bidder acknowledges receipt of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Bidder also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards, mold, asbestos or any other hazardous substances.
13. The former owner of the property, or his agent, shall not be deemed to be the successful bidder on the property or purchase same at the public auction, unless the bid amount exceeds the amount of the purchase price to affect the release of County's interest. If the former owner or his agent reacquires the property, all liens existing prior to the foreclosure, will be reinstated and the purchaser (former owner) must sign the deed to reinstate the liens.
14. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for recording the deed in the Orleans County Clerk's Office. The purchaser executing the auction terms and conditions of sale may not assign or otherwise transfer his right to complete the bid,

unless the County agrees in writing. The deed prepared will be in the name of the successful bidder (and spouse) only. No third party bidding will be accepted, unless the bidder identifies that he is bidding as an agent for a disclosed principal.

15. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.
16. The Purchaser will execute an Offer to Purchase form immediately upon being declared the high bidder. The approval of each bid by Resolution of the County Legislature *will not constitute a Contract of Sale* and the County reserves the right to reject any bid prior to the closing of title and the recording of the deed.
17. The Purchaser shall be responsible for the payment of an eleven percent (11%) buyer's premium should buyer be paying by credit card or a ten percent (10%) buyer's premium should the buyer be paying by cash or by bank check in addition to the accepted purchase price and the closing fees/costs. The "buyer's premium" is the fee/commission earned by the auctioneer. An additional one and one half percent (1.5%) of the purchase price will be added to each parcel for advertising expenses. Accepted purchase price is the amount bid by a perspective bidder, which has been approved by the Orleans County Legislature.
18. All required deposits must be paid in full for all successful bids immediately upon being declared the successful bidder. Any successful bidder, who fails to tender the deposit immediately upon being declared the successful bidder, will be forbidden to participate in this or any other auction. Any parcels which the County did not receive deposits for, as per these terms and conditions, will be considered to be defaulted, and resold and the bidder will be disqualified from further bidding.
19. 25% of the total contract price (total contract price is the combination of the high bid and the buyer's premium, as defined in section 17 of these terms and conditions), shall be paid as a down payment on the day of the auction upon execution of an Offer to Purchase Form. Total contract prices selling for \$250.00 or less must be paid in full at auction, including all closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax [\$4.00 for the first \$1,000; \$2.00 for each \$500 thereafter of the purchase/bid price]; (b) Filing Fee for the Real Property Transfer Report [\$125.00 if the parcels classification code is 100-199, 200-299 or 411-C; \$250.00 for all parcels otherwise

classified]: (c) Filing Fee for combined Gains Transfer Tax Affidavit [\$5.00]; (d) all fees required by the Orleans County Clerk for recording of the deed [\$50.00 to record a one page deed; \$5.00 for each additional page] *Closing costs may be subjected to an increase in fees as required by law, without notice.* All deposits must be made in cash or guaranteed funds payable to the “Orleans County Treasurer” and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No exceptions.

20. All bids shall be subject to approval by the Orleans County Legislature, which shall have the right, in the Legislature’s sole discretion, to reject any bid for any reason whatsoever.
21. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all deposits tendered, and you will not be permitted to close on any other parcels for which you are the successful bidder.
22. The entire balance of the accepted purchase price, the buyer’s premium, as defined in section 17 of these terms and conditions, and all closing costs/fees must be paid by cash or guaranteed funds payable to received by the Orleans County Treasurer’s Office on or before June 30, 2017. The County is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the total contract price plus closing costs and fees as herein provided, the deposit shall be forfeited. The County reserves the right, in its sole discretion, to extend the time of payment upon such terms and conditions it deems appropriate.
23. If the successful bidder fails to tender such amount due by the close of business on June 30, 2017, then the County may, but is not obligated to offer any unsold property to the second highest bidder. All terms and conditions for the sale set forth herein above shall apply to the second highest bidder and/or any other purchaser.
24. All sales shall be final, absolute and without recourse, once title has closed and the deed has been recorded. In no event, shall Orleans County and/or Absolute Auctions & Realty, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, success or assigns, against Orleans County and/or Absolute Auctions & Realty, Inc. arising from this sale.
25. The County of Orleans will execute no warranties concerning the parcel or title thereto and will not deliver or be responsible for

- abstracts, title insurance, title searches, surveys, maps or other documents concerning a parcel whatsoever.
26. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the accepted purchase price, buyer's premium, and closing fees/costs. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE ORLEANS COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording the deed.
 27. A quitclaim deed issued as a result of the auction shall contain the following provisions: (a) "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein;" (b) Orleans County shall in no event be or become liable for any defect in the title so conveyed for any cause whatsoever, or for any encroachments or disputed boundaries; and that no claim or demand of any nature shall ever be made against said Orleans County arising from such sale or conveyance or any proceedings leading thereto.
 28. Evictions, if necessary, are solely the responsibility of the successful purchaser after closing and recording of the deed.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 66-217

APPROVING AGREEMENT BETWEEN THE TREASURER'S OFFICE AND ABSOLUTE AUCTIONS AND REALTY, INC

RESOLVED, that this Legislature approves an agreement between the Treasurer's Office and Absolute Auctions and Realty, Inc. for professional auction and licensed real estate broker services for the County In Rem Auction; for their professional services rendered through December 31, 2017 for the County In Rem Auction to be held on Wednesday, May 24, 2017; and be it

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

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 67-217

AUTHORIZING COUNTY TREASURER TO CLOSE OUT CAPITAL PROJECT COURT HOUSE SQUARE ACCOUNT

WHEREAS, the Capital Project at Court House Square has been completed; now be it

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

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 68-217

AUTHORIZING COUNTY TREASURER TO CLOSE OUT CAPITAL PROJECT BRIDGE ACCOUNT

WHEREAS, the Capital Project Bridge has been completed; now be it

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

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 69-217

AUTHORIZING SALE OF PORTION OF FORMER RAILROAD-TROLLEY RIGHT OF WAY

WHEREAS, Kathryn Donhauser Bonafede is the owner of approximately 95.40 acres of land on the Eagle Harbor Road in the Town of Albion, Tax Map No. 72.-1-6.21; and

WHEREAS, the former Railroad-Trolley Right of Way traverses the aforesaid property such that the landowner owns the real property on both sides of the said right of way; and

WHEREAS, the landowner is desirous of acquiring the County's interest in the former Railroad-Trolley Right of Way and has offered the sum of \$500 as and for a purchase price; now be it

RESOLVED, that this Legislature sell and convey that portion of the former Railroad-Trolley Right of Way which passes through the real property owned by Kathryn Donhauser Bonafede to Kathryn Donhauser Bonafede for the sum of \$500 upon the condition that the deed from the County shall be a quitclaim deed without warranty by the County as to the title of the premises, and shall contain a condition and covenant that the County shall in no event be or become liable for any defect in the title so conveyed for any cause whatsoever, and the Orleans County Treasurer is hereby authorized to make and deliver a quit claim deed to the said purchaser upon payment of the aforementioned purchase price.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 70-217

APPROVING REAL ESTATE SALES CONTRACT FOR THE SALE OF 106 BEAVER STREET (73.6-7-77), VILLAGE OF ALBION

WHEREAS, the parcel commonly referred to as 106 Beaver Street (73.6-7-77), Village of Albion, was subject to an In Rem Tax Foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, the parcel is a 50' x 120' vacant parcel of real property; and

WHEREAS, purchaser desires to buy the property in connection with purchasers development, construction, and operation of a low income housing facility together with related parking facilities; and

WHEREAS, the County Legislature wishes to find a suitable and productive reuse of the real property, now, therefore, be it

RESOLVED, that this Legislature approves a Real Estate Sales Contract for 106 Beaver Street (73.6-7-77), between the County of Orleans as Seller, and DePaul Acquisitions LLC as Purchaser, for a sale price of \$12,501.05, subject to the attorney approval of the County Attorney.

RESOLVED, that the Vice Chairwoman is authorized to sign any and all documents that pertain to this sale.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeFilippo moved to urge New York State to fund Probations Departments and other impacted County departments and agencies the full costs associated with raising the age of criminal responsibility to 18 years of age; second by Legislator Allport. Vice Chairwoman Johnson requested David Quaranto, Orleans County Probation Supervisor to speak to this resolution. He said he is not in favor of raising the age because it will increase the workload tremendously in the juvenile department. He said that sixteen and seventeen year olds would no longer be treated as criminals. The intake process for juvenile delinquents takes two to four months. If they do not succeed during the intake and diversion process, there is no recourse for them because they are not going to put them in foster care and they cannot put them in jail. It is going to be a very trying time in Probation if we do not get assistance from the State expressed Mr. Quaranto. The following resolution was adopted:

RESOLUTION NO. 71-217

URGING NEW YORK STATE TO FUND PROBATION DEPARTMENTS AND OTHER IMPACTED COUNTY DEPARTMENTS AND AGENCIES THE FULL COSTS ASSOCIATED WITH RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE.

WHEREAS, Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the

age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities; and

WHEREAS, the Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach; and

WHEREAS, Division of Criminal Justice Statistics reveal the number of arrests among 16 and 17 year olds statewide in calendar year 2015 was 27,281 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services; and

WHEREAS: The Governor's proposal recommends that the violation level offenses of Harassment, 2nd Degree and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Adjustment services, thus adding substantially to the workload of Probation staff; and

WHEREAS, the Governor's proposal recommends Probation Departments provide a continuum of diversion services that range from minimal intervention for low risk youth and evidence based service for high risk youth; and

WHEREAS, Probation Departments will not be able to absorb the influx of youth requiring Intake and Diversion services at current staffing levels and will require additional staff to perform these duties; and

WHEREAS These added burdens to county Probation Departments come as the state share of probation costs has fallen from 46.5% in 1990 to 9% in 2016; and

WHEREAS, other County Departments and agencies may be similarly affected by the increase in the age of criminal responsibility in areas that range from juvenile detention to community support services, and do not have alternative sources of income to support the cost of additional responsibilities and services, and

WHEREAS, Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal; and

WHEREAS, the funding proposal stipulates that only counties who do not exceed the 2% tax cap and can demonstrate to the Division of Budget that funding related services is a fiscal hardship may apply for a waiver of the local share requirement of an expense otherwise incurred; now therefore be it

RESOLVED, that the Orleans County Legislature insists the State Legislature enact legislation that fully, permanently and unambiguously obligates the State to pay for 100% of all new costs incurred by Probation Departments and other county departments and agencies affected by raising the age of criminal responsibility; and be it

FURTHER RESOLVED, that language be included to set aside designated funds from which Counties can draw, eliminating the need for Counties to exceed their 2% tax cap; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Senator Ort, Assemblyman Hawley, Assemblyman Norris, the Senate Majority and Minority Leaders, the Assembly Majority and Minority Leaders, Congressman Collins, New York State Counties and NYSAC.

Moved, DeFilipps, second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 72-217

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE/JAIL AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves renewal agreements between the Sheriff's Office/Jail and the following agencies:

Barre Animal Hospital, 15445 East Lee Road, Holley, NY 14470 for emergency veterinary services effective January 1, 2017 through December 31, 2017, as per contracted cost schedule.

Dr. Mark Rumble, DDS, 243 South Main Street, Albion, NY 14411 for dental services provided to inmates at the Orleans County Jail, as per rates set forth in the fee schedule, effective January 1, 2017 through December 31, 2018.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeFilipps moved to accept an anonymous donation for our K-9 unit and authorize the Treasurer to set up this new money in the Sheriff's budget; second by Legislator Allport. The Board all wished to thank our donor for this wonderful anonymous gift. The following resolution was adopted:

RESOLUTION NO. 73-217

AUTHORIZING ACCEPTANCE OF DONATION TO THE SHERIFF'S OFFICE'S K-9 UNIT AND AUTHORIZING SETTING UP NEW MONEY IN SHERIFF'S OFFICE BUDGET

WHEREAS, the Orleans County Sheriff's Office wishes to extend its sincere thank you to those who have generously donated to our department's K-9 Unit, may it be

RESOLVED, that this Legislature accepts a donation to assist the Orleans County Sheriff's Office K-9 Unit in equipping a road patrol vehicle with apparatus that will assure the proper care and transport of the canine, and be it

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

<u>Revenue:</u>		
A2705	Gifts & Donations	\$6,500.00
<u>Appropriation:</u>		
A3110.270	Capital Equipment	\$6,500.00

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 74-217

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND NYS OFFICE OF INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves a new agreement between the Orleans County Public Defender and the NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds in the amount of \$78,219 (\$26,073/year) to assist the county in improving the quality of indigent legal services by providing for a Third Assistant Public Defender in Orleans County; effective January 1, 2016 through December 31, 2018.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 75-217

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND SEAN BEMONT

RESOLVED, that this Legislature approves an agreement renewal between the Orleans County Public Defender and Sean Bemont, 28 S. Main St., Holley, NY 14470 to provide as needed Spanish Interpreting services effective May 1, 2016 through April 30, 2019 not to exceed \$5,000.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 76-217

APPROVING GRANT AGREEMENT BETWEEN EMERGENCY MANAGEMENT AND DORMITORY AUTHORITY OF THE STATE OF NEW YORK

RESOLVED, that this Legislature approves the acceptance of the State and Municipal Facilities Program (SAM) grant through the Dormitory Authority of the State of NY (DASNY), 515 Broadway, Albany, NY 12207 for a project to purchase a Fire Safety Training Trailer (Project ID: #8638) in the amount of \$75,000 effective February 1, 2017 through December 31, 2017; and be it

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

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 77-217

**APPROVING ADDENDUM ON AUTHORIZING EXPENDING
GRANT FUNDS IN EMERGENCY MANAGEMENT**

WHEREAS, Resolution No. 346-916 authorized the Director of Emergency Management to expend SHSP FY2016 Grant Funds for Physical Security Enhancements at the County Mental Health Complex at a cost not to exceed \$40,000.00 and to purchase IT tablets and accessories at a cost not to exceed \$10,000 in accordance to DHSES grant guidelines; now be it

RESOLVED, that this Legislature approves an addendum to this resolution that includes the Courthouse Square Physical Security Enhancements, remaining within the budget costs and general purview, as set forth in accordance to DHSES guidelines.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 78-217

**AUTHORIZING EXECUTION OF AGREEMENTS RELATIVE TO
ORLEANS COUNTY PUBLIC SAFETY BUILDING SANITARY
SEWER LATERAL PROJECT**

WHEREAS, the Town of Albion has previously constructed a sanitary sewer on the South side of NYS Route 31 which is included in Town of Albion Sanitary Sewer District No. 1; and

WHEREAS, as a part of the installation of the sanitary sewers, laterals were provided for each property within the gravity sewer sections to allow for future connection to the sanitary sewer; and

WHEREAS, the County of Orleans as the owner of the Orleans County Public Safety Building property and Dawn and Richard Stacey as the owners of the property adjoining the Public Safety Building property

are desirous of connecting to the sanitary sewer on the South side of NYS Route 31; and

WHEREAS, connection to the sanitary sewer will require the construction of approximately 300 linear feet of sanitary sewer lateral of a size and location to be determined and a NYS road crossing likely to involve directional drilling and a connection to each building sewer; and

WHEREAS, the contemplated project will require an agreement for engineering services, an agreement between the County and Richard and Dawn Stacey equally apportioning the costs of the project including the design phase, bidding phase and construction phase, and an agreement between the property owners as outside users and the Town of Albion Sewer District No. 1; now therefore be it

RESOLVED, this Legislature hereby authorizes the Public Safety Building Sanitary Sewer Lateral Project as more particularly set forth above (hereinafter the “Project”) to proceed; and be it

FURTHER RESOLVED, that the Engineer Service Proposal of Chatfield Engineers, P.C. dated January 16, 2017 for engineering services at a total lump sum amount of \$6,864 is hereby accepted and approved; and be it

FURTHER RESOLVED, that an Agreement between the County of Orleans and Richard and Dawn Stacey as adjoining property owners whereby the costs and disbursements of the Project will be divided equally between the two parties, said Agreement to be acceptable in form and substance to the Chief Administrative Officer and the County Attorney, is hereby approved; and be it

FURTHER RESOLVED, that the Terms and Conditions of the Outside User Arrangement with the Town of Albion Sewer District No. 1 is hereby approved; and be it

FURTHER RESOLVED, that the Vice-Chairman is authorized to sign the foregoing named agreements.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 79-217

APPROVING MLC MUNICIPAL LEASING CONSULTANTS PROPOSAL TO LEASE CERTAIN CAPITAL EQUIPMENT AND AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO EXECUTE ALL NECESSARY DOCUMENTS

WHEREAS, the County has received the proposal of MLC Municipal Leasing Consultants dated January 27, 2017 to lease certain capital equipment consisting of police cars, highway vehicles, and buildings and grounds vehicles; and

WHEREAS, Resolutions No. 11-117 and 46-117 were adopted by the Orleans County Legislature to acquire these vehicles; and

WHEREAS, the MLC Municipal Leasing Consultants proposal contemplates payment structures consisting of three tax-exempt lease purchase agreements with either three or four year terms having interest rates of 3.37%, 3.47% and 3.57% respectively; and

WHEREAS, the costs are estimates and thus, the payment amounts will change in proportion to the actual costs, and further that the interest rates quotes will float and not be locked in until the lease/purchase agreements are prepared for closing and the rates will be based on the like term swap rates; and

WHEREAS, the County is desirous of accepting the proposal of MLC Municipal Leasing Consultants dated January 27, 2017 and designating Charles Nesbitt, Jr. as Chief Administrative Officer to execute all necessary documents used therein in order to lease certain capital equipment; now therefore be it

RESOLVED, that this Legislature hereby approves and authorizes an Agreement between the County of Orleans and MLC Municipal Leasing Consultants dated as of January 27, 2017; and be it

FURTHER RESOLVED, that Charles Nesbitt, Jr. as Chief Administrative Officer is hereby designated and authorized to execute all necessary documents including finalization of the interest rates for the Tax-Exempt Lease Purchase Agreements as based on the like term swap rates in effect on the date of closing and to take such other and further

actions as are necessary to effectuate the lease/purchase transactions which are the subject of the within resolution.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeFilipps moved in its entirety a resolution requesting State Legislation to allow the use of rifles for big game hunting in Orleans County; second by Legislator Allport. Legislator Miller requested to say a few words. He expressed that it has been hard to make a decision on this because it is personal to him, which he has tried to keep his personal feelings aside, however being shot several years ago while hunting makes it hard to do just that. After the last few meetings and listening to everyone's theories and thoughts on how flat or not flat our land is, and that rifles go further than shot gun shots he still has concerns about approving this resolution expressed Legislator Miller. He said that another man came to his business and voiced concerns to him because he too was shot, which Legislator Miller remembered that incident very well. Hunting was important to him but being shot took it away from him for the rest of his life and he is scared to hunt, Legislator Miller explained. Further, he stated that statistics through DEC shows that hunting incidents have come down over the years but also has the number of those hunting. He said that in 2015, was the first time in New York State there was not a fatality. He also checked 2016 statistics, which there were thirteen incidences in New York State, the lowest on record however there was four fatalities, all during deer season. Nine of these incidents involved rifles. In representing the towns of Albion and Gaines and due to the size of the population in the center of this county and the constituents he has spoken to, he is not in support of this resolution at this time.

Legislator Allport stated that he understands Legislator Miller's position on this but rifles are allowed to be used in this county all year long with the exception for deer season. He said there are currently 40 counties in this state that allow rifle hunting already and incidents have gone down. He said Legislator Miller was also right in saying the number of hunters have gone down. In his opinion, these days there are true hunters, not as if it was twenty years ago where there were parties in the woods stated Legislator Allport. It doesn't take the right away from the landowner who allows them to hunt on their property to sit there and say they are not allowed to use their rifle on their property and that is the way it should be. Legislator Allport indicated that he is in full support of this resolution. The following resolution was adopted:

RESOLUTION NO. 80-217

REQUESTING STATE LEGISLATION TO ALLOW THE USE OF RIFLES FOR BIG GAME HUNTING IN ORLEANS COUNTY

WHEREAS, The Orleans County Federation of Sportsmen Club has asked Orleans County Legislature to request state legislation permitting the use of rifles for big game hunting in Orleans County; and

WHEREAS, the Orleans County Legislature has listened to both sides of the argument of the use of rifles to hunt big game in Orleans County at several past Conference Sessions and Legislature Meetings; and

WHEREAS, a special state law must be enacted and the first step in the process is for this Legislature to request the legislation; now be it

RESOLVED, that this Orleans County Legislature requests the New York State Legislature to enact legislation that will allow the use of rifles for big game hunting in all of Orleans County; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to Senator Robert Ort and Assemblymen Steve Hawley and Michael Norris.

Moved, DeFilippis; second, Allport.

Adopted. 5 ayes; 1 nay, Miller; 1 absent, Callard.

Legislator Allport moved to support legislation to partially repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) ACT of 2013 for areas outside of New York City. This is supporting Senate Bill S879b. Legislator Allport stated that we all know the rights of our second amendment, which we are not supposed to be infringed upon but are constantly done so. If he can remember, Civil Rights Law of the State of New York in article 2 section 4, the right to keep and bear arms. With well-regulated militia, being necessary for the security of a free state, the right of the people to bear arms cannot be infringed which he recalls was enacted in about 1906, or near that time. He said those in Albany seem to forget what are in their laws. He fully supports this and feels it is a step in the right direction because he always felt that the SAFE act was unconstitutional. He said if the people in New York City want to be separated, he wants to be separated from them too and let our people have

their freedoms. They can do what they please in New York City. Legislator DeRoller seconded Legislator Allport's motion. Legislator Johnson stated about three years ago SCOPE met with Senator Ortt to tell him that they wanted to fight the SAFE Act. Vice Chairwoman Johnson called upon David Thom, President of SCOPE, to make a statement. Mr. Thom stated that they requested a total repeal of the SAFE Act and this is what Senator Ortt came up with to satisfy our request. Legislator DeRoller stated that Senator Ortt's bill is mentioned in our resolve, which will give it some teeth. The following resolution was adopted:

RESOLUTION NO. 81-217

SUPPORTING LEGISLATION TO PARTIALLY REPEAL THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF 2013 FOR AREAS OUTSIDE OF NEW YORK CITY

WHEREAS, Senate bill S879B has been introduced to the New York State Senate by Senator Robert Ortt, which would repeal part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and

WHEREAS, this Legislative Body has long advocated for the protection of the rights afforded our citizens under the Constitution, which has for generations guided our Nation and served as a framework to our republic and society; and

WHEREAS, the Second Amendment of the United States provides for the "right of the people to keep and bear arms" and further states that this right "shall not be infringed"; and

WHEREAS, members of the Orleans County Legislature, being elected to represent the people of Orleans County, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, "Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed."; and

WHEREAS, the lawful ownership of firearms is a recreational benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with several locally owned and operated gun/sporting businesses; and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, will have a detrimental effect on hunters, sportsmen and legal gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms; and

WHEREAS, the legislation unconstitutionally prohibited the sale of firearm magazines with a capacity larger than seven (7) rounds and, those firearm magazines with a capacity larger than seven (7) rounds, which were authorized to be retained by existing owners, could only be loaded with seven (7) rounds and eventually must be permanently altered to only accept seven (7) rounds or be disposed of; and

WHEREAS, the seven round limit contemplated in the legislation was found to be unconstitutional upon judicial review; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of Orleans County for the defense of life, liberty and property; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting; and

WHEREAS, while there are some areas of the legislation that the Orleans County Legislature finds encouraging, such as the strengthening of Kendra's Law and Marks's Law, as well as privacy protections for lawful permit holders, we find the legislation fails to offer little meaningful solutions to gun violence and places undue burdens where they don't belong, squarely on the backs of law abiding citizens; and

WHEREAS, there are many parts of this legislation that place an unfunded mandate on the local Sheriff Departments, County Clerk's Office and County Judges, while tax payers are crying out relief; and

WHEREAS, there will be significant financial impact due to the approximately 5,000 Orleans County pistol permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on permits, which now also must be renewed every five years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State; and

WHEREAS, this legislation effectively treats countless New York State law abiding gun owners as criminals; and

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained within; and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Orleans County Legislature; and

WHEREAS, this legislative body unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above in Resolution No. 82-213 of the Orleans County Legislative proceedings of February 13, 2013; now be it

RESOLVED, that the Orleans County Legislature does hereby support Senator Robert Orrt's bill (S879B) to repeal part of the New York Secure Ammunition and Firearms Enforcement Act of 2013, limiting the application of the "S.A.F.E. Act" to the five boroughs of New York City; and be it

FURTHER RESOLVED, that this Legislature supports the introduction of an Assembly bill which calls for the repeal or partial repeal of the New York Secure Ammunition and Firearms Act of 2013; and be it

FURTHER RESOLVED, that this legislature supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader John Flanagan, Senator Robert Orrt, Speaker of the New York State Assembly Carl Heastie, Assemblyman Stephen Hawley, Assemblyman Mike Norris, New York State Association of Counties, InterCounty of Western New York, all Orleans County Towns and Villages, and all others deemed necessary and proper.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 82-217

**AUTHORIZING PAYMENT OF CLAIMS FOR MARCH AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 8, 2017:

Fund/Department	Check Number (s):	Amount:
General	7365-7522	\$478,916.75
Highway	917-921; 2170-2197	\$89,752.02
Job Development	2366-2374	\$10,578.65
Self Insurance	1130-1131; 57888-57890	\$47,980.76

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 22, 2017:

Fund/Department	Check Number (s):	Amount:
General	7535-7652	\$200,812.67
Highway	922; 2198-2215	\$19,372.56
Job Development	2375-2387	\$12,323.44
Self Insurance	57937-57940	\$5,078.60

Moved, Eick; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Vice Chairwoman Johnson called for open discussion. Neil Newton, Albion, thanked the Legislature for working with the Sportsmen Federation and ending this discussion. He knows it has to go onto the State Legislators and hopefully that will carry on through. With having 41 counties in New York State allowing rifle hunting for big game, he feels confident this will carry on. Vice Chairwoman Johnson commended the Orleans County Sportsmen Federation for actively coming to this board with their request and doing a fine job in their mission.

Paul Lauricella, Yates, expressed his appreciation on the SAFE Act repeal resolution. He said he does not have much faith in Senator Ort because he says he is for this repeal but will vote in favor of the State budget.

Legislator DeRoller acknowledged that Dr. James Sunser, President of Genesee Community College was just appointed Middle States Commissioner. Legislator DeRoller stated that this is an important role in higher education. He was appointed as one of twenty-six commissioners, which oversee 530 colleges and universities in NY as well as many other states and U.S. territories. He was selected out of 85 nominees to fill three seats. He is one of a few presidents in this commission to oversee our higher education.

Legislator DeRoller introduced our newest planners Sarah Gatti and Rocky Navarro which Legislator DeRoller invited them today to visit us and to observe what goes on during our board meetings to further strengthen their view of Orleans County. Legislator DeRoller stated how pleased he was of all the employees in the Planning Department for their efforts. Legislator DeFilippis state as well that they all are very pleased with our Planning Department. Vice Chairwoman Johnson advised our planners that during their workshop today they have developed a new project for them to work on.

Legislator Eick moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:04 p.m.

LEGISLATURE MEETING

March 22, 2017

Chairman Callard called the meeting to order at 4:37 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer, forwarded a listing of Real Property Tax Refunds, in the amount of \$1,110.59, that has been reviewed and authorized by her office. Orleans County Youth Board is calling for nominations for Youth Recognition Awards, the Helen R. Brinsmaid Award, and the Eileen Heye Adult Volunteer Recognition Award. Nominations are due to the Youth Bureau by March 31st. These will be awarded at the 35th Annual Youth Recognition Banquet on Thursday, May 11th. Nominations forms can be obtained on the Orleans County Website. Drug Take Back Day is scheduled for Saturday, April 29th from 10 a.m. to 2 p.m. with drop off points at the Public Safety Building along with Holley, Kendall, Lyndonville and Medina fire departments.

Legislator DeRoller presented a proclamation designating April as Wine Month in Orleans County. Those in attendance to accept were Brian DeGraw, owner of 810 Meadworks in Medina and Vice President of the Niagara Wine Trail, and Cate Banks, Executive Director of the Niagara Wine Trail USA. They distributed materials including the Niagara Wine Trail brochures and encouraged everyone to visit our local wineries.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through February 2017. Property taxes are coming in nicely for February and Treasurer Heard did receive the final check for sales tax.

Chairman Callard called for open discussion as it related to the resolutions or from our Legislators. Legislator Allport called upon Mark O'Brien to update the board on a great opportunity to be a test site for integration. Mark O'Brien, Director of Mental Health, stated that we are a test case in New York State for "most shovel ready" project for integrating behavior health and primary care. In working with our partners including Orleans Community Health - the Hospital, Oak Orchard as well as GCASA; Director O'Brien indicated that they have been able to pull the entire community together on this same team. We are now aligned with the US Leads for Hospitals and LA Qualified Health Care Centers to see if we

will be able to take the next step. We hope to have good news to report shortly and the fact that they contacted us puts us farther ahead.

Legislator Johnson invited Director of Veterans Earl Schmidt to inform the board of the New Military Service Credit Legislation that was passed. Director Schmidt explained that a NYS worker in the retirement system is able to purchase back up to three years of service towards their retirement for all honorably discharged veterans.

Legislator Johnson commended EMO Director Banker; Sheriff Bower and staff; our volunteer fire departments and EMTs' for all of the aid they provided to Orleans County during our recent March Misery that included both the wind and snow storms. They were applauded for their service.

Paul Lauricella, Yates, commented on Resolution No. 117 regarding Congressman Collins and another representative that put forward an amendment to Obama care repeal bill. He is in favor of shifting the Medicaid burden back to the State of New York and was glad that this Board is supporting this resolution.

Chairman Callard stated that the Medicaid portion represents 48% of our budget but varies between counties. This would cut our budget in half in our county, which would be a boost to our county. Mr. Lauricella agreed that it would reduce our taxes. Chairman Callard understands that if a bill is passed tomorrow it would be one of three stages to get this accomplished. He shared his appreciation of the initiative of Congressman Collins.

With no further public comments, the following resolutions were presented for adoption:

RESOLUTION NO. 83-317

**AWARDING BIDS FOR VARIOUS MATERIALS AND
COMMODITIES FOR HIGHWAY DEPARTMENT:**

WHEREAS, the Orleans County Highway Department sought bids for various materials and commodities for the years 2017-2018; and

WHEREAS, such bids have been received, opened and reviewed to determine the lowest responsible bidder for each material and commodity; be it

RESOLVED, that the bids for the various materials and commodities be awarded to the low bidders named on schedules for the dollar amounts per unit shown on such schedules, subject to the approval of the County Attorney.

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

RESOLUTION NO. 84-317

AUTHORIZING FILLING A VACANCY IN THE HIGHWAY DEPARTMENT

WHEREAS, an employee has recently retired in the Orleans County Highway Department; now, therefore be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Motor Equipment Operator position (5110.05), Grade H2 of the CSEA Salary Schedule, effective April 3, 2017.

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

RESOLUTION NO. 85-317

AUTHORIZING CREATION AND FILLING OF POSITION IN THE HIGHWAY DEPARTMENT

RESOLVED; that this Legislature does hereby authorize the creation of a permanent part-time Account Clerk position in the Highway Department at Grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position, effective May 1, 2017

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

RESOLUTION NO. 86-317

APPROVING PURCHASE AND AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND GERSTER SALES & SERVICE

RESOLVED, that this Legislature approves the purchase of one (1) Trane 40 ton air cooled chiller with remove evaporator, condensing unit from Gerster Sales and Service, 45 Earhart Drive, #103, Williamsville, NY 14221-7809 at the cost of \$66,282.19 using US Communities Contract #15-JLP-023; Proposal #048-20008-17-001 for the Mental Health Building and is to be paid from Buildings and Grounds Account A1620.270 – Capital Equipment account, fully covered by insurance recovery monies; and be it

FURTHER RESOLVED, that this Legislature approves an agreement between Gerster Sales and Service and Buildings and Grounds to install the air cooled chiller unit in the Mental Health Building – Proposal #21788

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 87-317

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

RESOLVED, that this Legislature approves the Appendix X agreement extension between the Orleans County Board of Elections and the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2017 through March 31, 2018 that funds are available to the local board of elections for the following:

Contract #T002560 — Voter Education and Poll Worker Training Program — Original Funding amount of \$23,131 (Res. No. 123-307); current balance \$4,226.02.

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

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

RESOLUTION NO. 88-317

CALLING ON NEW YORK STATE'S CONGRESSIONAL
DELEGATION TO SUPPORT AND INVEST IN THE PUBLIC
WORKFORCE DEVELOPMENT SYSTEM

WHEREAS, The Workforce Innovation and Opportunity Act (WIOA) was passed by Congress in 2014 with overwhelming bipartisan support; and

WHEREAS, WIOA was designed to help job seekers access employment, education and training to develop the skilled workforce necessary for companies to compete in a global economy; and

WHEREAS, In 2016, Orleans County allocated over \$100,000 of WIOA funding to train and provide work experience for more than 50 local individuals for in-demand careers; and

WHEREAS, Many private sector jobs in the region are still going unfilled because of a lack of funding for training to contend with the skills mismatch that exists in the job market; and

WHEREAS, WIOA has not been fully funded since it was authorized in 2014 and funding has been cut substantially each year since it was enacted; and

WHEREAS, WIOA is vital to the County's economic development efforts to create and sustain a talent pipeline for our local economy; now, therefore, be it

RESOLVED, The Orleans County Legislature calls on Congress to fully fund the Title 1 programs at the levels authorized under WIOA and to avoid any further funding cuts that erode the impact of the program; and further

RESOLVED, that certified copies of this resolution be sent by the Clerk of the Legislature to United States Congressman Chris Collins and Senators Charles Schumer and Kirsten Gillibrand.

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

Legislator Miller moved a resolution to call on state lawmakers to invest in locally driven workforce development programs, seconded by Legislator Eick. Chairman Callard called upon Job Development Director Kelly Kiebala to comment. Ms. Kiebala stated that there is funding available but very limited and restricted as far as how the training is used. She hopes that they make available more funding and not place more restrictions on funding so it can be used appropriately. Chairman Callard stated that this was discussed at the NYSAC Conference and he had the opportunity to meet the state lead in workforce training. It was at that time she said we have limited support from the Federal government and hardly any support from our own state. Chairman Callard stated that we ask businesses to come to New York State and if we do not have a trained, populous it is almost counterproductive to ask them to come. Chairman Callard stated that we have begun an initiative to step up our training efforts in our County and Director Kiebala has coordinated not only with the Economic Development Agency but other agencies throughout our county. He believes there were 225 full time jobs available and we are having problems filling these. We have to have a trained workforce to keep our businesses in town. Legislator DeRoller stated that since he has been in economic development for 15 years, he has seen the positive impact Director Kiebala has made with her engagement in our county and we should be proud of her work. The following resolution was adopted:

RESOLUTION NO. 89-317

CALLING ON GOVERNOR CUOMO AND STATE LAWMAKERS TO INVEST AND IMPLEMENT FUNDING FOR A STATEWIDE WORKFORCE STRATEGY THAT ASSISTS LOCALLY-DRIVEN WORKFORCE DEVELOPMENT PROGRAMS

WHEREAS, New York's workforce system engages nearly a dozen agencies that receive funding from the federal and state level; and

WHEREAS, it operates in ten economic development regions, 33 designated workforce investment areas, and 62 counties; and

WHEREAS, New York State has added over 500,000 private sector jobs since 2011; and

WHEREAS, while the growth in private sector jobs is positive many jobs remain unfilled because support and funding for workforce development programs has not followed suit; and

WHEREAS, with the development of these private sector jobs, the jobseekers who do not have strong education, training or professional networks are not able take advantage of these new opportunities; and

WHEREAS, The New York Association of Training and Employment Professionals (NYATEP) performed a study that analyzed spending on a broad range of workforce services including adult education, job training, and employment programs and discovered that spending has fallen by five percent since 2011; and

WHEREAS, developing a statewide workforce strategy that effectively serves employers and jobseekers must be able to:

- Connect workforce investments to the initiatives and priorities of statewide, regional, and local economic development needs,
- Focus policy and emphasis on a full pipeline of workers through community colleges, adult basic education and worker training,
- Aggressively pursue a wide array of funding sources including targeted state resources and funding that could be provided through the Regional Economic Development Councils (REDCs); now, therefore, be it

RESOLVED, The Orleans County Legislature calls on Governor Cuomo and State lawmakers to make a strong commitment to helping New York's workers and businesses add the skills they need with a fully defined strategy and robust financial support; and be it

FURTHER RESOLVED, that certified copies of this resolution be sent by the Clerk of the Legislature to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Robert Ort and Assemblymen Stephen Hawley and Michael Norris, and the New York State Association of Counties.

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

RESOLUTION NO. 90-317

APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR THE AGING AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Office for the Aging and various agencies:

Independent Living Services (ILS)-iCircle, 521 Fifth Avenue, 3rd Floor, New York, NY 10175 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2017 to April 30, 2018 to clients needing services, iCircle will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one-year renewals, to be reviewed in 2020. County cost \$0 – Revenue Source.

Fidelis Care, 95-25 Queens Boulevard, Rego Park, NY 11374 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2017 to April 30, 2018 to clients needing services, Fidelis will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one-year renewals, to be reviewed in 2020. County cost \$0 – Revenue Source.

ErieNiagara MLTCP, Inc., 2424 Niagara Falls Blvd, Niagara Falls, NY 14304 -OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from April 1, 2017 to March 31, 2018 to clients needing services, ErieNiagara, MLTCP, Inc. will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one-year renewals, to be reviewed in 2021. County cost \$0 – Revenue Source.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 91-317

AUTHORIZING SETTING UP NEW MONEY IN THE OFFICE FOR THE AGING'S BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money received through The Research Foundation for State University of New York for recruiting older adults to participate in a Stepping on workshop that is an evidence based health promotion program in the Office for the Aging budget, as follows:

<u>Revenue:</u>		
6772-1972	Office for the Aging-Local Grants	\$550
<u>Appropriation:</u>		
6772-100	Personnel Expenses	\$350
6772-411	Office Supplies	\$100
6772-462	Mileage	\$100

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

RESOLUTION NO. 92-317

APPROVING APPOINTMENTS TO THE AGING ADVISORY COUNCIL

RESOLVED, that this Legislature approves the following appointments to the Office for the Aging Advisory Council for a three year term, effective April 1, 2017 through March 31, 2020. (* denotes final term)

- Jane Stroyan, 1008 West Avenue, Medina, NY 14103
- *Don Josyln, 4275 Oak Orchard Road, Albion, NY 14411
- *John Kenney, 75 East Avenue, Holley, NY 14470
- *Miguel Laureno, 360 W. Oak Orchard Street, Medina, NY 14103
- *Robin Nacca, 4285 Oak Orchard Road, Albion, NY 14411
- *Jean Shervin, 13746 Allen Road, Albion, NY 14411
- *Donald Snyder, 1749 Kent Road, Kent, NY 14477
- *William Standing, 99 Heritage Estates, Albion, NY 14411
- *Anna Stelianou, 10 Lynwood Drive, Lyndonville, NY 14098

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

RESOLUTION NO. 93-317

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES

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

Children's Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services; to be effective May 1, 2017 through April 30, 2018 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Greater Rochester Collaborative MSW Program, Rochester, NY for an intern agreement among Nazareth College, Brockport College, and Orleans County Department of Social Services; to be effective June 12, 2017 through June 11, 2018. County cost will be \$0.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Miller moved to abolish and create positions in the Veterans Service Agency due to the recent retirement announcement of Mary Jo Syck; seconded by Legislator Eick. Chairman Callard, with the creation of an upgraded position, invited Director Schmidt to comment. Director Schmidt stated it will be sad to see an eighteen year devoted assistant leave after servicing our veterans and their widows. With the enhancement of her retirement, a person will be schooled to be a Veterans Service Officer so that person can service our veterans and families if Director Schmidt is not in the office. It will also enhance outreach. Chairman Callard stated that Director Schmidt has done a great job in outreach which is one thing that needed to be done when he was hired. The following resolution was adopted:

RESOLUTION NO. 94-317

AUTHORIZING ABOLISHING AND CREATING POSITIONS IN THE VETERANS SERVICE AGENCY

WHEREAS, that the Veterans Service Agency Administrative Secretary will be retiring effective March 31, 2017; now be it

RESOLVED, that this Legislature abolishes the position of Veteran Service Agency Assistant (6510.03) effective April 1, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of full time Veteran Service Officer position in the Veterans Service Agency at Grade 13 of the CSEA salary schedule effective April 3, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a part-time Senior Keyboard Specialist position in the Veterans Service Agency at Grade 10 of the CSEA salary schedule effective April 3, 2017.

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

RESOLUTION NO. 95-317

AUTHORIZING CREATION AND FILLING OF POSITIONS IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, the Mental Health Department has a vacancy for a permanent Keyboard position (Position # 4310.36); and

WHEREAS, due to the high volume of front desk calls, scheduling of clients, and the demands of walk-in appointments, a temporary part time Keyboard Specialist position is needed for the successful operation of the Department until the permanent position is filled; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation and filling of a temporary part time Keyboard Specialist position in the Mental Health Department at Grade 7 of the CSEA salary schedule; effective March 23, 2017 and ending when the full time position is filled; and be it

RESOLVED, that this Legislature authorizes the filling of a permanent Keyboard Specialist (Position # 4310.36) in the Mental Health

Department at Grade 7 of the CSEA salary schedule, effective March 23, 2017.

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

RESOLUTION NO. 96-317

APPROVING CELLULAR PHONE USE AGREEMENT FOR MENTAL HEALTH DEPARTMENT

WHEREAS, certain Mental Health Clinic Therapists are now at school satellite locations for certain days of the week, and

WHEREAS, the approved form of agreement for cellular phone use has been prepared, and has been reviewed by the appropriate Legislative Committee, be it

RESOLVED, that this Legislature approves the Cellular Phone Use Agreement for the a Clinic Therapist position (4310.16) covering use of a cellular phone in accordance with the Cellular Phone Use Policy.

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

RESOLUTION NO. 97-317

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Buffalo Hearing and Speech Center at 50 East North Street Buffalo, NY 14203. This contract to provide center-based/ evaluation/Special Education Itinerant Services (SEIS) to Orleans County children (ages3-5) 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 are set by New York State. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. Contract period is July 1, 2016 through June 30, 2019.

Orleans Community Health a/k/a Medina Memorial Hospital at 200 Ohio Street Medina, NY 14103. This Contract is to provide lead poisoning education, information, sampling, and testing for the residents of Orleans County. This contract runs concurrent with the New York State contract. Contract Period is October 1, 2016 through September 30, 2017. County cost \$0.

Agri-Business Child Development Holley ABCD-Grace's Place at 52 Maziarz Drive Holley, NY 14470. This Memorandum of Agreement is for services to infants and toddlers who are at risk for, or are diagnosed as having a disability. This agreement supports the right of all infants and toddlers with disabilities to receive free appropriate services including all necessary evaluations, early intervention, and related services, which parents' request, in accordance with state and federal statutes and regulations. This contract replaces the previous one with revisions as indicated. Contract to run from February 9, 2017 through February 13, 2020.

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

RESOLUTION NO. 98-317 (RESCINDED – Res No. 138-417)

AUTHORIZING SETTING UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT

RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department Budget as a result of accepting award to attend National Food Regulatory Program Conference as follows:

Revenue:

A4403	Association of Food and Drug Officials	\$ 2,000
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Appropriations:

A4010.460	Training & Education	\$ 1,000
A4010.463	Travel Other Than Mileage	\$ 1,000

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

RESOLUTION NO. 99-317

AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH DIRECTOR

RESOLVED, that this Legislature approves the Out-of-State travel request by Paul A. Pettit, Public Health Director; to attend the “NACCHO annual conference” in Pittsburgh, PA at the Wyndham Grand Pittsburgh Downtown; July 10 – July 14, 2017 (for travel). County cost \$0.

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

RESOLUTION NO. 100-317

APPROVING AGREEMENT WITH TIMOTHY NEWTON CONSTRUCTION FOR MOWING AT ORLEANS COUNTY PARKS

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Timothy Newton Construction, 2374 Eagle Harbor-Waterport Rd., Albion, NY 14411, for mowing and trimming at the Orleans County Marine Park; Point Breeze site; boat dock rental site and Rte. 98/18 site from April 15, 2017 to October 31, 2017 at a cost of \$280 per mowing at all sites, to be paid from Account A7180.432-Misc. Contracts/Agreements.

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

RESOLUTION NO. 101-317

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

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Ronald Bierstine, 1764 Oak Orchard Road, Albion, NY 14411, to provide dock worker and custodial services at Orleans County Marine Park from April 15, 2017 to October 31, 2017 at a cost not to exceed \$15,870 to be paid from Account A7180.432-Misc. Contracts/Agreements.

Moved, DeRoller; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 102-317

ACCEPTING E-WASTE ASSISTANCE GRANT FROM NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, Orleans County established a program to allow residents to drop-off electronic waste in response to the lack of practical alternatives to protect the environment and public safety after New York State prohibited its disposal through curbside trash pickup effective January 1, 2015; and

WHEREAS, during the month of October 2016 the New York State Department of Environmental Conservation subsequently offered an E-Waste Assistance Grant Program to municipalities as a supplement to the existing Household Hazardous Waste State Assistance Program; and

WHEREAS, Orleans County applied for said E-Waste Assistance Grant, and thereafter received notice that it was eligible for a 50% reimbursement of its collection costs, both actual and estimated, from April 1, 2016 through March 31, 2017 through Contract No. DEC01-T00250GG-3350000 in the amount of \$14,256.74; now be it

RESOLVED, that this Legislature accepts said E-Waste Assistance Grant funds through the New York State Department of Environmental Conservation.

Moved, DeRoller; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to award the bid for the electrical infrastructure work at the Orleans County Marine Park; seconded by Legislator Allport. Legislator DeRoller invited CAO Nesbitt to comment seeing he has been working to move this project forward. CAO Nesbitt indicated that boaters have been complaining about the ground fault has been tripped on many occasions. An electrical engineer, through LaBella, has prepared a solution to correct the problems and so our boaters will not have power issues. This will be paid for by a 50/50 match with NYS Parks and Recreation through their Phase 2 grant and Orleans County. The following resolution was adopted:

RESOLUTION NO. 103-317

AWARDING BID FOR ELECTRICAL INFRASTRUCTURE IMPROVEMENTS (SHORE POWER) AT ORLEANS COUNTY MARINE PARK

WHEREAS, in March 2017, the Department of Planning and Development will be requesting bids for Electrical Infrastructure Improvements (Shore Power) at the Orleans County Marine Park to alleviate nuisance tripping of ground fault interrupters as part of Orleans County Marine Park Boating Access Phase 2 (Contract Number C1000543); and

WHEREAS, due to time constraints and the pending season opening of the Park, once bids have been publicly opened and reviewed to determine the lowest bidder, the County needs to award the bid by a pre-approved resolution; therefore be it

RESOLVED, that this award pre-approves the lowest bidder; subject to the Chairman of the Legislature, County Attorney, and Chief Administrative Officer approval.

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

RESOLUTION NO. 104-317

APPROVING AMENDED BY-LAWS OF THE ORLEANS COUNTY PLANNING BOARD

WHEREAS, on February 23, 2017 the Orleans County Planning Board approved by resolution amendments to its operating By-Laws as a means of clarifying its policy regarding the cancellation of meetings, and

WHEREAS, General Municipal Law § 239-c requires that the county legislative body take similar action for said amendments to take effect, be it

RESOLVED, that this Legislature approves the Orleans County Planning Board By-Laws as amended through February 23, 2017.

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

RESOLUTION NO. 105-317

AMENDING RESOLUTION NO. 367-1016 CONCERNING
AGREEMENT BETWEEN COMPUTER SERVICES AND TIME
WARNER CABLE BUSINESS CLASS

WHEREAS, Resolution No. 367-1016 approved an agreement between Computer Services and Time Warner Cable Business Class for the initiation of Session Initiation Protocol (SIP) trunks to transition our phone services to a VOIP technology; now be it

RESOLVED, that Resolution No. 367-1016 be amended to now hold agreement with Spectrum Cable due to the recent merger with Time Warner Cable; and be it

FURTHER RESOLVED, that the Director of Computer Services will evaluate the line usage and analyze additional blocks of four (4) trunk lines at \$60 per block and will acquire additional blocks based on the need of incoming and outgoing calls; and be it

FURTHER RESOLVED, that Resolution No. 367-1016 be amended to have the monthly cost not to exceed \$720 per month, which will be a total of 48 trunk lines.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to call on New York State to fully reimburse municipal self-insured workers' compensation plans in regards to volunteer firefighters benefit law. She requested Jack Welch, Director of Self Insurance to update them on this legislation. Director Welch explained that any volunteer fire fighter with five or more years faithful and actual service in the protection of life and property from fire in the interior of buildings caused by cancer affecting the lymphatic or hematological systems with presumptive coverage. With ten or more years of faithful and actual service in the protection of life and property from fire in the interior of buildings caused by cancer affecting the digestive, urinary, prostate, neurological, breast or reproductive systems or melanoma will also have presumptive coverage. The bill that is in the assembly, already passed in the Senate, does not define what is faithful and actual service and protection. The firefighter has twelve years after

separation however there is no tracking of the fire fighter as they move around from one department to another. There is no tracking in the system of five or ten years nor is their tracking of an “interior” firefighter. He questions if it is only at scenes in a cancer-causing scenario or does any fire count. He said with those questions and understanding what they want to do, the cost of the cancers themselves, the state wants to cover the costs to cover those cancers. It would then be pushed down to our local volunteer fire departments. Our local departments would not be able to afford coverage of these especially if one incident could range from \$20,000 to \$100,000. This would cause an increase in taxes and most likely our volunteer fire organizations to dissolve. Director Welch stated that he is here to protect the tax payers self-insurance fund. The following resolution was adopted:

RESOLUTION NO. 106-317

CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE MUNICIPAL SELF INSURED WORKERS’ COMPENSATION PLANS

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC) has become aware of Senate Bill S01411 and Assembly Bill A00711; and

WHEREAS, NYSASIC, as the professional organization representing the majority of self-insured counties and many other municipalities in the State of New York, strongly oppose this legislation; and

WHEREAS, the proposed legislation seeks to amend the Volunteer Firefighters’ Benefit Law to add a new section (11-d) to read as following:

“§ 11-d – Volunteer firefighters; presumption in certain cancers.

1. Notwithstanding any other provision of this chapter to the contrary, a condition of impairment of health of a volunteer firefighter with (a) five or more years of faithful and actual service in the protection of life and property from fire in the interior of buildings caused by cancer affecting the lymphatic or hematological systems or (b) ten or more years of faithful and actual service in the protection of life and property from fire in the interior of buildings caused by cancer affecting the digestive, urinary, prostate, neurological, breast or reproductive systems or melanoma, resulting in total or partial disability or

death to such volunteer firefighter, who successfully passed a physical examination on entry into firefighter service, which examination failed to reveal any evidence of such cancers, shall be presumptive evidence that it was incurred in the performance and discharge of duty, unless the contrary be proven by competent evidence. Claims for benefits pursuant to this section must be filed within twelve years of separation from actual service in protecting life and property from fire in the interior of buildings.

2. This section shall not apply to volunteer firefighters serving in a fire company or fire department where the legislative body of the city or the village, the board of fire commissioners or other governing board of the fire district, or the town board of the town in relation to (a) the fire company serving territory outside the villages and fire districts or (b) a town fire department, has adopted a local law or resolution to elect not to provide this presumption.

This act shall take effect immediately and shall expire and be deemed repealed June 30, 2021.”

WHEREAS, this legislation is problematic for several reasons: First the physical examination required for entry into a volunteer fire department is typically quite limited in scope. Such physical examinations do not include the detail or diagnostic testing typically associated with diagnosing cancer or ruling out the presence of cancer. For example, such physical examinations do not include comprehensive blood testing, PET scans, CT scans, MRI's, colonoscopies, mammograms, pap smears, prostate examinations, etc., as the physical examinations are typically quite limited and cursory in nature. Many of the cancers referenced in the proposed legislation may be present and remain undiagnosed even though an individual may still pass the physical examination associated with entry into volunteer firefighter service; and

WHEREAS, many of the conditions identified in the proposed legislation often develop with age and/or are either genetic or hereditary in nature. Thus, even if a comprehensive physical examination with diagnostic testing is performed when an individual first enters firefighter service, it would be both disingenuous and unwise to presume that in the event that such an individual eventually is diagnosed with cancer, such as prostate cancer or breast cancer many years later, that the development or

cause of that cancer is in any way connected to the individual's firefighter service; and

WHEREAS, a Second reason this proposed legislation is also problematic as it does not define what is meant by "faithful and actual service in the protection of life and property from fire in the interior of buildings"; and

WHEREAS, a Third reason this proposed legislation is also problematic as the time frames used of five or ten years of faithful and actual service in the protection of life and property from fire in the interior of buildings does not define how a volunteer firefighter's time is tracked as the individual transfers from one department or company to another and which department or company is ultimately responsible for the costs associated with this presumptive coverage; and

WHEREAS, such legislation would essentially place counties in the position of insuring that in the event that a volunteer firefighter contracts lymphatic or hematological systems or cancer affecting the digestive, urinary, prostate, neurological, breast or reproductive systems or melanoma cancers that counties will need to provide indemnity, medical and, potentially death benefits, unless they can prove that the volunteer firefighter does not have five or ten years of faithful and actual service in the protection of life and property from fire in the interior of buildings. Providing such a presumption and placing the cost of rebutting such a presumption on county taxpayers would pose an undue financial burden and hardship. In addition, such a presumption would likely force counties and volunteer fire departments to change their procedures relating to physical examinations for volunteer firefighters in order to ensure that applicants are cancer free. Such comprehensive physical examinations would prove costly and could have a chilling effect on recruitment and the membership of volunteer fire departments; and

WHEREAS, the proposed legislation is unnecessary as the Volunteer Firefighters' Benefits Law already provides such benefits in the event that a volunteer firefighter (or his or her dependents in connection with a death claim) can prove that the cancer condition arose in the line of duty Shifting the burden of proof from the volunteer firefighter to the local municipality based upon flawed presumptions which lack sound medical foundation would be ill advised; now be it

RESOLVED, that the Orleans County Legislature urges the State of New York not to pass Senate Bill S01411 and Assembly Bill A00711 in its current language; and be it

FURTHER RESOLVED, that in the event that there is a desire that the aforementioned legislation be passed, the Orleans County Legislature urges Senate Bill S01411 and Assembly Bill A00711 to be modified so that municipal self-insured workers' compensation plans shall be reimbursed the costs of claims which are associated with Senate Bill S01411 and Assembly Bill A00711 by the State of New York. This will facilitate the continued operation and existence of the very volunteer fire departments and volunteer fire companies whose members would be assisted by the bills, since the taxing authorities which support these volunteer fire departments and volunteer fire companies will otherwise be financially stressed by the claims precipitated by these bills; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York Andrew Cuomo, NYS Senate Majority and Minority Leaders, Senator Robert Ort, Speaker of the New York State Assembly Carl Heastie, Assemblyman Stephen Hawley, Assemblyman Michael Norris, NYSAC, NYSASIC, InterCounty of Western New York, all Orleans County Towns and Villages, Orleans County Emergency Management to distribute to all county Fire Districts and Departments; and all others deemed necessary and proper.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 107-317

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, 2017 through August 31, 2022; 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, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 108-317

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

WHEREAS, a Deputy Sheriff Sergeant has retired in the Sheriff's Department; and

WHEREAS, it will take time to fill this vacant Deputy Sheriff Sergeant position on the midnight shift, now therefore be it

RESOLVED, that this Legislature authorizes the filling of a vacant full time Deputy Sheriff Sergeant position in the Sheriff's Department at a Grade 2 of the OCDSA Salary Schedule effective March 23, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full time Deputy Sheriff position in the Sheriff's Department at a Grade 1 of the OCDSA Salary Schedule effective March 23, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant full time Deputy Sheriff position effective March 23, 2017 and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishment of full time Deputy Sheriff position upon the filling of the vacant Deputy Sheriff Sergeant position.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 109-317

AUTHORIZING CREATION AND FILLING OF POSITION IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the creation of a full time Civil Clerk position in the Sheriff's Office at Grade 1 of the Orleans County Sheriff's Employees Association Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position effective March 23, 2017.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 110-317

AUTHORIZING SETTING UP NEW MONEY IN AND PURCHASE FROM THE SHERIFF'S BUDGET

WHEREAS, the Orleans County Sheriff's Office was awarded a Legislative Initiatives Grant with the New York State Division of Criminal Justice Services; and

WHEREAS, this Legislature approved the agreement and acceptance of funding in the amount of \$10,000 for the enhancement of Public Protection Initiatives in Resolution No. 337-916; now be it

RESOLVED, that the Legislature authorizes the purchase of twelve (12) Safariland Ballistic Body Armor Plates and Carriers from United Uniform, 495 North French Rd, Buffalo, NY 14228 (PO 58335) in the amount of \$12,694.80 with \$10,000 to be paid from Sheriff's Account A3110.486 – Special Grants and the remaining \$2,694.80 to be paid from A3110.415 – Uniform and Cleaning Allowance; and be it

FURTHER RESOLVED, that the Orleans County Treasurer is hereby authorized to set up new money in the Sheriff's Office budget to help purchase this personal protective equipment, as follows:

<u>Revenue:</u>		
A3032	Sheriff Initiative Grant	\$10,000
<u>Appropriation:</u>		
A3110.486	Special Grants	\$10,000

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 111-317

**APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY
DISTRICT ATTORNEY'S OFFICE AND VARIOUS VENDORS**

RESOLVED, that this Legislature approves agreements between the Orleans County District Attorney's Office and various vendors:

Forbes Court Reporting Services, LLC, 21 Woodcrest Drive, Batavia, NY 14020 to provide court stenography professional services for Orleans County Grand Jury and Justice Court appearances at a cost of \$200 per Grand Jury Appearance. Additional services for requested printed transcripts at a rate of \$3.80 per page. Term of agreement shall be effective January 1, 2017 through December 31, 2021.

Rosa Hollander, 417 Argonne Drive, Kenmore, NY 14217 to provide interpreter services for Grand Jury Proceedings at a rate of \$250 per Grand Jury appearance and mileage reimbursement at the Orleans County rate established at the beginning of each year – one cent less than the federal mileage rate with such agreement effective January 1, 2017 through December 31, 2021.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 112-317

**AUTHORIZING OUT OF STATE TRAVEL FOR MAJOR FELONY
CRIME TASK FORCE EMPLOYEE**

RESOLVED, that this Legislature authorizes Out of State Travel for Investigator Corey Black of the Orleans County Major Felony Crime Task Force to attend the Cellebrite Forensic Phone Training in Myrtle Beach, South Carolina in March of 2017. All costs covered by Asset Forfeiture funds. County cost \$0.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 113-317

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND APPROVING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend EMPG FY2016 [EM16-1041-D00] Grant Funds in the amount of \$10,017 for a Kubota ATV from Kubota Tractor Corporation with \$10,017 in matching funds; \$515 for installation costs of lighting and mobile radio equipment on the Kubota ATV from Lyons Collision with the same in matching County funds and \$10,532 to purchase one Foam Nurse Trailer with accessories from Churchville Fire Equipment with matching County funds according to all EMP Grant Guidelines; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up FY 2016 EMPG funds as follows:

Revenue:

4305.0016	Emergency Management Program Grant	\$21,064
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Appropriation:

A3640.486.0016	Special EMP Grants –FY2016	\$21,064
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Moved Johnson; second, DeFilippis.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 114-317

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND APPROVING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 346-916 and No. 77-217 authorized the Director of Emergency Management to expend State Homeland Security Program Grant Funds FY2016 (C972460) for Physical Security Enhancements at the Mental Health Complex and Court House Square at a cost not to exceed \$40,000, be it

RESOLVED, that this Legislature authorizes the County Treasurer to set up these new FY2016 Homeland Security funds as follows:

Revenue:

4309.2016 Homeland Security Grant Funds FY2016 \$40,000

Appropriation:

A3640.486.2016 Special EMP Grants –FY2016 \$40,000

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve a master lease and license service agreements with Crown Castle; seconded by Legislator DeFilipps. Chairman Callard called upon CAO Nesbitt to explain how this will significantly bring in revenue to Orleans County. CAO Nesbitt stated that we are licensing Crown Castle to market the assets of the county and attract rentals for our towers that would be revenue generating from our primary target of cellular phone companies. They also will prepare a heat map, which will show the various networks of various vendors throughout the county and will see if services will need to be improved and where there might be a market for additional construction of towers. The county then could access revenue from those sites as well as improve our own system by making investments in further equipment to enhance our radio system. We will not need to pay them; they will pay us stated CAO Nesbitt. The following resolution was adopted:

RESOLUTION NO. 115-317 (RESCINDED - Res No. 498-1217)

APPROVING MASTER LEASING AND LICENSE SERVICE AGREEMENTS WITH CROWN CASTLE USA, INC AND THE COUNTY OF ORLEANS

WHEREAS, This Legislature understands the opportunities that are available through public private partnerships; and,

WHEREAS, the Master Leasing Agreement and License Service Agreement between Orleans County and Crown Castle provides an opportunity to leverage local assets and private sector expertise to the benefit of Orleans County residents; therefore be it

RESOLVED, that this Legislature approves a Master Leasing and License Service Agreements between the County of Orleans and Crown

Castle USA, Inc, 2000 Corporate Drive, Canonsburg, to provide Site management relating to marketing, design, construction, and Maintenance/Operation of Telecommunication sites within Orleans County; with said agreements to be reviewed every five years; and be it

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

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 116-317

AUTHORIZING SETTING UP NEW MONEY IN HISTORIAN'S BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Historian budget as a result of a donation received from the Orleans County Historical Association, as follows:

<u>Revenue:</u>		
A2705	Donations	\$500
<u>Appropriation:</u>		
A7510.411	Office Supplies	\$500

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved a resolution to support an amendment to the proposed federal health care legislation known as the American Health Care Act to limit the local share of Medicaid; seconded by Legislator Eick. CAO Nesbitt stated that it has been over 50 years, since the formation of NYSAC, that county leaders have been fighting for “Rockies Folly”, named after Nelson Rockefeller. This involved the counties to pay a share of the cost for the state’s Medicaid program. Even then, they feared this could have been a mistake and could get out of control, which it did and has, stated CAO Nesbitt. This corrects it and much to the chagrin to the state government, was hoping to never have this corrected of counties 2017 tax levy, 48% of that was Medicaid share. He explained more of the budget impact. He said we had no idea that we could begin to

contemplate this kind of change, which is significant and certainly, after 50 years of fighting we need to support regardless of the fiery rhetoric coming out of Albany stated CAO Nesbitt. Chairman Callard stated that New York State in its Medicaid offers more benefits than any other state in the nation. There is room to limit the cost and still stay within the federal guidelines stated Chairman Callard. The following resolution was adopted:

RESOLUTION NO. 117-317

SUPPORTING AN AMENDMENT TO THE PROPOSED FEDERAL HEALTH CARE LEGISLATION KNOWN AS THE AMERICAN HEALTH CARE ACT TO LIMIT THE LOCAL SHARE OF MEDICAID

WHEREAS, Counties across the nation contribute \$9.7Billion each year in locally raised taxes to support the direct program costs of providing Medicaid services; and

WHEREAS, Taxes raised for Medicaid services in New York State account for \$7.5 Billion or 77% of all locally raised Medicaid dollars an amount more than three times that of all the other 49 states combined; and

WHEREAS, Orleans County pays over \$8 Million each year to support the cost of the New York State Medicaid Program or approximately 48% of the county property tax levy; and

WHEREAS, Governor Cuomo continues to highlight that New York State property taxes are high, a point that this legislature agrees with 100%; and

WHEREAS, Eliminating Medicaid costs to counties, county governments will be provided desperately needed flexibility in how they utilize their property tax revenue; and

WHEREAS, Unfunded mandates such as Medicaid make up the largest portion of our county budget placing immense pressure on our ability to provide the services our residents expect and deserve at a reasonable cost. This amendment will allow us to be able to provide much needed tax relief to our constituents and provide more funds to improving our aging infrastructure; now be it

RESOLVED, that the Orleans County Legislature supports Congressman Collins proposed amendment to the American Health Care Act, known as The Medicaid Local Share Limitation proposal which would bar federal reimbursements for state Medicaid funds raised from charges to local governments.; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward certified copies of this adopted resolution to President Donald Trump, Senators Charles H. Schumer and Kristen Gillibrand; Congressman Chris Collins, Senator Robert Ortt, Assemblymen Steve Hawley and Michael Norris, NYSAC, InterCounty of Western New York and all others deemed necessary and proper.

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

RESOLUTION NO. 118-317

AUTHORIZING PAYMENT OF CLAIMS FOR APRIL AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 12, 2017:

Fund/Department	Check Number (s):	Amount:
General	7668-7894	\$629,151.13
Highway	923-927; 2216-2254	\$61,910.72
Job Development	2397-2404	\$1,585.15
Self Insurance	1133- 1134, 58090, 58092	\$350.59

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 26, 2017:

Fund/Department	Check Number (s):	Amount:
General	7910-8059	\$351,684.05
Highway	928-932; 2255-2268	\$95,225.26
Job Development	2407-2427	\$33,487.16
Self Insurance	58048-58049,58051	\$13,782.31

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called for old business. Legislator DeFilipps wanted to expand on the Crown Castle contract. He asked that if the Town of Clarendon and the Village of Medina would profit on this endeavor if it involves the towers located on their properties. CAO Nesbitt stated that if there were leases signed on these towers, the municipality would share 50% of any of the revenue generated.

Sandy Lauricella, Yates, followed up to see if the county has any money to assist with spaying and neutering cats in Orleans County. Chairman Callard stated that it needs to be discussed through the Public Safety Committee, which it has not been forgotten. Sheriff Bower stated that New York State stopped that program and now they are relying on not-for-profits to assist with that. Currently people are donating to our Animal Shelter to assist with completing that procedure before animals are adopted.

Legislator Eick moved to enter into executive session at 5:21 p.m. per Open Meetings Law §105 (d) to discuss pending litigation and (f) personnel – discipline and dismissal, second by Legislator Allport. Motion Carried.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 6:02 p.m.; second by Legislator DeRoller. Motion Carried.

Legislator DeRoller moved to adjourn; second by Legislator Allport. Meeting adjourned at 6:04 p.m.

LEGISLATURE MEETING

April 26, 2017

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

Legislator DeFilipps presented a proclamation to Matt Tracy, ABATE Vice President in regards to Motorcycle Safety and Awareness in May. Mr. Tracy invited everyone to their rally on Sunday, May 7th and thanked them for their continued support of making people aware of the importance of motorcycle safety and awareness. He also announced the Warriors Run, which will give 100% of the proceeds to the home in Shelby for homeless warriors. They also host a golf tournament to benefit ARC.

Earl Schmidt, Director of Orleans County Veterans Agency and David Kusmierczak, an Orleans County Veteran and our Chaplin, accepted the Western New York Armed Forces Week Proclamation from Legislator Allport. The 57th Anniversary of Western New York Armed Forces Week will be celebrated in Western New York and in Orleans County from May 7th through May 13th.

Chairman Callard called upon Lori Laine and her husband Tom, to accept the recognition of Donate Life Month in Orleans County for the month of April. Mr. Laine received a liver transplant in July of 2014 and Lori volunteers her time at the DMV to promote the Donate Life choice when people obtain or renew their driver's licenses. Wendy Jacobson, CEO, Orleans Community Health/Medina Memorial Hospital, also shared many words concerning the importance of donation of organs and tissue transplants while leading a legacy of generosity for both the donor and their family. Last year there were 33,000 people saved by organ and tissue transplants. Ms. Jacobson, on a personal note, stated that said her 92-year-old mother donated her corneas and her legacy lives on.

Legislator Miller presented May as Foster Care Month Proclamation to Thomas Kuryla, Commissioner of the Orleans County Department of Social Services. Mr. Kuryla shared his appreciation for the recognition and allowing their banner to be hung at courthouse square.

The Clerk presented the following communications:
Town/Village resolutions that have been received

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Clarendon T/Shelby V/Lyndonville	Supporting County Resolution No. 62-217 – Supporting an Increase in the Share of Revenue Counties Retain for providing DMV Services
T/Clarendon T/Shelby V/Lyndonville	Supporting County Resolution No. 81-217 – Supporting Legislation to Partially Repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 for Areas Outside New York City
T/Clarendon T/Shelby V/Lyndonville	Supporting County Resolution No. 71-217 Urging New York State to Fund Probation Departments and Other Impacted County Departments and Agencies the Full Cost Associated with Raising the Age of Criminal Responsibility to 18 Years of Age
V/Lyndonville	Supporting County Resolution No. 89-317 Calling on Governor Cuomo and State Lawmakers to invest and implement funding for a Statewide Workforce Strategy that Assists Locally Driven Workforce Development Programs
V/Lyndonville	Supporting County Resolution No. 106-317 Calling on the State of New York to Fully Reimburse Municipal Self Insured Worker’s Compensation Plans
V/Lyndonville	Supporting County Resolution No. 117-317 Supporting an Amendment to the Proposed Federal Health Care Legislation Known as the American Health Care Act to limit the Local Share of Medicaid

ABATE of New York Inc, Orleans County Chapter is requesting use of the Courthouse Steps to conduct their Motorcycle Safety and Awareness Rally on Sunday May 7, 2017 from Noon till 3 p.m. They are also requesting use of power. This is their annual promotion event for motorcycle safety, awareness, and rider education along with alerting the public to the renewed presence of motorcycles on the highway. The board approved this request. Orleans County Department of Social Services is requesting use of the Courthouse lawn to place a banner from May 3, 2017 to May 14, 2017 for Foster Parent Month. The Board approved this request. Drug Take Back Day is scheduled for Saturday, April 29th from 10 a.m. till 2 p.m. at several Orleans County drop off locations: Holley, Medina, Lyndonville and Kendall Fire Departments and at the Orleans County Public Safety Building. The 35th Annual Youth Recognition Banquet is Thursday, May 11th at Hickory Ridge Golf and Country Club.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through March of 2017. A tentative auction list was also distributed and Treasurer Heard stated to keep in mind that many will

come in and pay to get off the list now that the signs are being placed. Treasurer Heard stated that her report looked low on receipt of property taxes so a letter needed to be sent to two towns for them to send in their property tax collections and as a result, she received an additional \$940,000, which would make her report much better.

Chairman Callard called for open discussion as it related to the resolutions beginning with the Legislators. Legislator Johnson expressed that it has been three years that they fought Plan 2014 concerning the lake levels. Chris Catt, Congressman Collin's representative was introduced, and Legislator Johnson indicated that they walked the lakeshore yesterday in the pouring rain. She said it is unfortunate that their efforts to bring attention to this concern for the last few years have gone unheard. After reaching out to President Obama and Governor Cuomo, Congressman Collins is the only person that has listened from the very beginning and supported our resolutions. There are six presidential appointed commissioners that sit on the International Joint Commission; three are Canadian and three represent the US. They were commissioned under a treaty by the Canada/US Governments to maintain Lake Ontario. The lake levels have been the same for at least fifty years. Congressman Collin's office is asking for the immediate resignation of all six commissioners. Legislator Johnson said in the upcoming months, he would ask this board to support his resolution to take action on this serious issue. She said the policies need to be rescinded that the commission has made and we need replacement for those six commissioners. Legislator Johnson stated that the best thing Congressman Collin's could do for us is actually placing a person who lives on the south shore of Lake Ontario on this commission. Chris Catt thanked Legislator Johnson and appreciates working with her, along with Legislators Callard, DeRoller, and DeFilipps. He stated that he appreciates all of the Orleans County Leadership on this issue. This is an important issue in their office and looks forward to the continued efforts by everyone. Chairman Callard shared his appreciation with Congressman Collin's in helping in this lakeshore issue.

Paul Lauricella, Yates, questioned the increase in cost to obtain a Pistol Permit application in Resolution No. 156. Sheriff Bower addressed the concern of it going from \$5 to \$10 and stated that many other counties charge up to \$25. CAO Nesbitt indicated that we hold free education classes that we pay a Deputy Sheriff nearly \$30 per hour to instruct. Mr. Lauriciella also inquired about Resolution No. 167 and asked what the County has received from Park Strategies. CAO Nesbitt indicated that Orleans County has received about \$25 million dollars to upgrade our

infrastructure in Orleans County. Legislator DeRoller also stated that Park Strategies helped entertain a meeting at the Department of State concerning the KYS LWRP. They helped us in this and in many other aspects in the timing of getting the right people in the right room at the right time stated Legislator DeRoller.

Legislator Eick moved to add four resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 119-417

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$14,873	Labella Associates	Prof. Serv. for Marshall Rd Bridge Repl.; 1/14/17-2/24/17; Inv #77081
\$11,857	Labella Associates	Prof. Serv. for Culvert Road Bridge Repl.; 1/14/17-2/24/17; Inv #77082

FURTHER 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>
\$4,220	Labella Associates	Prof. Serv. for Millers Rd & E. Shelby Rd Culvert Design; 1/14/17-2/24/17; Inv #77083
\$129,162	Keeler Construction	Stored Materials – Platten Road Culvert Repl.; Pymnt 1

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

RESOLUTION NO. 120-417

APPROVING AGREEMENTS WITH THE VILLAGES FOR SHARED HIGHWAY SERVICES

RESOLVED, that the Legislature approves agreements with the Villages of Albion, Holley, Lyndonville and Medina for the Sharing of Highway Services between the County and the Villages, including but not limited to renting, exchanging, or lending of highway machinery, tools and equipment, borrowing or lending supplies, provision of specific services and maintenance of machinery equipment; agreement effective May 1, 2017 through April 30, 2022.

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

Legislator Eick moved to approve agreements with the Towns for shared highway services; second by Legislator Miller. Chairman Callard noted that we have agreements with all of the towns with the exception of Kendall in this resolution. The following resolution was adopted:

RESOLUTION NO. 121-417

APPROVING AGREEMENTS WITH THE TOWNS FOR SHARED HIGHWAY SERVICES

RESOLVED, that the Legislature approves agreements with the Towns of Albion, Barre, Carlton, Clarendon, Gaines, Murray, Ridgeway, Shelby, and Yates for the Sharing of Highway Services between the County and the Towns, including but not limited to renting, exchanging, or lending of highway machinery, tools and equipment, borrowing or lending supplies, provision of specific services and maintenance of machinery equipment; agreement effective May 1, 2015 through April 30, 2022.

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

RESOLUTION NO. 122-417

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND ORLEANS COUNTY SOIL AND WATER CONVERSATION DISTRICT

RESOLVED, that this Legislature does hereby approve an Intermunicipal agreement with the Highway Department and the Orleans County Soil and Water Conservation District, 446 West Avenue, Albion, New York 14411 for a County-wide shared service agreement to strengthen the formation of the County Wide Drainage Program and reduce the amount of flood and poor drainage areas throughout the County effective March 1, 2017 through March 1, 2022.

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

RESOLUTION NO. 123-417

AUTHORIZING FILLING VACANCY IN THE HIGHWAY DEPARTMENT

WHEREAS, there has been a retirement in the position of Deputy Highway Superintendent; now be it

RESOLVED, that this Legislature authorizes the Highway Superintendent to fill the vacancy created as a result; and be it

FURTHER RESOLVED, that this legislature authorizes the Chief Administrative Officer to negotiate salary up to Grade 10 step 7; and be it

FURTHER RESOLVED, that this legislature authorizes the Chief Administrative Officer to negotiate a level of seniority in recognition of experience up to ten years for the purpose of calculating health and vacation benefits in accordance with the Management Compensation Plan;

FURTHER RESOLVED, that the appointee must maintain residency in Orleans County.

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

RESOLUTION NO. 124-417

AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE ACCOUNT INTO BUILDINGS AND GROUNDS BUDGET

WHEREAS, Resolution No. 247-616 authorized Orleans County to engage in an agreement with Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY, for the purpose of Phase 2 Design for construction of an addition to the County Office Building located at 14016 Route 31 West at a cost not to exceed \$70,000 including Time and Expenses, with such work to be completed and paid from the 2016 Buildings and Grounds Budget account A1620.418- Other Contractual Expenses.

WHEREAS, following fiscal year end 2016 closure billing had not been received and payment had not yet been made; therefore be it

RESOLVED, that this Legislature authorizes the County Treasurer to set up funds from the reserve account into the Buildings and Grounds account as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$70,000
 <u>To:</u>		
A1620.418	Other Contractual Expenses	\$70,000

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

RESOLUTION NO. 125-417

AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE ACCOUNT INTO BUILDINGS AND GROUNDS BUDGET

WHEREAS, Resolution No. 393-1116 authorized Orleans County to engage in an agreement with Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY, for professional services in the Geotechnical and Survey Services for the Administration Building Addition located at 14016 Route 31 West at a cost not to exceed \$13,500, with such work to be completed and paid from the 2016 Buildings and Grounds Budget account A1620.418- Other Contractual Expenses.

WHEREAS, following fiscal year end 2016 closure billing had not been received and payment had not yet been made; therefore be it

RESOLVED, that this Legislature authorizes the County Treasurer to set up funds from the reserve account into the Buildings and Grounds account as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$13,500
<u>To:</u>		
A1620.418	Other Contractual Expenses	\$13,500

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

RESOLUTION NO. 126-417

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

RESOLVED, that this Legislature approves the Appendix X agreement extension between the Orleans County Board of Elections and the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2017 through March 31, 2018 that funds are available to the local board of elections for Contract #C003236 — HAVA Operations Expenses Shoebox Program — original funding amount of \$179,599.49 (Res. No. 160-412); current balance \$104,990.55; and be it

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

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

RESOLUTION NO. 127-417

AUTHORIZING THE CHAIRMAN OF THE ORLEANS COUNTY LEGISLATURE TO SIGN MEMORANDA OF UNDERSTANDING FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT IN THE GLOW WORKFORCE DEVELOPMENT AREA

WHEREAS, the Chief Elected Officials (CEO's) of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act (WIOA) of 2014; and

WHEREAS, the Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create Memoranda of Understanding (MOU) regarding the operation of the local one-stop delivery system, including the roles and responsibilities of all GLOW WIOA system partners; and

WHEREAS, each required WIOA system partner must enter into a GLOW WIOA MOU with the GLOW Workforce Development Board (WDB) and the four County CEOs; and

WHEREAS, the Orleans County Legislature has designated the Orleans County Job Development Agency (OCJDA) as the provider of WIOA Title I Adult, Dislocated Worker, and Youth program services in Orleans County as part of the GLOW WDA system; now be it

RESOLVED, that the Orleans County Legislature does hereby authorize David Callard, Chair of the Orleans County Legislature, to sign the GLOW WIOA MOU as the CEO of Orleans County; and be it

FURTHER RESOLVED, that the GLOW WIOA MOU will be effective July 1, 2017 and will be renewed not less than once every three years, or until such time that the Workforce Innovation and Opportunity Act is repealed.

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

RESOLUTION NO. 128-417

APPROVING AN AGREEMENT BETWEEN OFFICE FOR THE AGING DEPARTMENT AND VNA HOMECARE OPTIONS, LLC

RESOLVED, that this Legislature does hereby authorize the following agreement for the Office For The Aging and VNA Homecare Options, LLC, 1050 W. Genesee Street, Syracuse, NY - OFA

subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2017 to April 30, 2018 to clients needing services, VNA Homecare Options, LLC., will reimburse Orleans County Office for the Aging. The county is approving an agreement for an initial term of one year with up to four additional one year renewals. Revenue source, County cost is \$0.

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

RESOLUTION NO. 129-417

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

ARC of Orleans County, Albion, NY for the provision of Consumer Directed Personal Care Assisted Program; to be effective May 1, 2017 through April 30, 2018 at rates established by the NYS Department of Health. County cost is \$0

Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective May 6, 2017 through May 5, 2018 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

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

RESOLUTION NO. 130-417

AUTHORIZING 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 due to recent retirements and resignations; and be it

RESOLVED, that this Legislature does hereby authorize the filling of a full-time Caseworker position (6010.0228) in the Department of Social Services at Grade 16 of the CSEA Salary schedule effective June 26, 2017.

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

RESOLUTION NO. 131-417

AUTHORIZING TEMPORARY POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature authorizes the creation and filling of a part-time temporary Social Welfare Examiner position (6010.0402) in the Department of Social Services at Grade 13 of the CSEA Salary schedule from April 3, 2017 through August 31, 2017 for implementation of the Home Energy Assistance Program (HEAP) (cooling season) to be reimbursed with 100% federal funds.

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

RESOLUTION NO. 132-417

ESTABLISHING COUNTY INDIGENT BURIAL RATES

WHEREAS, the Department of Social Services, pursuant to Section 141 of the Social Services Law is required to pay for the burial of certain indigent persons (including indigent veterans); and

WHEREAS, the County wishes to establish a specified single rate that will be paid to funeral homes for such services; now be it

RESOLVED, that this Legislature hereby establishes the following indigent burial rate paid by the Department of Social Services and the Veterans Department, for the period June 1, 2017 through December 31, 2017 with modification from previous rates:

Orleans County proposes to pay each Funeral Director in agreement with the County the sum of \$1,850 per service. Friend, relative or other non-legally responsible relatives may supplement the

cost of the above total amount by up to \$1,000.

In accordance with the Orleans County Indigent Burial/Cremation Policy, there will be no additional payments made by Orleans County for any additional services, which exceed the amount of \$1,850, for a Burial or Cremation.

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

RESOLUTION NO. 133-417

APPROVING THE 2017 YOUTH BUREAU RESOURCE ALLOCATION PLAN

WHEREAS, the Orleans County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid from the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines; and

WHEREAS, the Orleans County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county comprehensive youth services planning efforts during 2017 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Orleans County appropriation; and

WHEREAS, guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Orleans County Youth Bureau and the Committee on Economic Assistance and Opportunity does recommend approval at this time; now be it

RESOLVED, that the Orleans County Legislature does hereby authorize the Chairman to execute such documents as are deemed necessary to effect the 2017 Orleans County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

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

RESOLUTION NO. 134-417

APPROVING APPOINTMENT TO ORLEANS COUNTY YOUTH BOARD

WHEREAS, the Orleans County Youth Board does recommend an appointment to said Orleans County Youth Board at this time; now be it

RESOLVED, that this Legislature approves the appointment of Harrison Brown, 1301 Oak Orchard River Rd., Albion, NY 14411 as a new appointment to serve on the Orleans County Youth Board beginning May 1, 2017 through April 30, 2020.

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

RESOLUTION NO. 135-417

AMENDING RESOLUTION NO. 442-1216 BETWEEN MENTAL HEALTH AND AMANDA J. LEWIS, NPP

WHEREAS, Resolution No. 442-1216 approved an agreement between Mental Health and Amanda J. Lewis, NPP; and

WHEREAS, Amanda J. Lewis, NPP is requesting that the above agreement be amended to reflect that she is now working under her PLLC (AJL NP in Psychiatry, PLLC), 56 Beresford Road, Rochester, NY 14610; be it

RESOLVED, that this Legislature authorizes this amendment to this agreement reflecting AJL NP in Psychiatry, PLLC as the contractor, effective April 27, 2017.

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

RESOLUTION NO. 136-417

AUTHORIZING TREASURER TO SET UP FUNDS INTO THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget to pass through money for Suicide Coalition as follows:

<u>Revenue:</u>		
A1625	Misc. Revenue	\$4,500
<u>Appropriation:</u>		
A4310.402	Suicide Prevention Coalition	\$4,500

and be it,

FURTHER RESOLVED, that the County Treasurer is authorized to set up funds from reserve into the Mental Health Department budget to pay for 1st installment of new telephones follows:

<u>From:</u>		
	Miscellaneous Reserve	\$3,084.06
<u>To:</u>		
A4310.421	Telephone	\$3,084.06

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

RESOLUTION NO. 137-417

APPROVING RE-APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the re-appointment of Bonnie Malakie to the Community Services Board, waiver to serve a fourth term to begin May 31, 2017 and ending May 30, 2021.

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

RESOLUTION NO. 138-417

RESCINDING RESOLUTION NO. 98-317 CONCERNING HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature rescinds Resolution No. 98-317 due to a duplicate budget adjustment request to set up new money in the Public Health Budget for grant funds received.

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

RESOLUTION NO. 139-417

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

RESOLVED, that this Legislature does hereby authorize out of state travel by Francisco Meza-Aguero, to attend Environmental Health Training in Emergency Response at the Center for Domestic Preparedness in Anniston, Alabama from May 14, 2017 to May 20, 2017 or at the fall session if class registration fills up. All costs are covered by FEMA. No County Cost; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Shannyn Sanger, Senior Public Health Sanitarian, to attend the National Environmental Health Association Annual Education Conference from July 10, 2017 to July 14, 2017 in Grand Rapids, Michigan. Costs covered by a NEHA Scholarship and State Aid. No County Cost; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel for two Public Health Sanitarians to attend the 2017 Northeast Region Annual Food Protection Seminar in South Burlington, Vermont from August 22, 2017 to August 25, 2017. All costs covered with funds received from the Voluntary National Retail Food Regulatory Program Standards grant program. No County Cost; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Mary Ellen Messmer, Supervising Public Health Nurse, to attend the 2017 Midwest Stream Forum for Agricultural Worker Health in Grand Rapids, Michigan from September 17, 2017-September 20, 2017. All costs covered with NYS Migrant Health Grant funds. No County Cost.

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

RESOLUTION NO. 140-417

AUTHORIZING THE PUBLIC HEALTH DEPARTMENT TO ADD A CELL PHONE TO THE VERIZON ACCOUNT

RESOLVED, that this Legislature does hereby authorize the Orleans County Public Health Department to add a cell phone to the Verizon account, to be paid per month from Early Intervention Budget Account A4059.401 – Cellular Phones

FURTHER RESOLVED, that this Legislature approves the Cellular Phone Use Agreements for the following positions - 4010.34, 4010.35, 4010.39 in the Early Intervention program that will be using this Verizon cell phone.

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

RESOLUTION NO. 141-417

APPROVING AGREEMENT WITH WENDEL FOR UPDATE OF KENDALL YATES CARLTON LOCAL WATERFRONT REVITALIZATION PLAN

WHEREAS, the County, in conjunction with the Towns of Kendall, Yates, and Carlton, desire to update their Local Waterfront Revitalization Plan to continue to achieve community consensus and clear direction for appropriate future development along the Lake Ontario shoreline in Orleans County; and

WHEREAS, the hiring of a consultant to provide professional services to revised said Plan is stipulated in State Contract T1000726 and a Selection Committee has reviewed consultant written proposals, witnessed their presentations, and submitted its recommendation; therefore be it

RESOLVED, that this Legislature approves an agreement between Planning and Development and Wendel, Centerpointe Corporate Park, 375 Essay Rd., Suite 200, Williamsville, NY 14221 in the amount of \$40,000 to update the Kendall-Yates-Carlton Local Waterfront Revitalization Plan.

Move, DeRoller; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to approve the agreement for our Household Hazardous Waste Collection; second by Legislator Allport. Chairman Callard announced that our household hazardous waste collection is scheduled for August 12th and every year this has been a growing effort. The following resolution was adopted:

RESOLUTION NO. 142-417

APPROVING AGREEMENT WITH ENVIRONMENTAL ENTERPRISES, INC. FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION

WHEREAS, this Legislature desires to conduct a Household Hazardous Waste Collection on August 12, 2017 to provide County residents safe and convenient disposal of household hazardous wastes; and

WHEREAS, the County cost is dependent upon the amount of waste collected according to the following formula as identified in the vendor's proposal:

Aerosol Cans	\$.75 per pound
Anti-Freeze	\$.16 per pound
Chemicals (labpacks)	\$1.00 per pound
Corrosive Acids	\$1.00 per pound
Corrosive Bases	\$1.00 per pound
Fluorescent Tubes	\$.75 per pound
Household Cleaners	\$1.00 per pound
Miscellaneous Chemicals	\$1.00 per pound
Oil Base Paints (liquids)	\$.20 per pound
Oil Base Paints & Varnishes (sludges)	\$.19 per pound
Oil Filters	\$.09 per pound
Organic Liquids	\$.19 per pound
Oxidizers	\$1.00 per pound
Pesticides/Insecticides	\$1.05 per pound
Pesticides/Insecticide (dioxin precursors)	\$1.05 per pound
Poisons	\$1.00 per pound
Reactives	\$2.95 per pound
Resins & Adhesives	\$.35 per pound
Waste Oil	\$.09 per pound

RESOLVED, that this Legislature approves an agreement with Environmental Enterprises, Inc, 4650 Spring Grove Road, Cincinnati, Ohio 45232 for the 2017 Orleans County Household Hazardous Waste Collection Program.

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

RESOLUTION NO. 143-417

AWARDING BID AND APPROVING AGREEMENT WITH DELMAR ELECTRICAL CONSTRUCTION CORPORATION FOR ELECTRICAL INFRASTRUCTURE IMPROVEMENTS (SHORE POWER) AT ORLEANS COUNTY MARINE PARK

WHEREAS, Resolution No. 103-317 pre-approved the award for Electrical Infrastructure Improvements (Shore Power) for the alleviation of nuisance tripping of ground fault interrupters to the lowest bidder and held the bid opening on April 12, 2017; now be it

RESOLVED, that this Legislature does hereby award the bid and approves the agreement with Delmar Electric Construction Corporation, 21 Cooper Avenue, Tonawanda, New York 14150 as part of Orleans County Marine Park Boating Access Phase 2 (Contract Number C1000543) at a total bid of \$14,750; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the Chairman of the Legislature, County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 144-417

AUTHORIZING FILLING OF A VACANCY IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT

RESOLVED, that this Legislature, due to a resignation, hereby

authorizes the filling of a vacant full-time Planner position (8020.04) in the Department of Planning and Development at Grade 20 of the CSEA salary schedule effective April 27, 2017.

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

RESOLUTION NO. 145-417

APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

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

NAME	REPRESENTS	EXPIRATION DATE
Chad Arlington 266 North Main Street Lyndonville, NY 14098	V/Lyndonville (Alternate)	12-31-19

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

RESOLUTION NO. 146-417

AUTHORIZING PAYMENT OF TOURISM MATCHING FUNDS TO GREATER NIAGARA REGION

WHEREAS, Resolution No. 366-1016 authorized application for, and receipt of, State I Love New York Matching Funds which, in part, are committed to regional tourism promotion; now be it

RESOLVED, that this Legislature hereby authorizes payment of \$30,574 to the Greater Niagara Region, 8276 Park Road, Batavia, NY 14020, to be paid from Tourism Account 6410.468 - I Love New York Matching Funds, as it becomes available, with said amount to be expended for regional tourism promotion programs which may include the following:

- 4-County Country Byways
- 5-County Greater Niagara Region
- Peace Garden Trail
- Lake Ontario Sportfishing Promotion

- Canal New York Business Alliance
- Haunted History Trail
- Seaway Trail National Scenic Byway
- Cross Border Showcase

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

RESOLUTION NO. 147-417

**APPROVING INTERMUNICIPAL AGREEMENT WITH GENESEE
AND MONROE COUNTIES FOR THE BLACK CREEK WATERSHED
COALITION**

WHEREAS, Resolution No. 99-203 approved an agreement with Genesee and Monroe Counties for the formation of the Black Creek Watershed Coalition; therefore be it

RESOLVED, that this Legislature approves an Intermunicipal Agreement with Genesee and Monroe Counties for the continuation of the Black Creek Watershed Coalition for the purpose of watershed level planning, educating the public, assisting in gathering data and information with respect to water quality and flood prevention within the Black Creek Watershed known as the Black Creek Watershed Management Plan; agreement has no cost involved to the county and is effective beginning April 27, 2017 through April 26, 2020.

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

RESOLUTION NO. 148-417

**APPROVING EXTENSION OF THE DEFERRED COMPENSATION
PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS**

WHEREAS, Resolution #149-411 approved the Renewal of the Deferred Compensation plan with Nationwide Retirement Solutions for a period of five years, with the option to renew for two one-year extensions; and

WHEREAS, the Deferred Compensation Trustee (County Treasurer) desires to extend the existing Agreement currently in place;

adding a Roth 457 option and an Investment Advisors (ProAccount) option for the Administration of the County of Orleans 457 Deferred Compensation Plan, administered by Nationwide Retirement Solutions, for a period of one year commencing May 1, 2017 through May 1, 2018, at no cost to the County; now be it

RESOLVED, that the Chairman of the Legislature, is hereby authorized and directed to sign said one year renewal contract with Nationwide Retirement Solutions.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 149-417

AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE ACCOUNT TO CENTRAL REPAIR ACCOUNT

WHEREAS, funds in the amount of \$26,510 from the 2016 Equipment Repair/Communications Repair Accounts have been reverted to the County's Reserve Account; and

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

RESOLVED, that the County Treasurer is hereby authorized to set up funds from the reserve account in the amount of \$22,442 to Equipment Repair Account A1615.443 – Central Repairs to Office Equipment, and the amount of \$4,068 to Account A1615.453 – Communications Repair Account.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 150-417

APPROVING AGREEMENT WITH PROBATION AND NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

RESOLVED, This Legislature approves an agreement between the Probation Department and the New York State Department of Corrections

and Community Supervision (Parole) to provide an appropriate reporting station at the Orleans County Probation Department located at 13925 State Route 31, Suite 200, Albion New York effective January 1, 2018 through December 31, 2023 at an annual cost of \$9,000, to be paid \$750 per month by New York State Parole.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 151-417

APPROVING PROBATION DIRECTOR TO APPLY FOR STATE AID FROM THE NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES

RESOLVED, that this Legislature approves the Orleans County Probation Director to apply for state reimbursable aid in the amount of \$149,616 effective July 1, 2017 to June 30, 2018 calendar year from the NYS Division of Probation and Correctional Alternatives.

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, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 152-417

AUTHORIZING SHERIFF TO APPLY FOR GOVERNOR'S TRAFFIC SAFETY GRANTS

RESOLVED, that the Sheriff is authorized to apply for the 2018 New York State Governor's Traffic Safety's Child Passenger Safety Incentive Grant (CPS) in the amount of \$7,000 for funding period of October 1, 2017 through September 30, 2018 to support educational activities for child passenger safety programs through initiatives including fitting stations, training and education programs, child passenger safety check events and car seat distribution programs for low-income families; and be it

FURTHER RESOLVED, that the Sheriff is authorized to apply for the 2018 New York State Governor's Traffic Safety's Police Traffic Services Grant (PTS) in the amount of \$10,000 for funding period of October 1, 2017 through September 30, 2018 to provide funding to conduct traffic safety initiatives and enforcement, including participation in the national Click it or Ticket seat belt enforcement mobilization, in an effort to improve motorist behavior and traffic safety within local communities.

Moved DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 153-417

**AUTHORIZING FILLING OF VACANCY IN THE OFFICE OF
SHERIFF/MARINE PATROL**

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time, seasonal Deputy Sheriff -Marine Patrol Officer position (3110.72) in the Marine Patrol Division of the Sheriff's Office at a rate of \$13.68/hour, effective April 27, 2017.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 154-417

**AUTHORIZING FILLING POSITIONS AT THE ORLEANS COUNTY
SHERIFFS OFFICE**

WHEREAS, we have a full time Correctional Officer who is retiring; therefore be it

RESOLVED, that this Legislature authorizes the filling of this full-time vacant Correctional Officer (position 3150.7) effective April, 27, 2017; and therefore be it

FURTHER RESOLVED that this Legislature authorizes the filling of a part-time vacant Correctional Officer effective May 1, 2017.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 155-417

AUTHORIZING CREATION OF A TEMPORARY FULL TIME POSITION AT THE ORLEANS COUNTY SHERIFFS OFFICE/JAIL

WHEREAS, a Corrections Officer employed at the Orleans County Jail is out on a medical leave, and

WHEREAS, to help keep the cost of overtime at a minimum, it is requested that a temporary Correction Officer position be created until such time the full-time employee returns to full duty; now be it

RESOLVED, that this Legislature authorizes the creation of one temporary full-time Correctional Officer position in the Sheriff's Office at Grade 5 of the Orleans County Sheriff's Employees Association salary schedule effective April 27, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this temporary full-time Correctional Officer; and therefore be it

FURTHER RESOLVED, that this temporary position shall be abolished once the aforementioned employee returns to work.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 156-417

APPROVING FEE SCHEDULE FOR THE ORLEANS COUNTY SHERIFF'S OFFICE

BE IT RESOLVED, that this Legislature approves the following fee schedule for civil service processing performed by the Sheriff's Office, effective May 1, 2017:

*All fees for service must be paid in advance.
Fees for service are for each person to be served.
Mileage and notary fees will be added to all services EXCEPT
Income Executions

Notary Fee – per affidavit	\$ 2.00
Mileage Rates per town, based on round trip:	
Town of Albion	\$ 8.00

Town of Barre	\$ 13.00
Town of Carlton	\$ 15.00
Town of Clarendon	\$ 20.00
Town of Gaines	\$ 10.00
Town of Kendall	\$ 22.00
Town of Murray	\$ 18.00
Town of Ridgeway	\$ 21.00
Town of Shelby	\$ 19.00
Town of Yates	\$ 25.00
Income Execution, 1 st and 2 nd stage	\$ 86.00
Property Execution:	
Straight/Demand & Levy	\$ 85.00
Real Property	\$ 55.00
Third Party Tangible Property	\$ 55.00
Third Party Intangible Property	\$ 40.00
Notice of Petition with/without Petition	\$ 57.00
Eviction	
For first tenant, incl Standby Fee	\$ 107.00
For each additional tenant	\$ 32.00
Arrest Order or Warrant	\$ 32.00
Summons and/or Summons & Complaint	\$ 12.00
Subpoena	\$ 12.00
Restraining Notice	\$ 12.00
Order	\$ 32.00
Order to Show Cause	\$ 32.00
Notice of Motion	\$ 32.00
Mandate	\$ 32.00
Surrogate Citation & Will	\$ 42.00
Order of Attachment or Notice of Attachment:	
Personal Property: For Each Levy	\$ 72.00
For Each Additional Defendant	\$ 32.00
Real Property: Notice of Attachment	\$ 80.00
Order of Seizure: For First Defendant	\$ 122.00
For Each Additional Defendant	\$ 57.00

and be it

FURTHER RESOLVED, that the following fees be established for services provided by the Sheriff's Office:

Pistol Permit Applications	\$ 10.00
Incident/Accident Reports-Processing Fee	\$ 3.00
Photos, released by CD only	\$ 40.00

Duplicate Copy of Bail Receipt	\$ 5.00
Copy Fee	\$ 1.00

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 157-417

**AUTHORIZING CREATING AND ABOLISHING POSITIONS IN THE
PUBLIC DEFENDER OFFICE**

WHEREAS, resolution 34-117 approved an agreement between the Public Defender and the NYS Office of Indigent Legal Services (C000734); and

WHEREAS, this resolution provided funds to, among other items, to create a Parole Violation attorney and assistant positions, therefore be it

RESOLVED, that this Legislature approves the creation of the position of Parole Revocation Attorney at the Public Defender's Office, effective May 1, 2017; and be it

FURTHER RESOLVED, that this Legislature approves the creation of the position of Parole Revocation Attorney First Assistant at the Public Defender's Office, effective May 1, 2017; and be it

FURTHER RESOLVED, that this Legislature approves the creation of the two positions of Parole Revocation Attorney Second Assistant at the Public Defender's Office, effective May 1, 2017; and be it

FURTHER RESOLVED, that this Legislature assigns the position of Parole Revocation Attorney to the Third Assistant Public Defender, the position of Parole Revocation Attorney First Assistant to the Parole Denial Appeals Attorney First and the positions of Parole Revocation Attorney Second Assistant to the First Assistant Public Attorney and the Second Assistant Public Attorney; and be it

FURTHER RESOLVED, that this Legislature sets the annual salary, which will be prorated for 2017, of the Parole Revocation Attorney at \$5,684 per year, the Parole Revocation Attorney First Assistant at \$1,949 per year and the Parole Revocation Attorney Second Assistant at \$ 975 per year; and be it

FURTHER RESOLVED, that these newly created positions shall be abolished at the time that the grant ceases to pay for the costs of these positions.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 158-417

**AUTHORIZING DISTRICT ATTORNEY TO AMEND GRANT
AWARD AND APPROVING AGREEMENT WITH NEW YORK
STATE OFFICE OF VICTIM SERVICES**

WHEREAS, the NYS Office of Victim Services is exercising a onetime two-year grant renewal option for current grant awards. A contract renewal requires that existing contracts be amended to extend the end date of the contract and add funding.

WHEREAS, the District Attorney's Crime Victim Assistance Program currently receives grant funding from the NYS Office of Victim Services.

RESOLVED, that the District Attorney is authorized to accept this amended grant award extension for the years 2017-2019 with funding to be used for the Crime Victims Assistance Program in the amount of \$94,848.05 (17-18); \$98,641.97 (18-19), which reflects a 30% increase over two years; and be it

FURTHER RESOLVED, that this Legislature approves the agreement and authorizes the Chairman to execute this agreement extension with the New York State Crime Victims Board, for a term effective October 1, 2017 through September 31, 2019, for the continuation of the Crime Victims Assistance Program.

Moved, DeFilippis; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 159-417

**APPOINTING MEMBERS TO EMERGENCY MEDICAL SERVICES
COUNCIL**

RESOLVED, that this Legislature appoints the following members to the Emergency Medical Services Council, all terms expiring December 31, 2017:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
<u>VOTING MEMBERS:</u>	
Albion Fire Department	Chuck Prentice
Barre Fire Department	Andrew Faskel
Carlton Fire Company	Justin Niederhofer
Clarendon Fire Company	Donald Mosier
East Shelby Fire Department	Michael Fuller
Fancher-Hulberton-Murray Fire Company	Tracey Sicurella
Holley Fire Company	Diane Wood
Kendall Fire Company	<i>(See Resolution No. 245-617)</i>
Lyndonville Fire Company	Tina Woolley
Medina Fire Department	Matthew Jackson
Ridgeway Fire Company	Kristin McAadoo
Shelby Fire Company	John L. Miller II
COVA	Jason Spencer
	Laurie Schwab, Alt.
Orleans County Health Dept	Al Cheverie
Mutual Aid / EMS Coordinator	H. Dale Banker
Medina Memorial Hospital Care Delegate/Adm	McKenzie Smith
Orleans County Sheriff	Randy Bower
Orleans County Dispatch	Allen Turner
<u>NON-VOTING MEMBERS</u>	
Co. Leg /Public Safety Committee	David Callard
	Lynne Johnson
NYS Department of Health	James M. Mihalko

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 160-417

APPOINTING MEMBERS TO FIRE ADVISORY BOARD

RESOLVED, that this Legislature appoints the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2017 with all terms expiring December 31, 2017:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
Albion Fire Department	Jeremy Graham
Barre Fire Department	James Neal
Carlton Fire Company	Dwayne Tinkous
Clarendon Fire Company	Johnathan DeYoung
East Shelby Fire Department	Allen Turner
Fancher-Hulberton-Murray Fire Company	Christopher Chilson
Holley Fire Company	Kevin Dann
Kendall Fire Company	Michael Schultz
Lyndonville Fire Company	Ben Bane
Medina Fire Department	Michael Young
Morton (H-W-M Fire District)	Randy Davis
Ridgeway Fire Company	Donald Marchner
Shelby Fire Company	Andrew Benz

and be it

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

Orleans County Emergency Management	Dale Banker
Orleans #2 Deputy Coordinator	Francis Gaylord
Orleans #3 Deputy Coordinator	Gerald Bentley
Orleans #4 Deputy Coordinator	David J. Hydock
Orleans #5 Fire Investigator	David Clary
Orleans #6 Fire Investigator	Walter Batt
Orleans #7 Fire Investigator	David Knapp
Radio Systems	Kevin Doherty
Legislature Chairman	David Callard
Legislature Vice Chairwoman	Lynne Johnson
Orleans County Sheriff	Randy Bower
Office of Fire Prevention and Control	Kathleen Way

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 161-417

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND APPROVING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 76-217 approved the grant agreement between Emergency Management and Dormitory Authority of the State of New York for the purchase of a Fire Safety Training Trailer (Project ID: #8638); be it

RESOLVED, that this Legislature authorizes the purchase of a 2017 Scotty Fire Safety House from Mobile Concepts Specialty Vehicles, 480 Bessemer Road, Mt. Pleasant, PA 15666, at a cost not to exceed \$73,358.00 and detailing of said trailer by Genesee County Highway Department at a cost not to exceed \$1,642; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up DASNY Grant funds in the Emergency Management Budget as follows:

Revenue

A3306.8638	Emergency Management - DASNY Grant	\$75,000
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Appropriation

3640.486.8638	Special Grant – DASNY Safety Trailer	\$75,000
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Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 162-417

APPROVING EMPLOYMENT AGREEMENT WITH THE CHIEF ADMINISTRATIVE OFFICER

WHEREAS, this Legislature wishes to maintain stable leadership of county government operations; and

WHEREAS, professional management allows county elected officials to focus on the policy issues, empowers them to provide leadership and develop a vision for the community; therefore be it

RESOLVED, that this Legislature approves and authorizes the Chairman to execute a new five year agreement (2017-2022) with Charles H. Nesbitt Jr., to serve as Chief Administrative Officer for the County of Orleans at the current salary for all assigned duties for 2017 and all previous agreements notwithstanding.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 163-417

AUTHORIZING PAYMENT OF CLAIMS FOR MAY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 May 10, 2017:

Fund/Department	Check Number (s):	Amount:
General	8089-8225	\$495,510.42
Highway	933-936; 2269-2297	\$104,438.86
Job Development	2431-2436	\$2,783.94
Self Insurance	1135, 58093-58094; 58147, 58151	\$22,469.02

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 Superintendent of Highways, 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 May 24, 2017:

Fund/Department	Check Number (s):	Amount:
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General	8246-8379	\$318,845.16
Highway	937-942; 2298-2313	\$25,922.50
Job Development	2439-2448	\$21,627.67
Self Insurance	58148-58150; 58198; 58245	\$18,872.08

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

The following add on resolutions were presented for adoption:

Legislator DeFilipps moved to authorize Sheriff Bower to apply for grant funding through the New York State Canal Corporation; second by Legislator Johnson. Sheriff Bower explained that this allows a police presence on the Erie Canal. The grant was written for our boat being an in-kind service. This year's grant is a bit larger because of the Canal's anniversary so they are anticipated more traffic to oversee. The following resolution was adopted:

RESOLUTION NO. 164-417

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

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Canal Corporation in the amount of \$10,000 for the 2017-2018 state fiscal year for the purpose of funding marine patrols on the Erie Canal and Canalway Trail.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to approve a Memorandum of Understanding between the Sheriff's Office and Lyndonville Central School District for a Resource Officer until the end of the school year; seconded by Legislator Johnson. Sheriff Bower stated that Lyndonville School reached out to him to hire a full time Resource Officer in next year's school year. So at this time they are going to place a Resource Officer in their school May through June of this school year to see if this will work and Sheriff Bower also indicated that they will be searching for grant funding to help with this program. Legislator DeFilipps inquired if officer's have additional training. Sheriff Bower indicated that he currently has two trained officers to be School Resource Officers. Chairman Callard asked if there are other

arrangements like this in other school districts. Sheriff Bower indicated that there is not. The following resolution was adopted:

RESOLUTION NO. 165-417

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

RESOLVED, that this Legislature approves a Memorandum of Understanding between the Sheriff's Office and Lyndonville Central School District for the Orleans County Sheriff's Office to provide a properly trained and qualified deputy sheriff for the months of May and June 2017 for the School District to utilized as a School Resource Officer, with Lyndonville School District to reimburse the Orleans County Sheriff's Office the amount of \$8,000 per month for such services.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 166-417

AUTHORIZING CREATING, FILLING, AND ABOLISHING TWO (2) TEMPORARY PART-TIME POSITIONS IN THE JOB DEVELOPMENT AGENCY

WHEREAS, there is an Employment and Training Counselor out on medical leave; not be it

RESOLVED, that this Legislature authorizes the creation of two (2) part-time temporary Employment and Training Program Assistant positions in the Job Development Agency to assist in the planning and coordination of the Orleans County Summer Youth Employment Program at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions in the Job Development Agency effective April 27, 2017; and be it

FURTHER RESOLVED, that these temporary positions will be abolished upon the return to employment of the full time Employment and Training Counselor from medical leave.

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

RESOLUTION NO. 167-417

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC

RESOLVED, that this Legislature approves a renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide Government Affairs Services for Orleans County, in the amount of \$5,000 per month; effective May 1, 2017 through April 30, 2018 to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to enter into executive session at 5:23 p.m. per Open Meetings Law §105 (d and f) to discuss Salary Review Committee's recommendations, pending litigation and employment history of a particular person(s) second by Legislator Allport. Motion Carried.

Legislator Eick moved to exit out of executive session and reconvene the regular meeting at 6:04; second by Legislator DeRoller. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 6:05 p.m.

LEGISLATURE MEETING

May 24, 2017

Vice Chairwoman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag Veteran David Kusmierczak, in place of his invocation, presented what the Poppy represents during Remembrance Day and recited the poem “In Flander’s Field”. The Clerk called the roll and all Legislators were present with the exception Chairman Callard.

The Clerk presented the following communications: Annual Financial Report Update Document for the County of Orleans for the Fiscal Year ending December 31, 2016 has been filed by the Orleans County Treasurer.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through April 2017. Treasurer Heard stated that the In Rem Auction results were excellent. Loss in sale was only \$7,000 compared to the last several years which was much, much more. The monthly financial report looks much better after collecting delinquent taxes from a couple towns. Legislator DeFilipps stated that there was a lot of energy at the auction and the room was packed. Treasurer Heard stated that people came to bid. Attorney Schubel stated he was pleased to see how well the properties went in Albion.

Vice Chairwoman Johnson called for open discussion as it related to the resolutions.

Legislator DeRoller stated that there is a resolution on the agenda for Plan 2014. He stated that NORA has been aligned for many years on this issue and has continued to speak up about this. Plan 2014 has changed the rules of the game relative to the lake levels Legislator DeRoller explained that this resolution today is asking for some aggressive actions of our President of the United States to re-appoint different commissioners to this board.

Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 168-517

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>
\$45,369.50	Keeler Construction	Construction Platten Road Culverts – Pymnt 2 – 4/18/17-5/12/17

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 169-517

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT
AND VANTAGE EQUIPMENT**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Vantage Equipment, 5985 Court Street Road, Syracuse, New York 13206 for a Roller Rental for the months June, July and August 2017 at \$3,600 a month; and be it

FURTHER RESOLVED, there will be a partial reimbursement through the Consolidated Highway Improvement funds and town payments.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 170-517 (RESCINDED –Res No. 210-617)

**AUTHORIZING AND APPROVING AN AGREEMENT WITH NYS
DEPARTMENT OF TRANSPORTATION FOR A “BRIDGE NY”
LOCAL PROJECT**

WHEREAS, a “Project” for the Replacement of South Holley Road culvert over Unknown Branch of Sandy Creek in the Town of Clarendon is eligible for funding under title 23 U.S. code, as amended, that calls for the 100% of the costs reimbursed through the BRIDGE NY Program; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the costs of Preliminary Engineering

and Design, ROW Incidentals and Acquisitions, Construction and/or Construction Supervision and Inspection; and be it

RESOLVED, that the Orleans County Legislature hereby approves the above subject project and authorizes the County of Orleans to pay in the first instance 100% of the Preliminary Engineering and Design, ROW Incidentals and Acquisitions, Construction and/or Construction Supervision and Inspection costs thereof; and be it

FURTHER RESOLVED, that the sum of \$630,000.00 is hereby appropriated from the Orleans County Legislature and made available to cover the cost of participation in the above Project with a contract end date of February 6, 2022; and be it

FURTHER RESOLVED, that in the event the full BRIDGE NY state funded project exceeds the amount appropriated above, the Orleans County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for BRIDGE NY Funds on behalf of the Orleans County Legislature with NYSDOT 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 be it

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 be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 171-517

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE MARCHISELLI PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a “Project” start package for the Bridge Preventative Maintenance of Four locations in Orleans County in the Towns of Carlton, PIN 4OR0.00.121, BINS: 3319030, 3319020, 3319040, and 3319050 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary “Engineering” and “Design” and ROW Incidentals; and be it

RESOLVED, that the Orleans County Legislature, hereby approves the above subject project; and be it

FURTHER RESOLVED, that the Orleans County Legislature hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary “Engineering”, and “Design” and ROW Incidentals for the Project or portions thereof; and be it

FURTHER RESOLVED, that the sum of \$77,000.00 is hereby appropriated from the Orleans County Legislature and made available to cover the cost of participation in the above phase of the Project with a contract end date of March 21, 2027; and be it

FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Orleans County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid

and/or Marchiselli Aid on behalf of the Orleans County Legislature with NYSDOT 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 be it

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 be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 172-517

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT
AND MONROE TRACTOR**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Monroe Tractor, 1001 Lehigh Station Road, Henrietta, NY 14467 for a rental agreement for a 2015 mini excavator for the months of May, June and July 2017 at \$1,785/mo.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 173-517

AUTHORIZING REPAIR SERVICE FROM THE HIGHWAY BUDGET

RESOLVED, that this Legislature approves a service repair bill from George and Swede, 7155 Big Tree Road, Pavilion, NY 14525 for the repair of the 2007 Link-Belt Excavator at a total cost not to exceed \$25,000 to be paid from the Highway Budget account #DM5130.444.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 174-517

APPROVING AGREEMENT BETWEEN BUILDINGS AND
GROUNDS AND GERSTER TRANE

RESOLVED, that this Legislature approves an agreement between Buildings and Grounds Department and Gerster Trane, 45 Earnhart Dr., #103, Amherst NY 14221 to provide scheduled maintenance to the County's chillers and boilers effective May 1, 2017 through April 30, 2020 for \$5,500, in which it is to be reviewed prior to expiration date for renewal.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 175-517

APPROVING THE WORK SITES AGREEMENT FOR THE ORLEANS
COUNTY WORK EXPERIENCE PROGRAM

RESOLVED, that this Legislature approves the Work Sites agreement developed by the Orleans County Job Development Agency to engage Orleans County worksites to participate in the Orleans County Work Experience Program related to the Youth Employment Program and/or Work Experience opportunities for adults and dislocated workers in accordance with program policies and guidelines with no exchange of funds and no associated budget impacts for a term ending April 30, 2018.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 176-517

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR THE
AGING BY DESIGN GRANT

WHEREAS, Aging by Design is a multiyear program to improve the health of older adults. Design Thinking is an approach to problem solving that begins with the people you're designing for and ends with new solutions that are tailor made to suit their needs. Aging by Design will create an environment in which older adults, informal caregivers, and

community-based providers work together to apply principles of design thinking to develop, test and implement effective interventions, processes or programs that can address triggers of decline among older adults; now, be it

RESOLVED, that this Legislature authorizes Orleans County Office for the Aging to apply for the Aging by Design grant in the amount of up to \$25,000 from the Health Foundation of Western and Central NY, 726 Exchange Street, Buffalo, NY 14210, from October 1, 2017 to March 31, 2018 at no county cost.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 177-517

AUTHORIZING ABOLISHING, CREATING AND FILLING POSITIONS IN OFFICE FOR THE AGING

WHEREAS, a full time Housekeeper Aide plans to retire effective June 27, 2017, now be it

RESOLVED, that this Legislature authorizes the abolishing of the Full-time Housekeeper position (6772.21) in the Office for the Aging; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a Part- time Housekeeper Aide position at grade 2 of the CSEA Salary Schedule, and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position effective June 19, 2017.

Moved Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 178-517

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agency:

Berkshire Farm Center, Canaan, NY for the provision of residential foster care services; to be effective July 1, 2017 through June 30, 2018 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2017 through June 30, 2018 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.

New Directions Youth and Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2017 through June 30, 2018 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 179-517

APPROVING AGREEMENTS BETWEEN ORLEANS COUNTY AND DEXMEDIA

RESOLVED, that this Legislature approves the agreement between the County of Orleans and DexMedia to provide advertised phone listing of the Orleans County switchboard line in the Albion phone book; to be effective July 2017 through August 2018 at a cost of \$526.50. Contract #13016649645855897000ABO207/2017. County cost \$162.11; and be it

FURTHER RESOLVED, that this Legislature also approves the agreement between the County of Orleans and DexMedia to provide advertised phone listing of the Orleans County switchboard line in the Lockport phone book; to be effective October 2017 through November 2018 at a cost of \$305.50. Contract #13016649645855897000LOK210/2017. County cost \$94.06.

Moved, Miller; second, Eick
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 180-517

**AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF
SOCIAL SERVICES**

RESOLVED, as a result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0402) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective May 25, 2017.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 181-517

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH
DEPARTMENT AND DEXMEDIA**

RESOLVED, that this Legislature approves an agreement between Mental Health and DexMedia, 1615 Bluff City Hwy, Bristol, TN 37620, to provide Yellow Pages advertising in the Medina Yellow pages at a cost of \$923 for the thirteen-month period of July 2017 through August 2018. County cost is \$64.61; and be it

FURTHER RESOLVED, that this Legislature approves an additional agreement between Mental Health and DexMedia, 1615 Bluff City Hwy, Bristol, TN 37620, to provide Yellow Pages advertising in the Albion Yellow pages at a cost of \$916.50 for the thirteen-month period of October 2017 through November 2018. County cost is \$64.16.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 182-517

**AUTHORIZING THE CREATION AND FILLING OF POSITION IN
THE MENTAL HEALTH DEPARTMENT**

RESOLVED, that this Legislature authorizes the creation of a Clinic Therapist position in the Mental Health Department at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created position, effective May 25, 2017.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 183-517

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Intermunicipal Agreement between Orleans and Monroe Counties at 39 West Main Street Rochester, NY 14614 to provide a Tuberculosis Control Program with consulting pulmonary and critical care physicians and certified infection control practices; for providing comprehensive medical and nursing/case management consultative services under the statutory jurisdiction of the Department of Public Health. A flat fee of \$4,714 is paid for electronic record access, VNP services, IT consultants and continuing Ed. Telemedicine access, and ongoing clinical support. A fee of \$200 an hour for physician consults, and \$500 an hour for RN consults, effective January 1, 2017 through December 31, 2017 with contract cost up to \$20,000.

New York State Department of Health, Corning Tower, Empire State Plaza, Albany, NY 12237 to identify and evaluate as early as possible those infants and toddlers whose healthy development are compromised and provide appropriate intervention to improve child and family development. These administrative funds are provided to offset costs incurred in the implementation of the Early Intervention Program, exclusive of due process costs. The contract period is from October 1, 2016 through September 30, 2021. Reimbursement is \$29,955 per year for a total contract term cost of 149,775.

New York State Department of Health, Corning Tower, Empire State Plaza, Albany, NY 12237 for the implementation of a rabies plan that will protect the residents of the county from contracting rabies. The contract

also allows for reimbursement of actual expenses for certain activities related to rabies prevention, suppression and control. This grant covers two years April 1, 2017 through March 31, 2019 with reimbursement at \$16,349 per year, \$32,698 total grant reimbursement.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 184-517

AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH DIRECTOR

WHEREAS, the Legislature approved an agreement between Orleans County Health Department and Kansas Health Institute (KHI) for participation in a Shared Services Learning Community program administered by The Center which is funded by the Robert Wood Johnson Foundation; now be it

RESOLVED, that this Legislature does hereby approve Paul Pettit, Public Health Director, to travel as part of this agreement to the 2017 National Meeting in Kansas City, Missouri, September 6, 2017 – September 8, 2017. All expenses covered by the Kansas Health Institute. No County Cost.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 185-517

ACCEPTING BID AND AUTHORIZING PURCHASE FROM HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature does hereby authorize the Health Department to accept bid and purchase a 2017 Ford Fusion from Orleans Ford, 1405 S. Main St., Medina for the purchase amount of \$18,611 to be purchased from Health Department account 4010.270-Capital Plan Equipment. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 186-517

AUTHORIZING TRANSFER OF FUNDS IN THE PLANNING AND DEVELOPMENT BUDGET

RESOLVED, that this Legislature authorizes a transfer of funds within the Planning and Development budget to lease replacement desktop computer, update office equipment, and to fund grant application for preparation of an Erie Canal Local Waterfront Revitalization Plan, as follows:

From:

A8020.100 Personal Services \$2,581

To:

A8020.222 Equipment Lease \$ 191
A8020.411 Office Supplies and Materials \$ 890
A8020.418 Other Contractual \$1,500

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 187-517

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2017; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

Mortgage Tax Apportionment
October 1, 2016 through March 31, 2017

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	217,421,263	434,842,526	118,559,880	27.27%	54,577.02	14,880.43	39,696.59
Barre	97,995,266				6,820.31		6,820.31

Carlton	204,910,413				13,730.61		13,730.61
Clarendon	160,421,773				16,889.54		16,889.54
Gaines	125,144,736	250,289,472	23,215,047	9.28%	7,172.02	665.22	6,506.80
Kendall	156,445,691				16,126.20		16,126.20
Murray	180,983,038	361,966,076	53,218,231	14.70%	13,097.93	1,925.73	11,172.20
Ridgeway	220,568,369	441,136,738	90,924,668	20.61%	20,584.95	4,242.86	16,342.09
Shelby	182,697,365	365,394,730	73,404,147	20.09%	54,579.90	10,964.56	43,615.34
Yates	152,513,838	305,027,676	29,039,266	9.52%	23,438.73	2,231.42	21,207.31
Total	1,652,760,623				227,017.21	34,910.22	192,106.99

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 188-517

AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL MASTER LEASE

WHEREAS, this Legislature approved a Dell Master Lease # 810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 41 desktop computers to be added to the Dell Master Lease as # 810-6457612-009 throughout the County effective June 1, 2017 through May 31, 2021, payable in four (4) annual payments of \$5,467.70 with a \$1 buyout option at the end; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 189-517

APPROVING AGREEMENT BETWEEN TIME WARNER CABLE BUSINESS CLASS AND COMPUTER SERVICES

WHEREAS, this Legislature approved an agreement between Time Warner Cable Business Class and Computer Services, Resolution

203-612, for a 10X10 megabit per second Internet connection at 13925 Route 31 (Public Safety Building) for county operations; and

WHEREAS, this Legislature approved an amendment to that resolution to increase the bandwidth of the circuit to 20X20 megabits per second in 2016 (classified as Internet DIA-direct internet access); and

WHEREAS, the Internet traffic of the Orleans County network has greatly increased in capacity on both the county internet and the guest internet associated with ancillary software's and processes; now be it

RESOLVED, that the Orleans County Legislature authorizes the increase of that circuit to 100X100 (classified as Internet DIA-direct internet access), with the partial monthly payments in 2017 being paid by the Computer Services Department budget (A1680.418) and full annual payments be equalized in cost for Internet services across all departments and computers at a cost of \$10,260, a 9.3% increase in cost of our current internet access. Term of the contract shall be effective June 20, 2017 through June 30, 2021, which is the current term of contract.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 190-517

**AUTHORIZING THE PURCHASE OF SOFTWARE FROM THE
COMPUTER SERVICES BUDGET**

RESOLVED, that this Legislature approves the purchase of Kaspersky antivirus and antispyware software license renewal for a three-year protection program from Layer Three Technologies, 1645 Lyell Avenue, Suite # 200, Rochester, NY 14606, for all Orleans County computers, at a cost of \$6,450 to be paid from Computer Services account A1680.270 – Capital Projects.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 191-517

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 April 26, 2017; therefore 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 May 28, 2017 - Supervising Community Mental Health Nurse, Grade 22, Step 8 of the CSEA salary schedule.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeFilipps moved to approve the Sale of the County-Owned Property, which the auction took place earlier today; seconded by Legislator Allport. Vice Chairwoman Johnson expressed that results from today's auction must be the best we have had in years; both Treasurer Heard and CAO Nesbitt indicated the best we have had in the last ten to twelve years. The following resolution was adopted.

RESOLUTION NO. 192-517

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 May 24, 2017; 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
May 24, 2017

		Sold To:	Amount:
ALBION – VILLAGE			
62.18-2-8	Slick, Angel	William Wittman	\$20,000
PC – 210	221 North Main St; .12 acres (53.00 x 99.37)	14030 Alb-Egl Harbor Rd	
1	Land - 7,400 Total - 72,500	Albion, NY 14411	
62.20-2-58	Clark Tommie Clark Debra	Amy Mayes	\$12,000
PC - 210	611 Moore St; 70.12 x 165.00	256 Caroline St	
2	Land – 8,700 Total - 34,600	Albion, NY 14411	
73.5-2-58	Youngs Rowena G	Robert D. Gibbs, Jr.	\$5,000
PC - 210	347 West State St; 66.00 x 262.57	115 Brown St	
3	Land Total – 11,400 Total - 65,200	Albion, NY 14411	
73.6-2-38	Martino Nicholas Martino Sonya	Robert D. Gibbs, Jr.	\$20,500
PC - 210	20 West State St; 74.25 x 66.00	115 Brown St	
4	Land - 7,200 Total - 20,000	Albion, NY 14411	
73.6-5-56	Babcock Clara	Thomas Kennedy	\$1,500
PC - 312	Reynolds St; 58.00 x 138.00	252 E. Park	
5	Land - 3,700 Total – 5,600	Albion, NY 14411	
73.6-5-59	Dubois Susan	Jeanine R. Baron	\$9,000
PC - 210	117 Reynolds St; 58.00 x 144.00	222 West Park St	
6	Land - 7,500 Total - 43,700	Albion, NY 14411	
73.9-2-10	Vanderlaan Richard	William Wittman	\$17,000
PC - 220	124 Washington St; 57.75 x 79.00	14030 Alb-Egl Harbor Rd	
7	Land - 5,600 Total - 50,000	Albion, NY 14411	
73.11-1-50.1	Vanderlaan Richard	Christopher Kinter	\$29,000
PC – 431	327 East Ave; 1.6 acres	3844 Allens Bridge Rd	
8	Land – 23,800 Total – 77,300	Albion, NY 14411	
73.13-2-27	Laubacher Sarah L(n/k/a Allen Britney M)	Jorge Rivera, Jr	\$13,000
PC – 210	349 West Academy St; 132.00 X 290.16 (.88 acres)	41 N. Clinton St	
9	Land - \$17,100 Total - 40,600	Albion, NY 1441	

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83.1-36	Henderson Vera	Lloyd Bronner	6,000
PC – 311	3924 Gaines Basin Rd; 1.00 acres	P O Box 606	
13	Land Total - 12,000	Peekskill, NY 10566	
BARRE			
93.-1-15	Plummer Rose M (n/k/a Plummer Estate Rose M)	Whitney Keppler	\$77,500
PC – 210	13359 West Lee Rd; 4.00 acres	11329 Slade Rd	
14	Land – 22,300 Total - 100,000	Medina, NY 14103	
93.-1-41	Deskins Robert E Deskins Ann	James Mays	\$4,000
PC – 210	4492 Eagle Harbor Rd; 200.00 x 138.00	302 E. State St	
15	Land – 14, 000; Total - 17,000	Albion, NY 14411	
116.-1-33.2	Nersinger Nicki A	Michael S. Cliff	\$7,500
PC - 270	13905 Root Rd; 1.50 acres	2058 Eagle Harbor Rd	
17	Land - 17,100 Total - 38,500	Waterport, NY 14571	
CARLTON			
5.49-2-23	County of Orleans (formerly McGee Loretta J)	David J. Coyle Jr	\$2,000
PC - 311	Shoreham St; 35.00 x 75.00	352 Mallory Rd	
19	Land Total - 2,100	Chemung, NY 14825	
5.49-2-24	County of Orleans (formerly McGee Loretta J)	David J. Coyle Jr	\$1,500
PC - 311	Shoreham St; 35.00 x 75.00	352 Mallory Rd	
20	Land Total - 2,100	Chemung, NY 14825	
5.49-2-47.1	Marando Frank	James Shoemaker	\$4,300
PC – 311	Hillsdale St; 140.00 X 75.00 (.24 acres)	919 Brookside St	
21	Land – 5,800	Waterport, NY 14571	
18.3-1-4	Daniels Patricia	Darren S. Roberts	\$2,750
PC – 314	Roosevelt Hwy; 1.20 acres	15021 Baker Rd	
23	Land Total – 2,000	Kent, NY 14477	
18.3-1-18	Casarez Jamie P Flitcroft Daniel P	Robert Broda	\$12,000
PC - 210	Whittier, Geoffrey	1543 Oak Orchard Rd	
24	1540 Oak Orchard Rd; 115.00 X 132.00 (.35 acres)	Waterport, NY 14571	
	Land – 7,200 Total - 45,300		
CLARENDON			
87.-3-64	Cona Stephen C Cona Antonia R	Matthew Cannuli	\$400
PC – 311	Powerline Rd; .57 acres	6 Wallingford Rise	
26	Land Total – 700	Fairport, NY 14450	
108.-2-23	Whittier Geoff & Joan (n/k/a Smith Renee A)	Taylor Whittier	\$30,000
PC – 210	4925 Upper Holley Rd; 150.00 X 167.00	30 Lyndun Drive Ext	
27	Land – 11,900 total – 71,000	Albion, NY 14411	
GAINES			
60.-1-32.2	Pritt Stephen L Pritt Vernia	James F. Clark	\$18,000
PC – 210	3154 Eagle Harbor Waterport Rd; 3.90 acres	2661 Hindsburg Rd	
28	Land – 15,900 Total - 27,700	Albion, NY 14411	
60.-1-65	Pritt Vernia Lemcke Vernon	James F. Clark	\$22,000
PC - 314	Eagle Harbor Waterport Rd; 8.00 acres	2661 Hindsburg Rd	
29	Land Total – 11,800	Albion, NY 14411	
63.-1-4	County of Orleans (formerly OKeen Karen)	Robert Vendetti	\$3,000
PC - 210	15129 Zig Zag Rd; .93 acres	2959 Fancher Rd	

30	Land – 10,700 Total – 27,000	Albion, NY 14411	
KENDALL			
31-2-59.112	York Randy C	Gabriella Watson	\$6,000
PC – 314	Petersmith Rd; 7.42 acres	226 East Ave	
31	Land Total – 15,500	Albion, NY 14411	
MURRAY – VILLAGE			
32.20-1-54	Turpyn Laurie	William McNulty	\$19,000
PC – 210	2086 Orchard Dr; .46 acres (100.00 x 200.00)	14819 W Brighton Cliff	
32	Land- 9,100 Total – 70,100	Kent, NY 14477	
MURRAY – VILLAGE			
88.21-1-31	LIVECCHI JAMES A MARCELLO RAFFAELE	April Wollard	\$5,000
PC - 481	89 Public Sq; 40.75 x 204.60	1631 Rock Springs Rd #328	
35	Land - 13,000 Total - 65,000	Orlando, FL 32712	
MURRAY – VILLAGE			
88.21-1-50	RODRIGUEZ SALVADOR JR LAVENDAR LISA L	April Wollard	\$400
PC - 210	23 Thomas St; 66.58 x 98.00	1631 Rock Springs Rd #328	
36	Land - 9,000 Total - 71,900	Orlando, FL 32712	
MURRAY			
54.-1-9.3	Brooks Matthew	Densley Richard	\$500
PC – 323	Kendall Rd; 150.00 x 117.00	1805 Crandall Ave	
38	Land Total – 600	Kendall, NY 14476	
MURRAY			
54.4-1-23.1	Kirk John M	Ann Demmer	\$5,500
PC - 270	16655 Ridge Road; 230.29 x 145.00	16703 Ridge Rd Lot #3	
40	Land – 10,000 Total – 32,500	Holley, NY 14470	
MURRAY			
64.-2-70.1	Snyder Roger S	Robert Vendetti	\$25,000
PC – 210	16162 Canal Rd; 2.40 acres (390.50 x 235.00)	2959 Fancher Rd	
41	Land – 12,500 Total - 99,900	Albion, NY 14411	
RIDGEWAY-VILLAGE			
80.9-1-26.1	SEED AMERICA PROPERTY	Densley Richard	\$11,000
PC - 449	525 East Ave; 3.80 acres	1805 Crandall Ave	
43	Land - 25,600 Total - 80,400	Kendall, NY 14476	
RIDGEWAY-VILLAGE			
80.9-1-39	Cardone Joseph	Orleans Real Property LLC	\$700
PC – 311	519-523 Church St; 66.00 x 161.00	12334 Ridge Rd	
44	Land Total – 7,300	Medina, NY 14103	
RIDGEWAY-VILLAGE			
80.45-1-13	Holloman Walsh	Michael J. Wnek	\$900
PC - 311	123 Starr St; 34.60 x 98.00	60 Miami Pkwy	
45	Land Total - 2,400	Buffalo, NY 14225	
RIDGEWAY			
48.-1-2	Johnson Barbara A	Neil Samborski	\$7,500
PC - 240	2460 Oak Orchard River Rd; 6.10 acres	2372 Oak Orchard Rvr Rd	
47	Land – 16,700 Total - 31,300	Medina, NY 14103	
RIDGEWAY			
56.3-1-14	Lovely Maria L	Whitney Keppler	\$9,500
PC – 210	10286 Ridge Rd; 81.00 x 150.00	11329 Slade Rd	
48	Land – 7,100 Total - 61,900	Medina, NY 14103	
RIDGEWAY			
56.3-1-15	Kenward Maynard T Lovely Maria L	Whitney Keppler	\$11,000
PC - 210	10282 Ridge Rd; 70.00 x 148.50	11329 Slade Rd	
49	Land – 6,100 Total - 46,400	Medina, NY 14103	
RIDGEWAY			
69.-1-35	County of Orleans (formerly Maisano Frank&	Jodie Cook	\$8,000

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	Barbara)		
PC - 210	3680 Horan Rd; 57.40 x 157.00	71 West Ave #82	
50	Land - 5,500 Total - 54,100	Brockport, NY 14420	
69.-1-45.2	Bennett Emma M Maisano Barbara A	Gary G. Williams	\$4,000
PC - 270	(now Malcomb Gary Maisano Barbara A)	11446 Portage Rd	
51	11436 Portage Rd; 150.00 x 250.00	Medina, NY 14103	
	Land - 11,600 Total - 21,300		
69.-2-32	Young Mei Liu Chiu Sing	Michael J. Wnek	\$500
PC - 314	Telegraph Rd; 140.30 x 228.25	60 Miami Pkwy	
52	Land Total - 5,600	Buffalo, NY 14225	
SHELBY - VILLAGE			
80.9-3-88	Kelly Alice O'Brien Margaret Kelly	Elliot R. Parfitt	\$600
PC - 311	Orient St; 2.70 acres	11320 Slade Rd	
53	Land Total- 2,700	Medina, NY 14103	
80.13-2-46.1	Judd Cynthia	Mohammed Osman	\$5,500
PC - 210	1215 South Main St; 50.60 x 123.70	159 Wakefield Ave	
54	Land - 7,100 Total - 59,400	Buffalo, NY 14214	
80.13-2-65	Fearby Matthew J Fearby Karie A	Brian B. Plueckhahn	\$9,750
PC - 210	915 Church St; 66.00 x 132.00	328 W. State St	
55	Land - 5,400 Total - 46,700	Albion, NY 14411	
80.13-3-20	Minervino Jeanette Minervino Anania	Brian B. Plueckhahn	\$14,000
PC - 210	1025 Elm St; 40.26 x 173.00	328 W. State St	
56	Land - 6,500 Total - 38,600	Albion, NY 14411	
SHELBY			
81.3-1-47	Cooke Trevor	Michael Nellist	\$11,000
PC - 210	12280 Maple Ride Rd; 107.25 x 297.00	511 Park Ave, Apt 2	
57	Land - 8,900 Total - 74,700	Medina, NY 14103	
90.16-2-11	White Edwin R White Barbara A	Bilal M. Huzair	\$27,000
PC - 210	11312 Main St; 137.00 x 187.00	1500 Fuller Rd	
58	Land - 7,600 Total - 76,300	Waterport, NY 14571	
100.-1-1.111	County of Orleans (formerly Boyer William C)	Lorena F. Cox	\$7,000
PC - 270	4591 County Line Rd; 2.00 acres	2652 Oregon Rd	
60	Land - 11,200 Total - 30,400	Lyndonville, NY 14098	
YATES - VILLAGE			
24.12-1-9	Annecharico Theresa L Searls Beverly & Clayton	Brandon Pisano	\$9,500
PC - 210	82 West Ave; 66.00 x 173.25	13615 Ridge Rd	
62	Land - 9,600 Total - 33,200	Albion, NY 14411	
YATES			
3.-1-43	Sietmann John W Sietmann Jean M	Terry Nellist	\$8,000
PC - 270	11498 Lake Shore Rd; 157.00 x 219.25	160 Eagle St	
63	Land - \$10,100 Total - 37,000	Lyndonville, NY 14098	
26.-1-45	Dennis Robert V Sr Dennis Tina B	Deborah Hill	\$22,500
PC - 210	1776 Goodwin Rd; 9.7 acres	1750 Goodwin Rd	
65	Land - 23,800 Total - 86,300	Lyndonville, NY 14098	
TOTAL:			\$547,300

Moved, DeFilipps; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 193-517

APPROVING PROBATION TO CONTINUE PARTICIPATION THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION (ATI) FUNDING

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to continue in the participation in the grant opportunity in the amount of \$5,381 from the NYS Division of Criminal Justice Services for the Article 13-A Classification Alternatives to Incarceration ATI award for the delivery of Pre-Trial Services with grant period effective July 1, 2017 through June 30, 2018. This year's grant was cut by \$150 from the '16-'17 allocation; and be it

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

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 194-517

APPROVING MEMORANDUM OF UNDERSTANDING FOR THE FINGER LAKES NEW YORK INTEROPERABILITY COMMUNICATIONS CONSORTIUM

WHEREAS, Orleans County Legislative Resolution No. 300-911 authorized participation in the Finger Lakes Region of New York Interoperability Communications Consortium (FLRNYICC) Plan which included emergency service agencies operating within and between the eleven counties of the Finger Lakes Region of New York State, including Allegany, Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming and Yates; and

WHEREAS, this multi-county agreement is intended to coordinate the planning, implementation, and operation of a public safety high speed digital network to support interoperable emergency communication and

ensure security, dependability and operational priority among Public Safety Answering Point databases; now be it

RESOLVED, that this Legislature authorizes the Chairman to sign the Memorandum of Understanding for the creation of the Finger Lakes New York Interoperable Communications Consortium (FLRNYICC), and authorizes Orleans County to participate as a member of this Consortium effective June 1, 2012 through the withdrawal by all Counties involved.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 195-517

AUTHORIZING ACCEPTANCE AND EXECUTION OF GRANT AGREEMENT, SETTING UP NEW MONEY IN SHERIFF'S OFFICE BUDGET AND AUTHORIZING PURCHASE

WHEREAS, Resolution No. 462-1216, authorized the Sheriff's Office to apply for grant funding through the NYS Division of Criminal Justice Services' (DCJS) Police Protective Equipment Program Grant, for the purpose of obtaining personal protective gear for officers of the Orleans County Sheriff's Office; now be it

RESOLVED, that this Legislature approves the grant and authorizes execution of the grant agreement (PP16-1238-D00) between the New York State Division of Criminal Justice Services and the Sheriff's Office in the amount of \$11,648, for period January 1, 2017 through December 31, 2017, for the purchase of protective gear for officers; and be it

FURTHER RESOLVED, that the Orleans County Treasurer is hereby authorized to set up new money in the Sheriff's Office budget for acceptance of this grant, as follows:

<u>Revenue:</u>		
A3032	Sheriff Initiative Grant	\$11,648
<u>Appropriation:</u>		
A3110.486	Special Grants	\$11,648

and be it

FURTHER RESOLVED, that this Legislature approves the purchase of protective helmets and patrol rifles from United Uniform Distribution, LLC, 495 North French Road, Buffalo, NY, to be paid from Sheriff's budget line 3110.486 – Special Grants.

Moved, DeFilippis; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 196-517

AUTHORIZING THE SHERIFF'S OFFICE TO CONTINUE WITH THE ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING APPOINTMENTS TO THE ALTERNATIVES TO INCARCERATION BOARD, AND APPROVING THE CONTINUED APPLICATION FOR GRANT FUNDING FOR THIS PROGRAM

RESOLVED, that this Legislature authorizes the Sheriff's Office to continue with the Alternatives to Incarceration Program and also authorizes its continued application to NYS Division of Criminal Justice Services (DCJS) for grant funding available for Article 13-A Classification Alternatives to Incarceration (ATI) Program, at a reimbursable cost to the county of \$5,381, effective for the grant period July 1, 2017 through June 30, 2018; and be it

FURTHER RESOLVED, that upon approval by NYS DCJS, the Chairman is hereby authorized to execute grant agreement CL-17-1032-D00, Contract #523944, and all related documents associated with this grant; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the county's Alternatives to Incarceration Board, term expiring June 30, 2018.

<u>NAME</u>	<u>REPRESENTATION</u>
David B. Callard	Chairman, County Legislature
To be named	County & Supreme Court Judge
Joseph Cardone	District Attorney
Sanford Church	Public Defender
Dawn Keppler	Magistrates
Lucille A. Taylor-Welch	Probation Director
Charles Nesbitt, Jr.	Chief Administrative Officer
Randall Bower	County Sheriff

John DeFilipps	County Legislator/Public Safety Committee Chairman
Lynne Johnson	County Legislator/Public Safety Committee Co-Chair
Mike Mele	Chief Deputy/ATI Coordinator
Mark O'Brien	Director of Mental Health
Kathy Hodgins	GCASA

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 197-517

**AUTHORIZING CREATION AND FILLING OF POSITIONS IN THE
SHERIFF'S OFFICE**

RESOLVED, that this Legislature does hereby authorize the creation of two (2) part-time Deputy Sheriff Marine Patrol positions in the Sheriff's Office at an hourly rate of 13.68; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created, vacant positions, effective May 25, 2017.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 198-517

**REQUESTING THE ENACTMENT OF A SPECIAL LAW
AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS
TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN
ADDITIONAL 1% SALES AND COMPENSATING USE TAX**

WHEREAS, the enactment of a special law amending the tax law in relation to extending the expiration of the provisions authorizing the County of Orleans to impose an additional 1% sales and compensating use tax is in the best interests of the County of Orleans; be it

RESOLVED, that pursuant to Article IX of the Constitution, the County of Orleans requests the enactment of Senate Bill S.5657, sponsored by Senator Ortt, and Assembly Bill A.7468, sponsored by Assemblyman Hawley entitled "An Act to amend the tax law in relation to

extending the expiration of the provisions authorizing the County of Orleans to impose an additional one percent sales and compensating use tax”; said bills to extend the sales tax increase through November 30, 2019.

Moved, Eick; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 199-517

AUTHORIZING EXECUTION OF OUTSIDE USER ARRANGEMENT WITH THE TOWN OF ALBION SEWER DISTRICT NO. 1

WHEREAS, the County of Orleans is the owner of a sewer lateral which serves the County Administration Building and the building housing the Villages Nursing Home and Rehabilitation facility, and

WHEREAS, the County of Orleans is now desirous of connecting its sewer lateral to the sanitary sewer line on NYS Route 31W owned and maintained by the Town of Albion Sewer District No. 1, now therefore be it

RESOLVED that the Terms and Conditions of the Outside User Arrangement with the Town of Albion Sewer District No. 1 are hereby approved and execution of an outside user agreement is hereby authorized.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeRoller moved a resolution requesting President Trump to immediately appoint new Commissioners to the International Joint Commission and said Commissioners to enact policies rescinding the IJC’s “PLAN 2014” Lake Level Management Scheme. Legislator DeRoller further paraphrased the key parts of this action and recited the resolves of this resolution. Legislator Allport requested a unanimous second and Vice Chairwoman stated she will call for a roll call vote. First, she explained that the International Joint Commission was a treaty of six individuals, three US citizens and three Canadian citizens, who were appointed by the President to oversee the levels of Lake Ontario. The prior plan, BV7, worked for us for a very long time. The IJC, under the lake counties disapproval, pushed forward Plan 2014 which was to “raise our highest highs and lower our lowest lows”, explained Vice

Chairwoman Johnson. The recommendation was voted on by the three Canadians on the treaty because they specifically laid out the statement “as long as you don’t harm us, we will approve Plan 2014”. So it came into voting time with the three US commissioners, who many of our federal, state and local representatives have met with several times expressing the objection to the plan and expressed how it would hurt us, came in on the eleventh hour of the Obama administration and passed it. Legislator Johnson stated that in early December before Plan 2014 was passed, she explained there was strategic levels that should have been taken care of under BV7 while this plan was still intact which would have lowered the lake levels ahead of this. But, knowing that the Obama administration was going to approve Plan 2014, these lake levels were not lowered. The International Joint Commission failed us, expressed Vice Chairwoman Johnson. They failed all the counties along the Lake Ontario border and this is why this resolution has been done steadily along the lake. Again, tomorrow we have another State of Emergency issued with flood warnings. She said this is one of those “We told you so” situations. Vice Chairwoman Johnson called for a roll call vote and the following resolution was adopted:

RESOLUTION NO. 200-517

REQUESTING PRESIDENT TRUMP TO IMMEDIATELY APPOINT NEW COMMISSIONERS TO THE INTERNATIONAL JOINT COMMISSION AND SAID COMMISSIONERS TO ENACT POLICIES RESCINDING THE IJC’S ‘PLAN 2014’ LAKE LEVEL MANAGEMENT SCHEME

WHEREAS Orleans County has, on multiple occasions, expressed its opposition to the International Joint Commission’s imposition of Plan 2014, most notably through the passage of Resolution No. 163-415/IL-061-15, “Expressing the Opposition of the Orleans County Legislature to the IJC Plan 2014 & Supporting the Efforts of U.S. Representative Chris Collins to Block Enactment of the Same,” 286-813/IL-041-13, “Request to the International Joint Commission to Reject the Proposed Plan 2014 in its Entirety,” and 268-714/IL-035-14, “Niagara-Orleans Regional Alliance (NORA) Requests Governor Andrew M. Cuomo to Veto the International Joint Commission's Plan 2014 for Controlling the Levels of Lake Ontario Should the US Department of State Recommend It ,” and

WHEREAS said resolutions clearly warned “qualified observers with expertise in civil engineering have indicated Plan 2014 will have a

devastating impact on the communities along the Lake's southern shoreline" and "Plan 2014 will increase the frequency of raising and lowering the water levels in Lake Ontario and the fluctuations in water levels will result in increased erosion damage to the shoreline, including the properties of businesses and homeowners," and

WHEREAS said resolutions noted "the effects of Plan 2014 span six counties in Upstate New York and would cause damage to land assessed at nearly \$4 billion", and

WHEREAS said resolutions also warned "the IJC working group stated the proposed lake levels are going to reduce recreational boating/sport fishing benefits by 25%, resulting in a devastating negative impact on those economics in Niagara County which is estimated at \$30 million per year, and in Orleans County which is estimated \$12 million per year, thus an area-wide loss of revenue of over \$10.5 million annually," and

WHEREAS in 2013 This Legislature did warn that the goal of Plan 2014 was to enrich St. Lawrence River hydropower producers at the much greater expense of South Shore property owners, noting, "[Plan 2014] greatly decreases protections that exist in the current plan, replacing them with a plan that results in the transfer of prosperity from Orleans County along with other Lake Ontario communities to Hydropower (NYPA and others) who will realize a benefit of approximately \$5.3 million per year on average," and

WHEREAS due to drastically higher water levels in Lake Ontario, the Counties of Niagara and Orleans did, on April 20 of this year, the first year of implementation of Plan 2014, declare States of Emergency due to a high probability of flooding in lakeshore communities in addition to large-scale lakeshore erosion impacting the integrity of banks and presenting hazards to both individuals on land and boaters, and

WHEREAS various lakeshore communities did, on April 12 and 13, issue 500-foot "no wake zone" orders, forbidding boat traffic closer than 500 feet from shore except for the purpose of docking, and

WHEREAS the Corps of Engineers has refused to release Lake Ontario water into the St. Lawrence River at an accelerated pace, which could relieve flooding concerns, due to rules set in Plan 2014, and

WHEREAS the implementation of Plan 2014 has proven an absolute disaster for our communities, now, therefore, be it

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the remaining U.S. Commissioners and all three Canadian Commissioners of the IJC to resign, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon President Trump to demand said resignations or fire the U.S. Commissioners immediately, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the United States Congress to conduct investigative hearings into the IJC's culpability in a manmade disaster on a financial scale comparable with the contamination of the Flint, Michigan, water supply, and that has placed lives in immediate danger, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon President Trump to replace said failed U.S. Commissioners with representatives who will appropriately weigh protecting property owners' rights and property values with environmental considerations, and with such experience in civil engineering and other appropriate fields as to be qualified to make determinations about lake levels, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the International Joint Commission to immediately suspend Plan 2014 and reimplement previous regulatory rules, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the Corps of Engineers to take immediate steps to release water from Lake Ontario, and be it further

RESOLVED, that the County of Orleans shall forward copies of this resolution to President Trump; Secretary of State Rex Tillerson; U.S. Rep. Chris Collins; U.S. Senator Charles E. Schumer; U.S. Senator Kirsten E. Gillibrand; International Joint Commission Chair Lana Pollock; Commissioner Rich Moy; Commission Chair Gordon Walker; Commissioner Benoit Bouchard; Commissioner Richard A. Morgan; and all others deemed necessary and proper.

Moved, DeRoller; second, Unanimous.
Roll call vote called by Vice Chairwoman Johnson:
6 ayes: Allport, DeFilipps, DeRoller, Eick, Johnson and Miller; 0 nays; 1
absent, Callard.
Adopted.

RESOLUTION NO. 201-517

**AUTHORIZING PAYMENT OF CLAIMS FOR JUNE AGAINST THE
COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 June 14, 2017:

Fund/Department	Check Number (s):	Amount:
General	8391-8582	\$276,259.67
Highway	943-963; 2314-2345	\$1,266,936.63
Job Development	2454-2465	\$5,359.83
Self Insurance	58199, 58241-58242; 58244, 1136	\$44,341.29

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 Superintendent of Highways, 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 June 28, 2017:

Fund/Department	Check Number (s):	Amount:
General	8593-8729	\$446,395.46
Highway	964-972; 2346-2355	\$91,742.45
Job Development	2467-2471	\$11,711.25

Self Insurance	58243, 1137	\$981.14
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Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 202-517

AMENDING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC

WHEREAS, Resolution No. 167-417 renewed an agreement between Orleans County and Park Strategies, LLC to provide Government Affairs Services to commence May 1, 2017; now be it

RESOLVED, that this Legislature approves the renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide Government Affairs Services for Orleans County, in the amount of \$5,000 per month; effective June 1, 2017 through May 31, 2018 to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 203-517

AUTHORIZING OUT OF STATE TRAVEL FOR JOB DEVELOPMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Kelly Kiebala, to attend Association of Leadership Programs National Conference in Phoenix, Arizona from June 22, 2017 to June 25, 2017 to be paid from account Job Development Account 6293.418- Special Grant Fund.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

RESOLUTION NO. 204-517

**AUTHORIZING CREATION AND FILLING OF POSITION IN THE
SHERIFF'S OFFICE**

RESOLVED, that this Legislature authorizes the creation of a full-time Deputy Sheriff position at grade 1 of the Orleans County Deputy Sheriff's Association contract (OCDSA); and be it

FURTHER RESOLVED, that this Legislature does hereby authorize filling this newly created vacant position, subject to the final approval of the Chief Administrative Officer, effective May 25, 2017.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Vice Chairwoman reopened the floor for public comment. Legislator DeRoller requested EMO Director Dale Banker to update the Board on the current lake levels. Director Banker stated it is day thirty-five of the State of Emergency. A second thirty-day order has been signed and he said unfortunately he suspects it will continue on. The towns of Carlton, Kendall and Yates have also extended their State of Emergency orders. To date, about 135,000 sand bags have been made by New York State Correctional inmates, Orleans County Jail inmates, National Guard and volunteers. Another press release from Governor Cuomo indicated that a mobile command unit will be at the Marine Park again this Saturday from 10 a.m. to 8 p.m. There was a mix up yesterday where the command post did not get moved from Oswego County to our county, but State of Emergency Office and DEC personnel were there. Director Banker recognized Jerry Gray and Orleans County Highway crews for making numerous trips to the Chili sand stock pile and picked up all of the sand bags. It is going to be a long haul and towns continue to shovel sand into those bags to keep our homeowners supplied to protect their properties. Legislator DeRoller also announced that the EMO office continues to collect and receive photographs, documenting the devastation our area is seeing. Director Banker stated that Pat Eick, Secretary in the Emergency Management Office, has a large database of photos and phone calls documenting this situation.

May 24, 2017
Resolutions 168-204

CAO Nesbitt announced that Mark O'Brien, Director of Orleans County Mental Health, received the Constance Miller Award from the Mental Health Association of Genesee & Orleans. The award is to recognize an individual or organization who demonstrates a commitment to excellence pertinent to the delivery and/or advocacy of quality community based Mental Health services within or outside Genesee/Orleans Counties. Director O'Brien was applauded for his efforts.

Legislator Eick moved to enter into executive session at 5:00 p.m. per Open Meetings Law §105 (f) to discuss the employment of a particular person(s); second by Legislator Allport. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:19 p.m.; second by Legislator DeFilipps. Motion Carried.

With no further business, Legislator DeRoller moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:20 p.m.

LEGISLATURE MEETING

June 28, 2017

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Jack Welch, Director of Personnel and Self Insurance has provided notice that the New York State Civil Service Commission took action on one resolution amending the appendices of the Orleans County Civil Service Rules to include adding the job title of Health Assistant (in all districts where found) to Appendix B – Non-Competitive Class – School Service.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through May 2017 and the Treasurer reported that the report speaks for itself and we stand well with cash on hand.

Legislator Eick reported on the ground breaking for the New Bus garage for the RGRTA here in Orleans County. Everyone is excited about it and construction begins on a 13,000 square foot facility on July 10th. Chairman Callard added that it is a \$4 million dollar construction project that consists of eight bays for six buses and three bays for maintenance, washing and drying. Chairman Callard stated that services will be enhanced by adding additional bus routes from north to south seeing we have been going east to west. Routes will also be added to Batavia and Brockport, which will then help with connections to further locations. These services will be critical in providing transportation to make our county grow. CAO Nesbitt stated that Orleans County services their vehicles and we will also be servicing our vehicles in this facility which will help each other in sharing tools and equipment. It will also make it more efficient by moving our mechanics into one facility.

Chairman Callard announced that Legislators DeFilipps and Johnson were in Washington to request federal funds to help with our lakefront devastation. Legislator Johnson stated it is always better to travel with other counties and sit at the same table and meet with people that represent us. They sat with Congressmen Collins and Katko representing the devastation our lake front property owners are facing. Also, Dale Banker, our EMO Director was on the phone giving up to date information. Legislator Johnson stated that a ballpark figure of \$11 million is what our lake owners have lost. Governor Cuomo, by letter, must request that a

major disaster declaration be declared by the President of the United States. Both FEMA and Army Corp of Engineers are all ready to step in but must await the request by our Governor. The Lakeshore Counties will be signing a letter and forwarding to the Governor to ask for this disaster declaration. Chairman Callard advised that both the Senate and Assembly passed bills to offer \$90 million for assistance which has also been held up by the Governor because of nuances in the bills and is in argumentation with the Federal government. Chairman Callard felt due to political reasons, help is being held up. We need to be equal partners and fight for our rural county needs.

Legislator DeFilipps stated that in applications for funding, money is set aside for larger municipalities and then for rural, smaller communities, which we would have available to us. He said that there are important time lines for FEMA that the Governor needs to adhere to so that the qualification for this major disaster declaration moves forward.

Legislator Eick stated that our Emergency Management Office should be thanked greatly for all of the work they have put into this disaster. EMO Director added it has been a long sixty days. Chairman Callard said he has not heard of any criticisms and they have done a wonderful job working through this unknown territory.

Legislator DeRoller reported on the Annual Dinner of the GLOW Workforce Development. He reported on hiring a new executive director and the long projected process in restructuring. He said they are staying together in the process of restructuring and making sure they bring the right skill sets to the table to help deliver retraining and the ability to filling jobs in our region. Chairman Callard stated that we need to offer the education opportunities to meet our specific needs in our job offerings in our County.

Legislator DeRoller also announced that the Orleans County 4-H Fair will be held July 24th through the 29th and encouraged all to attend.

Chairman Callard called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired as to where the bridge is located on Monroe Orleans Countyline Road as referenced in Resolution No. 208. Highway Superintendent Gray indicated it is the bridge just north of the golf course in the Town of Murray.

Legislator Eick moved to add seven resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 205-617

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>
\$186,148.79	Keeler Construction	Construction Platten Road Culverts – Pymnt 3 – 5/13/17-6/18/2017

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

RESOLUTION NO. 206-617

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS OF A FEDERAL-AID AND/OR STATE-AID TRANSPORTATION PROJECT, AND APPROPRIATING FUNDS

WHEREAS, Sponsor will design, let and construct the “BRIDGE NY PROJECT”; and

WHEREAS, a Project for the Replacement of Portage Road Bridge over Fish Creek in the Town of Ridgeway, PIN # 4BNY.10 (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 Legislature of Orleans County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Replacement of Portage Road Bridge over Fish Creek; and be it

RESOLVED, that the Orleans County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Orleans County Legislature hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of the Replacement of Portage Road Bridge or portions thereof; and it is further

RESOLVED, that the Orleans County Legislature hereby agrees that the County of Orleans shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans; and it is further

RESOLVED, that the sum of \$165,000.00 is hereby appropriated from Orleans County and made available to cover the cost of Preliminary “Engineering” and “ROW Incidentals” in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification from the New York State Department of Transportation thereof, and it is further

RESOLVED, that Orleans County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and it is further

RESOLVED, that the Chairman of the Legislature of the County of Orleans be and is hereby authorized to execute all necessary Agreements, Certification or reimbursement requests for Federal Aid and/or State-aid on behalf of the County of Orleans with the NYS 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 Commission of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 207-617

**AWARDING AND APPROVING AGREEMENT WITH THE
HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Professional Services for Preliminary Engineering and ROW Incidentals for the Replacement of Portage Road Bridge over Fish Creek in the Town of Ridgeway. Bin #3318910, Contract #D035537, Pin 4BNY.101; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$169,400 and is 95% reimbursable through the "Bridge NY" Funding; county cost \$8,470 to be paid out of the Bridge Capital Projects account D5120.470.2279; 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, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 208-617

**AUTHORIZING AND APPROVING AN AGREEMENT WITH
ORLEANS COUNTY AND THE NYS DEPARTMENT OF
TRANSPORTATION FOR A BRIDGE NY LOCALLY
ADMINISTERED PROJECT**

Authorizing the implementation, and funding in the first instance

100% of the Federal-aid and State-aid eligible costs, of a federal-aid and/or state-aid transportation project, and appropriating funds therefore.

Whereas, Sponsor will design, let and construct the “project”.

WHEREAS, a Project for the Monroe-Orleans County Line Road Bridge over East Branch of Sandy Creek P.I.N. 4BNY.11(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 County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Monroe-Orleans County Line Road Bridge over East Branch of Sandy Creek.

NOW, THEREFORE, the 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 in the first instance 100% of the federal and non-federal share of the cost of Monroe-Orleans County Line Road Bridge over East Branch of Sandy Creek work for the Project or portions thereof; and it is further

RESOLVED, that the Orleans County Legislative BOARD hereby agrees that the County of Orleans shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans.

RESOLVED, that the sum of \$165,000.00 is hereby appropriated from Orleans County [or, appropriated pursuant to Orleans County] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department

of Transportation thereof, and it is further

RESOLVED, that Orleans County hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

RESOLVED, that the Chairman of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State-Aid on behalf of the County of Orleans 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, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 209-617

**AWARDING AND APPROVING AGREEMENT WITH THE
HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Professional Services for Preliminary Engineering and ROW Incidentals for the Replacement of Monroe-Orleans County Line Bridge over East Branch of Sandy Creek in the Town of Murray. Bin #3319420, Contract #D035538, Pin 4BNY.11; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$174,100 and is 95% reimbursable through the "Bridge NY" Funding; county cost

\$8,705.00 to be paid out of the Bridge Capital Projects account D5120.470.2279; 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, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 210-617

RESCINDING RESOLUTION NO. 170-517 REGARDING BRIDGE NY PROGRAM FOR REPLACEMENT OF SOUTH HOLLEY ROAD CULVERT

RESOLVED, that this Legislature rescinds Resolution No. 170-517 adopted on May 25, 2017 due to the wording was not acceptable by the State and will be replaced by Resolution No. 211-617.

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

RESOLUTION NO. 211-617

AUTHORIZING AND APPROVING AN AGREEMENT WITH ORLEANS COUNTY AND THE NYS DEPARTMENT OF TRANSPORTATION FOR A BRIDGE NY LOCALLY ADMINISTERED PROJECT

Authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State-aid eligible costs, of a federal-aid and/or state-aid transportation project, and appropriating funds therefore.

WHEREAS, Sponsor will design, let and construct the “project”.

WHEREAS, a Project for the South Holley Road Culvert over Unknown Branch of Sandy Creek P.I.N. 4BNY17 (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 100% Federal funds and 0% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of South Holley Road Culvert over Unknown Branch of Sandy Creek.

NOW, THEREFORE, the 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 in the first instance 100% of the federal and non-federal share of the cost of South Holley Road Culvert over Unknown Branch of Sandy Creek work for the Project or portions thereof; and it is further

RESOLVED, that the Orleans County Legislative BOARD hereby agrees that the County of Orleans shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans.

RESOLVED, that the sum of \$630,000.00 is hereby appropriated from Orleans County [or, appropriated pursuant to Orleans County] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof, and it is further

RESOLVED, that Orleans County hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

RESOLVED, that the Chairman of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State-Aid on behalf of the County of Orleans 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, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 212-617

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND ERDMAN ANTHONY**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Erdman Anthony, 145 Culver Road, Suite 200, Rochester, New York 14620 to perform Professional Services for the design and construction phase of the South Holley Road Culvert over Unknown Branch of Sandy Creek in the Town of Ridgeway.

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$209,610.00 and is 100% reimbursable through the state through Bridge NY Funding; county cost \$0.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 213-617

**AWARDING AND APPROVING AGREEMENT WITH KEELER
CONSTRUCTION FOR CULVERT ROAD BRIDGE OVER FISH
CREEK**

WHEREAS, after the bid opening held on May 16, 2017, the Legislature accepts and awards the lowest bidder and approves an

agreement with Keeler Construction, 13519 West Lee Road, Albion, New York 14411, for the Replacement of Culvert Road Bridge over Fish Creek in the Town of Ridgeway, Bin #3318900 at a bid cost of \$466,030.70 to be paid out of the Capital Infrastructure Project account #H5120.250; and be it

FURTHER RESOLVED, that this Legislature authorizes to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the Chairman of the Legislature, County Attorney and Chief Administrative Officer approval.

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

RESOLUTION NO. 214-617

AWARDING AND APPROVING AGREEMENT WITH KEELER CONSTRUCTION FOR MARSHALL ROAD BRIDGE OVER JOHNSON CREEK

WHEREAS, after the bid opening held on May 16, 2017, the Legislature accepts and awards the lowest bidder and approves an agreement with Keeler Construction, 13519 West Lee Road, Albion, New York 14411, for the Replacement of Marshall Road Bridge over Johnson Creek in the Town of Yates, Bin #3318840 at a bid cost of \$947,335.60 to be paid out of the Capital Infrastructure Project account #H5120.250; and be it

FURTHER RESOLVED, that this Legislature authorizes to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the Chairman of the Legislature, County Attorney and Chief Administrative Officer approval.

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

RESOLUTION NO. 215-617

AUTHORIZING JOINT SERVICE AGREEMENT AND GROUND LEASE WITH ROCHESTER-GENESEE REGIONAL

TRANSPORTATION AUTHORITY ON BEHALF OF ITS
OPERATING SUBSIDIARY, ORLEANS TRANSIT SERVICE, INC.,
D/B/A RTS ORLEANS

WHEREAS, the County of Orleans (hereinafter the “County”) and the Rochester-Genesee Regional Transportation Authority, a New York Public benefit corporation, on behalf of its operating subsidiary, Orleans Transit Service, Inc., d/b/a RTS Orleans, (collectively the “Authority”) continue to share the mutual goal of providing Orleans County residents with dependable and efficient public transportation; and

WHEREAS, the Authority, through its operating subsidiary, RTS Orleans, provides public transportation services within Orleans County; and

WHEREAS, the Authority is authorized by Section 1299-hh (1) of the New York Public Authorities Law (the “Public Authorities Law”) to enter into joint services agreements as defined in Section 1299-bb of the Public Authorities Law; and

WHEREAS, the Authority maintains the same service requirements as outlined, amended and ratified in a previous Joint Service Agreement between the County and the Authority dated June 9, 2003, as amended, and the Parties intend that their obligations regarding the operations of RTS Orleans shall remain the same except as specified in a new Joint Service Agreement and Ground Lease; and

WHEREAS, the County owns real property at 225 West Academy Street, Albion, New York (the “County Property”) and the Authority desires to lease a portion (the “Leased Portion”) of the County Property for the purpose of designing, constructing and using an operational facility for RTS Orleans (“the RTS Operational Facility”); and

WHEREAS, the Authority and the County both are desirous of entering into a new Joint Service Agreement and a Ground Lease regarding the Authority’s operations in Orleans County, including the design, construction and use of the RTS Operational Facility; and

WHEREAS, the Authority and the County intend that the new Joint Service Agreement and the Ground Lease shall supersede all previous agreements between the parties regarding the Authority’s operation at 225 West Academy Street; now therefore be it

RESOLVED that a new Joint Service Agreement and a Ground Lease with the Rochester-Genesee Regional Transportation Authority be and the same hereby are approved and execution of same is authorized.

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

RESOLUTION NO. 216-617

AUTHORIZING REIMBURSEMENT TO HIGHWAY EMPLOYEES FOR CELL PHONE USAGE

RESOLVED, that this Legislature authorizes payment from the Highway Department's budget, respectively, to the Highway Superintendent, Deputy Highway Superintendent, and (2) two Lead Motor Equipment Operators as a partial reimbursement for cell phone charges, incurred in conducting daily business and for being accessible for emergency situations on a 24-hour basis, in the amount of \$50.00 per month effective July 1, 2017.

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

RESOLUTION NO. 217-617

AUTHORIZING EXECUTION OF OUTSIDE USER ARRANGEMENT WITH THE TOWN OF ALBION SEWER DISTRICT NO. 1

WHEREAS, the County of Orleans is the owner of a sewer lateral which serves the Veterans Service Agency and Mental Health, and

WHEREAS, the County of Orleans is now desirous of connecting its sewer lateral to the sanitary sewer line on NYS Route 31W owned and maintained by the Town of Albion Sewer District No. 1, now therefore be it

RESOLVED that the Terms and Conditions of the Outside User Arrangement with the Town of Albion Sewer District No. 1 are hereby approved and execution of an outside user agreement is hereby authorized.

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

Legislator Eick moved to pay Sergi Construction for emergency sewer repairs; second by Legislator Miller. CAO Nesbitt stated as a point of order that these will be broken up to two sections. One section services the Public Safety Building and another section that services our Campus and the Nursing Home. We share both of these: we hold an agreement with the Stacey's who will pay 50% of the development of this and the other one is held through our reciprocal easement agreement with our Nursing Home based on a square footage basis which then apportions it as 35% ours and 65% the Nursing Home. The bill will be paid by us and the Treasurer will anticipate revenue as described above. The following resolution was adopted:

RESOLUTION NO. 218-617

**AUTHORIZING PAYMENT FOR EMERGENCY SEWER REPAIRS
AT PUBLIC SAFETY AND COUNTY OFFICE BUILDINGS**

RESOLVED, that this Legislature approves an emergency payment to Sergi Construction, Inc, 775 Jewett Holmwood Road, East Aurora, NY 14052 for emergency sewer repairs for the Public Safety Building and County Office Building at a cost of \$42,841.50 to be paid from Buildings and Grounds Account 1620.403.

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

RESOLUTION NO. 219-617

**AMENDING RESOLUTION NO. 203-517 REGARDING OUT OF
STATE TRAVEL FOR JOB DEVELOPMENT EMPLOYEE**

RESOLVED, that this Legislature does hereby amend Resolution No. 203-517 to add additional travel dates for out of state travel for Kelly Kiebala, to attend the Association of Leadership Programs National Conference in Phoenix, Arizona from June 21, 2017 to June 26, 2017 to be paid from account Job Development Account 6293.418- Special Grant Fund.

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

RESOLUTION NO. 220-617

MODIFYING RESOLUTION NO. 177-517 TO AUTHORIZE CREATING AND FILLING POSITIONS IN OFFICE FOR THE AGING

WHEREAS, RESOLUTION No 177-517 approved creating and filling a part time Housekeeper Aide due to a retirement effective June 27, 2017; now be it

RESOLVED, to help continue services to older adults without interruption, it is requested that a temporary Housekeeper Aide position be created until such time the part-time position is filled; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a Temporary Part- time Housekeeper Aide at grade 2 of the CSEA Salary Schedule, effective June 29, 2017.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Miller moved to approve the fee schedule for the Office for the Aging; second by Legislator Eick. Legislator DeRoller invited Melissa Blanar, Director of the Office for the Aging to explain the fee schedule. Mrs. Blanar explained that they offer Personal Emergency Response System Units. She expressed that technology has changed and many do not have home phones anymore so there are units that connect to cellular towers in our area. There are a lot more options offered at this time. They have basic units that go to the land line phone, a fall detection button that will call in should a person not be able to. There are so many features that can build off the basic machine. There is also a medication reminder and also a tracker should someone fall family can locate the person. Mrs. Blanar stated that we have about 250 people using this service now. The following resolution was adopted:

RESOLUTION NO. 221-617

APPROVING FEE SCHEDULE FOR THE ORLEANS COUNTY OFFICE FOR THE AGING

RESOLVED, that this Legislature approves the following fee schedule for Personal Emergency Response System Units(PERS) provided by the Office for the Aging, effective May 1, 2017:

Product	Description	Cost
HomeSafe	Basic Machine-Connected to Landline Phone	\$30/month, \$20 install \$5/month additional button \$110-replacement button
HomeSafe w/ AutoAlert Button	Basic Machine-Connected to Landline Phone with a fall detection button	\$40/month, \$20/install \$10/month additional button \$120-replacement button
Homesafe Wireless	Homesafe Machine-No landline needed Connected to Cell Tower	\$35/month, \$25 install \$110-replacement button
Homesafe Wireless w/ Auto Alert Button	Homesafe Machine-No landline needed Connected to Cell Tower, with a fall detection button	\$45/month, \$25 install \$10/month additional button \$120-replacement button
Homesafe Wireless w/ Go Safe Button	Homesafe Machine-No landline needed Connected to Cell Tower, with a GoSafe button	\$45/month, \$25 install \$15/month additional button \$149-replacement button
Medminder	Medication dispenser-connected to cellular connectivity No PRN dosing, No landline phone, More mobile lifestyle	\$50/month, \$30 install \$275-lost, stolen, or damaged
PMD	Medication dispenser-landline phone, Up to 20 pills, 6x a day PRN dosing	\$50/month, \$30 install \$600-lost, stolen, or damaged

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

RESOLUTION NO. 222-617

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

Orleans County Job Development Agency, Albion, NY for funding of summer employment for TANF eligible youth, ages 16-21; to be effective June 1, 2017 through September 30, 2017 at a cost of \$73,785. County cost \$0.

Orleans County Office for the Aging, Albion, NY for the provision of outreach activities for Low Income Home Energy Assistance Program (HEAP) recipients; to be effective August 28, 2017 through August 27, 2018 at a cost of \$17,500. County cost is \$0.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 223-617

APPROVING ADDENDA TO AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

WHEREAS, this Legislature previously approved renewal agreements between the Orleans County Department of Social Services and the agencies hereinafter set forth for the provision of residential foster care services at per diem rates established by the State, maximum cost not to exceed \$165,000, with the County cost to be at a percentage determined by both the program category and the financial eligibility of each child so placed, and

WHEREAS, it now appears that the cost of such residential foster care services at all or nearby all of the agencies will exceed the maximum threshold amount, and

WHEREAS, it is necessary for the County Department of Social Services to enter into an addendum for each renewal agreement, such

addendum to provide for a maximum threshold cost of \$500,000, now therefore be it

RESOLVED that this Legislature hereby authorizes and approves addenda to the renewal agreements with the following named agencies each containing an upward modification in the threshold amount of \$500,000:

- Baker Victory Services, 780 Ridge Road Lackawanna, NY 14218
- Berkshire Farm Center, 13640 State Route 22, Canaan, NY 12029
- Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, NY 13901
- Elmcrest, 960 Salt Springs Road, Syracuse, NY 13224
- Gateway-Longview, 10 Symphony Circle, Buffalo, NY 14201
- Gustavus Adolphus G&GS, 200 Gustavus Avenue, Jamestown, NY 14701
- Hillside Children's Center, 1183 Monroe Avenue, Rochester, NY 14620
- Kids Peace National Centers of North America, 4085 Independence Drive, Schnecksville, PA 18078
- New Directions Youth and Family Services, 356 Main Street, Randolph, NY 14772
- Snell Farm Children's Center, 7320 Snell Hill Road, Bath, NY 14810
- Villa of Hope Youth and Family Services, 3300 Dewey Avenue, Rochester, NY 14616-3795
- The William George Agency, 380 Freeville Road, Freeville, NY 13068

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 224-617

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 operations of County business due to recent retirements, resignations and reorganizations; now be it

RESOLVED, that this Legislature does hereby authorize filling a full time Caseworker position (6010.0226) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective July 3, 2017;

and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Sr. Keyboard Specialist position (6010.0205) upon the position being vacated; and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Youth Care Worker position (6010.0231) effective immediately; and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Account Clerk Typist (6010.1602) position effective June 30, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Account Clerk position at Grade 9 of the CSEA Salary Schedule effective June 30, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a part-time Youth Care Worker position at Grade 8 of the CSEA Salary Schedule effective June 29, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Social Services Program Assistant position at Grade 13 of the CSEA Salary Schedule effective July 2, 2017.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 225-617

AMENDING RESOLUTION NO. 388-1116 BETWEEN MENTAL HEALTH AND DOCUTRAC, INC.

WHEREAS, Resolution No. 388-1116 approved an Agreement between Mental Health and DocuTrac, Inc. providing software support maintenance and support for the QuicDoc Enterprise Edition, which is computer software utilized for the client electronic health record at a cost of \$53,717; and

WHEREAS, DocuTrac, Inc. has lowered its pricing for the QuicDoc Enterprise Edition by \$7,064; be it

RESOLVED, that this Legislature authorizes the decrease of \$7,064 to this agreement, now totaling \$46,653. County cost is lowered to \$3,266.

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

RESOLUTION NO. 226-617

AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for the purchase of vehicles as follows:

<u>Revenue:</u>		
A1625	Misc. Revenue	\$82,293
 <u>Appropriation:</u>		
A4310.270	Capital Equipment	\$82,293

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

RESOLUTION NO. 227-617

AUTHORIZING FILLING VACANCY IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of a vacant Public Health Sanitarian (4010.04) in the Public Health Department at Grade 18, of the CSEA Salary Schedule effective June 29, 2017.

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

Legislator DeRoller moved to set date of Public Hearing for additions to our Agricultural District; second by Legislator Allport. Legislator DeRoller explained that this is the time to add your land into the district

when we do this annual review. To take land out of the district is only during an eight year review. The following resolution was adopted:

RESOLUTION NO. 228-617

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

RESOLVED, that a public hearing will be held by this Legislature to consider requests for inclusion of additional agricultural lands in certified County Agricultural District on the 26th day of July at 4:20 PM at the Legislative Chambers, 3 South Main Street, Albion, New York; and be it

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

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

RESOLUTION NO. 229-617

**APPROVING AGREEMENT WITH LYNNE MENZ DESIGNS FOR
DESIGN SERVICES FOR THE I LOVE NY MATCHING FUNDS
PROGRAM & SOFTWARE REIMBURSEMENT**

RESOLVED, that this Legislature hereby approves an Independent Agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide design services and software reimbursements to Orleans County in 2017 at a cost not to exceed \$11,000; said agreement to be in effect from January 1, 2017 to December 31, 2017. This agreement includes costs associated with advertising design, publication design, social media, photography and video production to be paid on a project basis from Tourism Account A6410.468 as well as reimbursement for an Adobe Creative Cloud software license to be paid monthly from Tourism Account A6410.418.

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

RESOLUTION NO. 230-617

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
TOURISM BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for additional funds received above budget from I Love NY award (budgeted \$49,000/received \$54,050) – increase I Love NY expense to correspond to award as follows:

Revenue:

A3715	I Love NY	\$5,050
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Appropriation:

A6410.468	I Love NY Expense	\$5,050
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Moved, DeRoller; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 231-617

**AUTHORIZING GRANT APPLICATION BY THE ORLEANS
COUNTY ECONOMIC DEVELOPMENT AGENCY AND NYS
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
COMMUNITY PLANNING PROGRAM**

RESOLVED, that this Legislature authorizes the Orleans County Economic Development Agency to apply for the NYS Community Development Block Grant (CDBG) Community Planning Program in the amount of \$50,000 to fund the preparation of a plan to expand Medina Business Park; and be it

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

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

RESOLUTION NO. 232-617

AUTHORIZING CREATING AND FILLING POSITION IN THE COUNTY CLERK'S OFFICE

WHEREAS, upon the retirement of the Orleans County Judge at the end of July, the pistol permit office will no longer be a function of the County of Orleans Chambers of the County Judge as per the Office of Court Administration; and

WHEREAS, this function has been maintained by the County Court Judge for over 30 years even though it is a County Clerk function; now be it

RESOLVED, that this Legislature does hereby authorize the creation of a full-time Pistol Permit Clerk position in the County Clerk's Office at Grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant full-time Pistol Permit Clerk position, effective June 28, 2017.

Moved, Johnson; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 233-617

AUTHORIZING CREATING, FILLING, AND ABOLISHING A TEMPORARY PART-TIME POSITION IN THE REAL PROPERTY TAX SERVICE AGENCY

WHEREAS, there is a part time Clerk out on medical leave; now be it

RESOLVED, that this Legislature authorizes the creation of one part-time temporary Clerk in the Real Property Tax Service Agency at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Real Property Tax Service Agency effective June 30, 2017; and be it

FURTHER RESOLVED, that this temporary position will be abolished upon the return to employment of the part time Clerk from medical leave.

Moved Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 234-617

AUTHORIZING CONVEYANCE OF 11610 SANDERSON ROAD, TAX MAP NO. 91.-1-7.2 TO COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AND/OR ORLEANS LAND HOLDINGS, LLC.

WHEREAS, the real property commonly known as 11610 Sanderson Road in the Town of Shelby, tax map parcel no. 91.-1-7.2 was subject to the Foreclosure of Tax Liens by Proceeding In Rem pursuant to Article Eleven of the Real Property Tax Law by the County of Orleans, Index No. 16-43558; and

WHEREAS, County Resolution No. 393-1113 provides that foreclosed parcels may be conveyed by the County to a municipality, EDA, or not-for-profit organization; now therefore be it

RESOLVED, that this Legislature hereby authorizes transfer of all of the County's right, title and interest in and to said parcel known as 11610 Sanderson Road, Tax Map No. 91.-1-7.2, in the Town of Shelby to the County of Orleans Industrial Development Agency and/or Orleans Land Holdings, LLC; and be it further

RESOLVED, that the Orleans County Treasurer is authorized to execute a deed and other related documents in order to convey all of the County's right, title and interest.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 235-617

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT

RESOLVED, that this Legislature approves the Orleans County Probation Director to accept aid in the amount of \$16,000 effective January 1, 2017 to December 31, 2017 to offset cost of providing Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant.

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, DeFilipps; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 236-617

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY SHERIFF'S OFFICE/JAIL AND WYOMING COUNTY SHERIFF/JAIL

RESOLVED, that this Legislature approves a cooperative agreement between the Orleans County Sheriff's Office/Jail and Wyoming County Sheriff/Jail, Warsaw, NY, for the housing of Orleans County inmates in the Wyoming County Jail at a cost of \$90 per inmate per day, effective the date of execution by such parties through December 31, 2017, and agreement is subject to annual renewal with consent of parties.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 237-617

AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT AND ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, new funding opportunities have become available in the amount of \$104,970 to continue participation in the State Homeland Security Program grant cycle (SHSP/SLETPP) for FY2017; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH17-1057-D00, Contract #C972470, in the

amount of \$78,727 for the Emergency Management Office to use for regional preparedness efforts to address homeland security needs in the County based on the County Emergency Preparedness Assessment (CEPA) as allowed under FY2017 SHSP allocation, effective September 1, 2017 through August 31, 2020; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE17-1045-D00, Contract #T972472, in the amount of \$26,243 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under FY17 SLETPP allocation, effective September 1, 2017 through August 31, 2020.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 238-617

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

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

RESOLVED, that the Orleans County Sheriff's Office is authorized to participate in and apply for the grant between the NYS Division of Homeland Security and Emergency Services and the Orleans County Sheriff's Office for Operation Stonegarden FY2017.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 239-617

AUTHORIZATION FOR THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE UNITED STATES DEPARTMENT OF JUSTICE

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for grant funding with the United States Department of Justice's

grant agency for Community Oriented Policing Services (COPS) Hiring Program Application 2017, providing funding to law enforcement agencies to hire and/or rehire entry level career law enforcement officers in an effort to increase community policing, including School Resource Officers.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 240-617

AUTHORIZING THE FILLING OF VACANCIES IN THE SHERIFF'S OFFICE

RESOLVED, as a result of a retirement, this Legislature does hereby authorize the filling of a vacant full-time Deputy Sheriff-Road Patrol position (3110.67) at Grade 1 of the OCDSA Salary Schedule effective July 11, 2017; and be it

FURTHER RESOLVED, as a result of a retirement, this Legislature does hereby authorize the filling of a vacant Court Attendant position (3110.52) at a daily rate of \$71.08, effective June 29, 2017.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 241-617

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF'S OFFICE'S K-9 FUND AND SETTING UP NEW MONEY AND DEFERRED REVENUE IN SHERIFF'S OFFICE BUDGET

WHEREAS, the Orleans County Sheriff's Office wishes to extend its sincere thank you to those who have generously donated to our department's K-9 Unit; may it be

RESOLVED, that this Legislature accepts these donations received from community members and local businesses to assist the Orleans County Sheriff's Office K-9 Unit, and be it

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

Revenue:

A2705	Gifts & Donations	\$225.00
	Deferred Revenue	\$2,802.66

Appropriation:

A3110.499	K-9 Unit	\$3,027.66
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Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 242-617

APPROVING AGREEMENT BETWEEN EMERGENCY
MANAGEMENT AND NEW YORK STATE DIVISION OF
HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Resolution No. 410-1116 authorized the Emergency Management to apply for the 2016 State Interoperable Communication Grant (SICG) in the amount of \$448,993.00; be it

RESOLVED, that this Legislature approves the grant acceptance agreement between the Emergency Management and New York State Division of Homeland Security and Emergency Services (DHSES) for a contract period of January 1, 2017 to December 31, 2018.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve an agreement with Harris Corporation for a five year service agreement and setting up the funds to pay for this year's portion of the agreement; second by Legislator DeFilipps. Legislator DeRoller questioned the funding for this five year agreement and Legislator Johnson responded that it will be paid out of the 2016 State Interoperable Communications Grant. The following resolution was adopted:

RESOLUTION NO. 243-617

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND
HARRIS CORPORATION PSPC AND SETTING UP NEW MONIES

WHEREAS, the current radio system warrantee has ended and the Legislature wants to ensure continued safety and security of the public; and

WHEREAS, the 2016 State Interoperable Communication Grant (SI16-1015-D00) was accepted by Resolution No. 242-617; now be it

RESOLVED, that this Legislature does hereby authorize a five year services agreement between Harris Corporation and Orleans County for the 800 MHz P25 Digital Radio System at a cost of \$500,003; and be it

FURTHER RESOLVED, that the year one payment of \$96,600 will be paid from said 2016 State Interoperable Grant (SI16-0015-D00) and be it,

FURTHER RESOLVED, that the remaining four years will be paid from future grant fund opportunities; and be it

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

Revenue:

A4309.1674	2016 State Interoperable Communication Grant	\$96,600
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Appropriation:

A3640.486.1674	Special Grant –State Interop SI16	\$96,600
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Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 244-617

**AUTHORIZING CREATING, FILLING AND ABOLISHING
TEMPORARY POSITION AT THE ORLEANS COUNTY
EMERGENCY MANAGEMENT OFFICE**

WHEREAS, a part-time Fire Investigator employed at the Orleans County Emergency Management Office is out on a leave; and

WHEREAS, to help keep the efficient operations of the Emergency Management Office, it is requested that a temporary part-time

Fire Investigator position be created until such time the part time employee returns to full duty; now be it

RESOLVED, that this Legislature authorizes the creation of a temporary part-time Fire Investigator position in the Emergency Management Office at an annual salary of \$2,178 effective June 29, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this temporary part-time Fire Investigator; and therefore be it

FURTHER RESOLVED, that this temporary position shall be abolished once the aforementioned employee returns to work.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 245-617

APPOINTING ADDITIONAL MEMBER TO EMERGENCY MEDICAL SERVICES COUNCIL

WHEREAS, Resolution No. 159-417 approved the appointment of members to the Emergency Medical Services Council; be it

RESOLVED, that this Legislature appoints Shelby Reis to represent Kendall Fire Company, for the term expiring December 31, 2017.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to set a date for a public hearing regarding wireless communications surcharge; second by Legislator DeFilipps. Legislator Johnson stated that we are repealing our old law and adopting a new law so we can collect surcharges on the pre-paid phones. CAO Nesbitt stated that these phones have become a large part of the market that utilizes 911. All of the Verizon contracts that are being issued now are actually prepaid and therefore under the old law they would not qualify for a 911 surcharge and did not pitch in to support the 911 system. This is why it is being done now because of the restructuring of contracts in the cellular market. Chairman Callard inquired if we will receive additional

money. CAO Nesbitt stated that we will capture funding from the market that is not currently being captured but we have lost some of the market that has switched over. We will see how the surcharge collections result from this change, stated CAO Nesbitt. The following resolution was adopted:

RESOLUTION NO. 246-617

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 2-
INTRO OF 2017 REGARDING WIRELESS COMMUNICATIONS
SURCHARGE

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled A LOCAL LAW OF ORLEANS COUNTY LEGISLATURE TO REPEAL THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW §186-g and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 26th day of July, 2017 at 4:15 p.m. at the Legislature Chambers, 3 South Main St., Albion, New York.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 247-617

AUTHORIZING PAYMENT OF CLAIMS FOR JULY AGAINST THE
COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 12, 2017:

Fund/Department	Check Number (s):	Amount:
General	8751-8894	\$385,137.37
Highway	973-991; 2356-2373	\$708,139.83
Job Development	2475-2480	\$2,233.71
Self Insurance	58316, 58318, 58365-58366	\$19,237.56

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 26, 2017:

Fund/Department	Check Number (s):	Amount:
General	8905-9038	\$668,154.76
Highway	992-1005; 2374-2392	\$57,148.17
Job Development	2485-2500	\$18,072.93
Self Insurance	1138-1140; 58458	\$235.73

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 248-617

**APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND
LIVINGSTON COUNTY FOR GLOW WORKFORCE
DEVELOPMENT BOARD**

RESOLVED, that this Legislature approves the agreement between the Job Development Department and Livingston County on behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Room 303, Geneseo, NY, 14454, to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) for Youth from July 1, 2017 to

June 30, 2018 at a cost of \$97,095. Contract# PY2017 – 3. County cost \$0; and be it

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

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

RESOLUTION NO. 249-617

APPROVING AGREEMENT BETWEEN COMPUTER SERVICES AND WHITEBOARD INFORMATION TECHNOLOGY SERVICES AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE COMPUTER SERVICES DEPARTMENT BUDGET

WHEREAS, this Legislature approved a Lease Agreement on Quote # WQ63564179 by Resolution No. 124-316 between Orleans County and American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, establishing a lease program for the purchase of a Digium Voice Over Internet Protocol phone system being sold by CDW-G, 75 Remittance Drive, Suite #1515, Chicago, IL 60675-1515, over Session Initiation Protocol, and

WHEREAS, Computer Services does not have the expertise to manage the specialized requirements of a Digium VOIP phone system connections to Alarm Systems, Elevator emergency phone services, Paging Systems and two-way faxing over Primary Rate Interchange circuits; now be it

RESOLVED, that the Orleans County Legislature approves an agreement between Computer Services and Whiteboard ITS for professional services to connect the Digium VOIP Phone System at a total cost of \$9,200 to be paid from Account A1680.452 – Personal Service Contracts; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the Contract Agreement with Whiteboard ITS subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

RESOLVED, that this Legislature grants an extension for the balance due for these parcels for a period of time not to exceed sixty (60) days; and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be charge of \$250 per parcel (property with improvements) and a charge of \$100 per parcel (vacant property) for each 30 day period until the property is fully paid, not to exceed 60 days.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 252-617

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND ERNST'S LAKE BREEZE MARINA**

RESOLVED, that this Legislature does hereby approve an agreement between the Sheriff's Office and Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, NY for the purchase of fuel for marine vessels in conducting 2017 marine and waterway patrols, with payment to be made from Sheriff Department budget lines, and subsequent reimbursement of expenses to the Sheriff's budget lines as submitted through available grant funding from NYS Parks and Recreation Navigation Law Enforcement and NYS Division of Homeland Security and Emergency Services; and be it

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

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 253-617

**AUTHORIZING PURCHASE OF EQUIPMENT FROM THE
SHERIFF'S OFFICE BUDGET**

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to purchase three Mobile Data Terminal from Island Tech Services, 980 South Second Street, Ronkonkoma, NY 11779 (PO#58677)

for road patrol vehicles in the amount of \$15,337, to be paid from Sheriff's Account A3110.486.7416 – Special Grants-Operation Stonegarden FY16.

Moved, DeFilipps; second, Johnson.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 254-617

AUTHORIZING LEASE AGREEMENT OPTION TO RENEW BETWEEN ORLEANS COUNTY AND NYSEG

WHEREAS, the Legislature approved a lease agreement between Orleans County and NYSEG by the passage of Resolution No. 344-807; now be it,

RESOLVED, that this Legislature hereby approves the lease agreement option to renew between Orleans County and New York State Electric and Gas (NYSEG) for placement of antennas and communication equipment on the Orleans County Public Safety Communications Tower located 14064 County House Road through May 31, 2022.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to enter into executive session at 5:17 p.m. per Open Meetings Law §105(d&f) to discuss personnel and current litigation second by Legislator Allport. Motion Carried.

Legislator Miller moved to exit out of executive session and reconvene the regular meeting at 5:34 p.m.; second by Legislator DeRoller. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:35 p.m.

SPECIAL LEGISLATURE MEETING
July 11, 2017

Chairman Callard called the meeting to order at 1:00 p.m. After the pledge to the flag the Clerk called the roll. All Legislators were present with the exception of Legislators DeRoller and Miller.

The following resolution was presented for adoption:

RESOLUTION NO. 255 A-717

CALLING FOR A PUBLIC HEARING REGARDING THE
SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK
GRANT APPLICATION

RESOLVED, that this Legislature hereby calls for a public hearing to allow citizen input regarding the community development and housing needs in the County and to comment on the County's potential submission of a grant application to the New York State Office of Community Renewal, such public hearing to be held at 4:10 p.m. on July 26, 2017 at 3 South Main Street, Suite 2, Courthouse Square, Albion, New York in the Legislative Chambers.

Moved, DeFilipps; second, Johnson.

Adopted. 5 ayes; 0 nays; 2 absent: DeRoller, Miller.

Legislator Allport moved to adjourn; second by Legislator Eick. Meeting adjourned at 1:02 p.m.

LEGISLATURE MEETING

July 26, 2017

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator DeFilipps.

Chairman Callard presented a Special Recognition Award to retiring County Court Judge James P. Punch. He was applauded for his great service to Orleans County. Judge Punch shared how honored and grateful he has been to work with great staff, county employees and Legislators. He was appreciative of the work they collaborated on in making the Courthouse handicap accessible. We also preserved the most beautiful court room that he knows of in Western New York, stated Judge Punch. He said this county has a wonderful Department of Social Services, Probation Department and Mental Health. Judge Punch ended in saying we have a lot to be proud of in this county, and a lot of it is a result of what is done in this Legislature.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through June, 2017. Treasurer Heard reported that everything looks good and need to keep in mind that the month of June brought three payrolls. She said they gave levy to the Highway Departments so they could pay the towns for mowing and snowplowing.

The Clerk presented the following communications: Larry Montello, Commander of the American Legion of Orleans County is requesting a banner to be hung at Courthouse square from August 31st through September 11th advertising the annual 911 Memorial event. He is requesting use of the courthouse lawn, for the 6 p.m. candlelight vigil, which will be held at the flag pole, and also looking to have power and sidewalk flags installed. The Board approved this request. Legislature DeRoller announced the Household Hazardous Collection is scheduled for August 12th at the Orleans County Highway Department. He said that people must pre-register and he is pleased that we can offer this on an annual basis now.

David Kusmierczak thanked the Legislators, the Sheriff, and first responders for coming to the opening ceremonies at the Orleans County 4-H Fair. He said the Veterans appreciate their presence at this ceremony.

Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 255 B-717

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$43,634.00	Keeler Construction	Construction Marshall Road Bridge – Pymnt #1 – 6/29/17-7/12/17
\$28,612.00	Keeler Construction	Construction Culvert Road Bridge – Pymnt #1 - 6/29/17-7/12/17

FURTHER 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>
\$97,587.61	Keeler Construction	Construction Platten Road Culverts - Pymnt #4 – 6/19/17-7/12/17

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 256-717

AWARDING AND APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND POPLI DESIGN GROUP

RESOLVED, that this Legislature does hereby award and approve an agreement with the Highway Department and Popli Design Group, 555 Penbrooke Dr., Penfield, NY 14526 to perform Consulting Services for the Preventative Maintenance – 4 Bridges TIP Project on Orleans County Bridges at four different locations. The project locations are in the Town of Carlton, BINS: 3319030, 3319020, 3319040 and 3319050.

FURTHER RESOLVED, this agreement is effective Upon Notice to Proceed through May 31, 2020, NYS Contract #D035655, Pin 4OR000, at a maximum cost of \$128,000 with an 80% federal reimbursement at \$102,400 and a County cost of \$25,600; to be paid out of the D5120.470.2278 Capital Plan TIP Bridge account.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 257-717

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND CHRIST RECYCLING

RESOLVED, that this Legislature approves an agreement between Highway Department and Christ Recycling, LLC, 4009 Eagle Harbor Road, Albion, NY 14411 for recycling office paper at the option of 25% on the market rate at the time of delivery and the Highway Department is responsible for delivery of the recycled office paper to Christ Recycling in the boxes they provide, effective June 16, 2017 through June 16, 2021.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 258-717

APPROVING DEPARTMENTAL FEE SCHEDULE UPDATES FOR VARIOUS DEPARTMENTS

WHEREAS, the County Departmental Fee schedules are being reviewed by Departments and updated therefore the Board of Elections and the Highway Department need to update their fees; now be it

RESOLVED, that this Legislature approves the following fee schedule updates for the Orleans County Board of Elections:

Disk – Full County	\$25.00
Disk – Each Town	\$10.00
Voter CD – eMerges.com/NYS Assembly/NYS Senate	\$75.00
Book – Full County	\$30.00
Book – Each Town	\$5.00

and be it

FURTHER RESOLVED, that this Legislature approves the following fee updates for the Highway Department as indicated below:

Maps	\$2.00
Mailed	\$2.50
Service Fee – Fuel per gallon	\$.20

and be it

FURTHER RESOLVED, that the Departmental Fees for the Department of Social Services be removed from the Fee Schedule.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 259-717

APPROVING AGREEMENT WITH OFFICE FOR THE AGING,
DEPARTMENT OF SOCIAL SERVICES AND INDEPENDENT
LIVING OF GENESEE REGION

RESOLVED, that this Legislature approves the Memorandum of Understanding between the Office for the Aging-NY Connects Program, Orleans County Department of Social Services and the Independent of Genesee Region to define a working relationship to collaborate to help best serve clients that contact the NY Connects No Wrong Door (NWD) for assistance; with such parties to partner in the delivery of the following NY Connects functions: administration of NY Connects, collaborating and coordination, and public education. County cost \$0.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 260-717

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
OFFICE FOR THE AGING BUDGET

(Clerk's Note – duplication of resolution – see adopted Resolution No.
440-1216)

RESOLUTION NO. 261-717

AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as a result of a resignation, this Legislature authorizes the filling of vacant full-time Caseworker position (6010.0224) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective July 27, 2017; and be it

FURTHER RESOLVED, as a result of resignation due to a promotion, this Legislature does hereby authorize the filling of a vacant full-time Clerk position (6010.0603) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective July 31, 2017.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 262-717

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agency:

Baker Victory Services, Lackawanna, NY for the provision of residential foster care services; to be effective July 1, 2017 through June 30, 2018 at per diem rates as established by the State, not to exceed \$500,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Orleans County Sheriff's Department, Albion, NY for safe transportation of youth to out-of-county detention facilities; to be effective September 1, 2017 through August 31, 2018 at a cost of \$15,000. County Cost is \$7,650.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator Allport moved to request our State Legislators to provide funding for the establishment of the PFC Joseph Dwyer Peer to Peer support program for Orleans County; second by Legislator DeRoller.

Chairman Callard requested Veterans Director Earl Schmidt to comment on this program. Director Schmidt stated that many veterans live with the effects of post-traumatic stress and traumatic brain injuries in our area; it becomes clear that a program is needed. A veteran who was in the Iraq war by the name of Joseph Dwyer, came back with mental issues and PTSD and was suffering from substance abuse, alcohol related and then later committed suicide. This program, funded through New York State and administered through the Office of Mental Health and support of the Veterans Service Agency. Director Schmidt stated that the following six goals are very reachable which include: outreach and education; peer to peer support; building a reliance between the veterans and the community; encouraging connections between our community and our veterans; suicide prevention and fostering an atmosphere of hope. Director Schmidt thanked the Legislature for their support. The following resolution was adopted:

RESOLUTION NO. 263-717

REQUESTING OUR STATE LEGISLATORS TO PROVIDE FUNDING FOR THE ESTABLISHMENT OF THE PFC JOSEPH DWYER PEER-TO-PEER SUPPORT PROGRAM FOR ORLEANS COUNTY

WHEREAS, the Orleans County Office of Mental Health is requesting the establishment of the PFC Joseph Dwyer Peer- to-Peer Support Program; and

WHEREAS, the Dwyer Program brings returning veterans together with other veterans in establishing a secure, anonymous setting in order to help one another to cope with the effects of Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI);and

WHEREAS, the purpose of the Program was to design and implement a peer –based program with the following goals: (1) Pursue outreach and education; (2) Provide peer support; (3) Build resiliency among peers; (4) Encourage a connection among family, friends, and community; (5) Provide access to suicide prevention/intervention initiatives; (6) Foster hope; and

WHEREAS, the PFC Joseph Dwyer Peer-to-Peer program is funded through New York State and administered on the County level through the local Office of Mental Health; and

WHEREAS, this County Legislature recognizes the honorable services and sacrifices rendered by the Veterans and families in Orleans County; now therefore be it

RESOLVED, that the County of Orleans Legislature hereby requests funding for the PFC Joseph Dwyer Peer-to-Peer program be placed in the New York State budget; and be it

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

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 264-717

AUTHORIZING FILLING OF VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a Supportive Case Manager position (4310.22) in the Mental Health Department at Grade 18 of the CSEA Salary Schedule, effective July 27, 2017.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 265-717

AUTHORIZING SETTING UP NEW MONEY AND TRANSFER OF FUNDS IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up from Miscellaneous Reserve into the Mental Health Department budget for the purchase of two televisions and accessories as follows:

<u>From:</u>	
Miscellaneous Reserve	\$874.74

Appropriation:

A4310.220 Office Equipment \$874.74

and be it

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for setting up revenue and expenses for Federal Medicaid Salary Sharing money received as follows:

Revenue:

A4990 Mental Health – Federal \$64,706

Appropriation:

A4310.418 Other Contractual \$63,806

A4310.466 Consultant Fees \$900

and be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds within the Mental Health Budget to cover new digium phone installations as follows:

From:

A4310.421 Telephone/Internet \$3,084.06

To:

A4310.222 IT Equipment Lease \$3,084.06

Moved, Allport; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 266-717

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Tatiana Cross, 2136 Brick Schoolhouse Rd, Hilton, NY 14468 to provide related services to Orleans County children (ages3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and

Medicaid. Reimbursement at 59.5% , Counties responsibility is 40.5%
The related services rates are set by the county. Contract period is August 1, 2017 through June 30, 2021.

Health Center Network, 103 Woerner Ave, Liverpool, NY 13088 to provide an extension to the prior agreement with additional monies being granted from \$3,200 to \$8,400 for the improvement and control of hypertension and diabetes, for the remainder of 2017 only. Orleans County Public Health and Oak Orchard Health will work collaboratively over this period with a grant funded by the Center for Disease Control and Prevention. This grant period is until December 31, 2017. County cost \$0..

NYS Department of Health Division Of Family Health/Bureau of Administration at ESP Corning Tower-Room 859, Albany NY 12237 to provide funding for the operation of program services. The Health Department provides personnel, licenses, and facilities to provide the required services for Children with Special Health Care Needs. This is a three year contract providing for \$17,860 for October 1, 2017 through September 30, 2018; \$17,860 for October 1, 2018 through September 30, 2019; \$17,860 for October 1, 2019 through September 30, 2020. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator DeRoller moved to approve the renewal agreement for our e-waste collection and recycling; second by Legislator Allport. Chairman Callard stated that this is the most useful recent programs we have engaged in. Legislator DeRoller mentioned that we have collected 539,922 pounds we have collected to date. We no longer are putting this into our landfills. The following resolution was adopted:

RESOLUTION NO. 267-717

APPROVING RENEWAL OF E-WASTE COLLECTION AND RECYCLING AGREEMENT WITH SUNNKING INCORPORATED

WHEREAS, effective January 1, 2015 New York State prohibited the disposal of electronic waste, including cathode ray tube televisions, monitors, computers, peripheral devices, and other household electronics through curbside trash pickup; and.

WHEREAS, this Legislature, aware of the subsequent lack of opportunities within the County for its residents to properly dispose of said electronic waste, commenced in September 2015 a drop-off program for its collection and recycling at multiple sites within the County so as to avoid its accumulation at locations that are a detriment to the environment and public safety; and.

WHEREAS, since the drop-off program's inception nearly 473,000 pounds of electronic waste have been removed from the County under the drop-off program in the last twenty months; therefore be it

RESOLVED, that this Legislature approves renewal of an agreement with Sunnking, Incorporated, 4 Owens Road, Brockport, New York, 14420 under the current terms with the exception of the charge for bare tubes and broken cathode ray tube glass effective through August 31, 2019.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 268-717

ADOPTING ADDITIONS TO CERTIFIED AGRICULTURAL DISTRICT

WHEREAS, Article 25AA of State Agricultural and Markets Law provides for the addition of predominantly viable agricultural land into existing, certified agricultural districts following an annual thirty day enrollment period and public hearing; and

WHEREAS, said enrollment period occurred in June 2017 and proper notice was provided and a public hearing was held on July 26, 2017 following the report and recommendation of the Orleans County Agricultural and Farmland Protection Board;

THEREFORE, BE IT RESOLVED, that additions to Consolidated Agricultural District No. 1 of seventeen (17) whole tax parcels of predominantly viable farmland be adopted as identified by numbers 57.-1-76, 57.-1-60.12, 57.-1-68.12, 56.-1-52, 75.-1-5.12, 87.-1-20.1; 93.-1-22.1, 97.-1-35.11, 91.-1-34.2, 106.-1-57.2, 72.-3-7.1, 74.-2-41.1, 108.-2-1, 119.-1-28.12, 119.-2-67.12, 62.-1-16, 116.-1-69, and 115.-1-13; and be it

FURTHER RESOLVED, that a Notice of Determination of Non Significance - Negative Declaration shall be filed in the absence of a significant effect of this action on the environment, pursuant to Article 8 of Environmental Conservation Law.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 269-717

SUPPORTING GRANT APPLICATION TO PREPARE ERIE CANAL LOCAL WATERFRONT REVITALIZATION PLAN

WHEREAS, this year marks the 200th anniversary of the start of construction on the Erie Canal, a manmade waterway that contributed extensively to the development of our country, state, and, in particular, Orleans County; and

WHEREAS, several hamlets, villages, and towns in Orleans County came into being as a direct result of the Erie Canal; and

WHEREAS, Orleans County seeks to advance efforts to improve its Canal communities through sound waterfront planning practices while the Canal commences its bicentennial celebration; and

WHEREAS, Orleans County is leading a multi-community Erie Canal waterfront revitalization planning project intended to encompass segments of the Canal through the Towns of Ridgeway, Shelby, Albion, Gaines, and Murray, as well as the Villages of Albion and Holley; and

WHEREAS, such a waterfront revitalization plan will, among other benefits, engage the public, inventory current resources, identify desirable projects to enhance the Canal waterfront, and develop related policies, strategies, and implementation methodologies to ensure a successful outcome; and

WHEREAS, the Village of Medina is pursuing a similar project independently, with Orleans County willing to align and coordinate its planning efforts in the aforementioned Canal communities with those that may occur in Medina; now be it

RESOLVED, this County Legislature hereby offers its full support and endorsement to Orleans County’s Consolidated Funding Application for grant funds from the New York State Department of State Local Waterfront Revitalization Program to develop an Erie Canal Waterfront Revitalization Plan in Orleans County.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

RESOLUTION NO. 270-717

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

WHEREAS, the New York State and Local Employees’ Retirement System established §315.4, a new regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and

WHEREAS, the new regulation adds additional requirements for both employers and elected and appointed officials, including an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed; now, therefore be it

RESOLVED, that the County of Orleans hereby establishes the following as standard work days for certain elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

TITLE	NAME	STANDARD WORK DAY (Hrs/day)	Term	Participates in Employer’s Time Keeping System (Y/N)	Days/month
ELECTED OFFICIALS					
District Attorney	Joseph Cardone	6	1/1/2017-12/31/2020	N	25.67
Coroner, Chief	Scott Schmidt	6	1/1/2017-12/31/2020	N	4.81
Coroner	Rocco Sidari	6	1/1/2017-12/31/2020	N	1.5
APPOINTED OFFICIALS					
2 nd Asst District Attorney	Katherine Bogan	6	1/1/2017-12/31/2020	N	16.42
3 rd Asst District Attorney	John Sansone	6	1/1/2017-12/31/2020	N	4.46

and be it

FURTHER RESOLVED, that elected and appointed officials who are not members of the State Retirement System are not subject to the provisions of this law; and be it

FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to the County Treasurer, the Personnel Officer, and the New York State Comptroller.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

RESOLUTION NO. 271-717

GRANTING EXTENSIONS FOR PAYMENT ON IN REM AUCTION PARCELS

WHEREAS, Resolution No. 65-217 Setting Date and Terms for the Auction of In Rem Tax parcels, indicates the balance of the successful and accepted bids shall be paid to the Orleans County Treasurer by June 30, 2017, unless extended by the County Legislature; and

WHEREAS, time extensions were requested in a timely manner for the following parcels: Parcel #14, Town of Barre, Tax Map #93.-1-15; #43, Town of Ridgeway, Tax Map #80.9-1-26.1; #48, Town of Ridgeway, Tax Map #56.3-1-4; #49, Town of Ridgeway, Tax Map #56.3-1-15 ; now, therefore be it

RESOLVED, that this Legislature grants an extension for the balance due for these parcels for a period of time not to exceed sixty (60) days; and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be charge of \$250 per parcel (property with improvements) and a charge of \$100 per parcel (vacant property) for each 30 day period until the property is fully paid, not to exceed 60 days.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

RESOLUTION NO. 272-717

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE PROBATION BUDGET

RESOLVED, that the County Treasurer is authorized to Transfer Funds within the Probation Budget to cover new digium phone installations as follows:

<u>From:</u>		
A3140.421	Telephone/Internet	\$1,835.50
<u>To:</u>		
3140.222	IT Equipment Lease	\$1,835.50

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 273-717

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND EM SYSTEMS, INC.

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff's Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226, for the 2017/2018 software support and maintenance agreement covering CAD, AVL and Mobile Data Systems for Public Safety Communications division, effective July 1, 2017 through June 30, 2018, at a cost of \$16,500, to be paid from Public Safety Communications budget A3020.486 Public Safety Communications Special Grants.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 274-717

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES

WHEREAS, New York State Senator Robert Ort has secured state funding in the amount of \$15,000 for the Orleans County Sheriff's Office for the enhancement of Public Protection Initiatives; now be it

RESOLVED, that this Legislature authorizes the Chairman to execute an agreement (LG17-1294-D00) with the New York State Department of Criminal Justice Services for the acceptance of this grant money upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

Legislator Johnson moved to authorize the Sheriff to apply for various grant opportunities; second by Legislator Allport. Sheriff Bower, upon request of Legislator Johnson, reviewed each of the grants. He stated that the DWI grant will provide equipment for the vehicles which includes plate readers and radar detectors. There are no matching funds on this grant and he thanked Clara Martin for being on top of this. The Walmart Foundation could help fund the K-9 project and will help offset the cost in taking care of the dog. He also explained that the Bullet Proof Vest Partnership will reimburse up to 50% on each bullet proof vest that is purchased. He stated that now that the shelf life of five years comes due, a new vest will be purchased. In the past it was one vest ever for one officer. Legislator Johnson thanked Sheriff Bower for his efforts in getting these grants. The following resolution was approved:

RESOLUTION NO. 275-717

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH VARIOUS OPPORTUNITIES

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for the following grant opportunities to benefit the operations of the Sheriff's Office:

NYS STOP-DWI Association, Inc., 414 Fairview Avenue, Hornell, NY, in the amount of \$22,500, to be used for services and expenses related to county special traffic options programs for driving while intoxicated, and for this funding, if approved, to be included in the county's 2018 STOP-DWI Annual Plan and the 2018 STOP-DWI budget.

Walmart Foundation for 2017 Community Grant funds, with possible grant awards of \$250 to \$2,500 that will be used to assist the Sheriff's

Office in maintaining their K-9 Unit, which aids law enforcement in protecting our communities.

Bullet Proof Vest Partnership Initiative, administered through the Bureau of Justice Assistance, for the purchase of 12 bullet proof vests for Orleans County Sheriff, at a 50% allowable reimbursement for purchase of each unit.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

RESOLUTION NO. 276-717

AUTHORIZING FILLING OF VACANCY IN THE OFFICE OF SHERIFF-MARINE PATROL

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time, seasonal Deputy - Marine Patrol position (3110.36) in the Marine Patrol Division of the Sheriff's Office at a rate of \$13.68/hour, effective July 1, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilippis.

RESOLUTION NO. 277-717

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 and with the approval of the County Legislature and Sheriff, and

WHEREAS, a 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 the 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 3150.06, to begin July 9, 2017 and ending of August 9, 2017; 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, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 278-717

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE SHERIFF'S BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to transfer funds within the Sheriff's Budget to cover cost of purchase authorized in Resolution No. 263-617 (PO#58677) for mobile data terminals from the Operation Stonegarden FY16 grant as follows:

<u>From:</u>		
A3110.486	Special Grants	\$15,337
<u>To:</u>		
A3110.486.7416	Special Grants – Operation Stonegarden FY16	\$15,337

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 279-717

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY DISTRICT ATTORNEY'S OFFICE AND THOMAS H. BRANDT.

RESOLVED, that this Legislature authorizes the District Attorney's Office to enter into an agreement with Thomas H. Brandt, 929

Lincoln Avenue, Lockport, New York to provide legal services with respect to research and drafting of appeals effective January 1, 2017 through December 31, 2021 with rate of payment to be commensurate with assigned counsel rates.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 280-717

SUPPORTING THE REUSE AND REHABILITATION OF THE FORMER HOLLEY HIGH SCHOOL AND ENCOURAGE NYS HOMES AND COMMUNITY RENEWAL TO FINANCE THE PROJECT

WHEREAS, Home Leasing, LLC proposes to adaptively reuse and rehabilitate the historic Holley High School located at 1 Wright Street into Holley Gardens – a proposed mixed-income, mixed-use facility that would include 41 residential units and accessible space for the Village offices; and

WHEREAS, the Orleans County 1998 Strategic Plan for Economic Growth (SPEC) states that “Orleans County must demand high quality and environmentally sound economic development which respects agricultural lands, protects unique natural resources and strengthens and improves the image and economy of the Villages; land use decisions must be with the need to protect farmland and natural resources while balancing the need to redevelop village centers...” and that, “local governments should encourage the construction of new government facilities within village boundaries, to complement and reinforce the synergy between government functions and adjacent businesses, and to take advantage of existing infrastructure within major population centers in the County...” and

WHEREAS, the proposed Holley Gardens implements SPEC’s goals by transforming a dilapidated building into an historic landmark in a Village center, installing Green and Energy Efficiency measures, and improving upon the local government’s facilities within Village boundaries. The project is within a village center. Holley Gardens addresses the needs to: revitalize a Village center, increase and improve housing stock, and support the aging population; and

WHEREAS, the Orleans County Industrial Development Agency has provided their support by approving a PILOT agreement, mortgage and sales tax exemptions, purchase contract, and support resolution; now therefore be it

RESOLVED, that the Orleans County Legislature supports the adaptive reuse and rehabilitation of the former Holley High School, and encourages NYS Homes and Community Renewal, Empire State Development, the Office of Parks, Recreation and Historic Preservation and New York State Energy Research and Development Authority to allocate financing to the project to allow it to proceed. The proposed Holley Gardens is consistent with Village, County, Regional, and State goals; and be it

FURTHER RESOLVED that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Schumer, State Senator Ortt, State Assemblyman Hawley, Town of Murray, Holley Central School District, Village of Holley, Finger Lakes Regional Economic Development Council and all others deemed necessary and proper.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 281-717

**APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS
AND COMMUNITY ACTION OF ORLEANS & GENESEE**

RESOLVED, that this Legislature approves the agreement between the County of Orleans and Community Action of Orleans & Genesee, 409 East State Street, Albion, NY 14411 to provide services for an Orleans County leadership development program (Leadership Orleans), modeled after successful programs in other communities, to be operational in 2018 with an anticipated class size of 25 participants. Leadership Orleans will be a year-long education program focused on building leadership skills while exposing participants to the necessary knowledge, experiences and people that make a community work. This agreement will encompass program development/startup activities to ensure a January 1, 2018 launch of the Leadership Orleans program, subject to County Attorney approval. Effective July 26, 2017 through December 31, 2017 at a cost of \$33,000. County cost \$33,000; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Legislature Budget to facilitate the start up costs for Leadership Orleans as follows:

From:
A1990.435 Contingent Fund \$33,000

To:
A1010.418 Other Contractual Expenses \$33,000

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

Legislator Johnson moved to adopt Local Law No. 2 of 2017 repeal Local Law No. 2 of the year 2007 and Impose the wireless communications surcharges as authorized under Tax Law § 186-G; second by Legislator Allport. She explained that now surcharges can be imposed on all wireless phones including the pre-paid cellular devices. Therefore we are repealing our old local law to adopt a new one to include the collection of surcharges on these pre-paid devices.. The following resolution was adopted:

RESOLUTION NO. 282-717

ADOPTING LOCAL LAW NO. 2 OF 2017, ENTITLED A LOCAL LAW REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW

WHEREAS, Local Law No. 2-Intro of the year 2017 was introduced at a regular meeting of the Orleans County Legislature held on June 28, 2017 and a Public Hearing was held on July 28, 2017, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, Local Law 2 Intro of the year 2017 be adopted by this Legislature and be it enacted as follows:

LOCAL LAW NO. 2 THE YEAR 2017
OF THE

COUNTY LEGISLATURE OF THE COUNTY OF ORLEANS,
REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE
AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE
STATE OF NEW YORK; AND IMPOSING THE WIRELESS
COMMUNICATIONS SURCHARGES PURSUANT TO THE
AUTHORITY OF TAX LAW § 186-G.

Be it enacted by the County Legislature of the County of
Orleans, as follows:

SECTION 1. Local Law No. 2 of the Year 2007, of the County of
Orleans is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges.
(a) Pursuant to the authority of Tax Law § 186-g, there are hereby
imposed and there shall be paid surcharges within the territorial limits of
the County of Orleans on: (i) wireless communications service provided to
a wireless communications customer with a place of primary use within
such County, at the rate of thirty cents per month on each wireless
communications device in service during any part of the month; and (ii)
the retail sale of prepaid wireless communications service sold within such
County, at the rate of thirty cents per retail sale, whether or not any
tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such
surcharge to the billings of its customers and prepaid wireless
communications sellers shall begin to collect such surcharge from its
customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless
communications seller is entitled to retain, as an administrative fee, an
amount equal to three percent of its collections of the surcharges imposed
by this Local Law, provided that the supplier or seller files any required
return and remits the surcharges due to the New York State Commissioner
of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges
imposed by this Local Law shall be administered and collected by the
New York State Commissioner of Taxation and Finance as provided in
paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes
imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the County Legislature of the County of Orleans and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

Moved, Johnson; second, Allport.

Roll Call Vote: 6 ayes: Allport, Callard, DeRoller, Eick, Johnson Miller; 0 nays; 1 absent, DeFilipps.

Adopted.

RESOLUTION NO. 283-717 (RESCINDED – Res No. 317-817)

APPROVING TOWER LEASE AGREEMENT BETWEEN THE COUNTY OF ORLEANS AND VERIZON WIRELESS

RESOLVED, that this Legislature approves a Tower Lease Agreement between the County of Orleans and Verizon Wireless, One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 to lease a portion of the cell tower located 14064 West County House Road, effective for an initial five (5) year terms at a revenue of \$18,000 per year plus a 2% increase of the annual rental payable subject to the review and

approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that this Tower Lease agreement may be extended for four (4) additional five (5) year extension terms upon review and approval of the Chief Administrative Officer and County Attorney; and be it

FURTHER RESOLVED, that the additional extensions as indicated in this lease agreement, with the term of this Lease not to exceed forty-nine (49) years, may be reviewed and approved by the Chief Administrative Officer and County Attorney for continuation.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 284-717

AUTHORIZING THE COUNTY OF ORLEANS TO APPLY FOR A REGIONAL WATER PLANNING GRANT

RESOLVED, that this Legislature authorizes the County to apply for a Regional Water Planning Grant through a Consolidated Funding Application through a Regional Economic Development Council Initiative for the possible creation of a regional water system in Orleans County.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 285-717

AUTHORIZING PAYMENT OF CLAIMS FOR AUGUST AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 August 9, 2017:

Fund/Department	Check Number (s):	Amount:
General	9041-9190	\$258,915.84
Highway	1006-1013; 2393-2407	\$29,4497.20
Job Development	2503-2508	\$5,338.66
Self Insurance	58454-58455	\$20,447.66

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 Superintendent of Highways, 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 August 23, 2017:

Fund/Department	Check Number (s):	Amount:
General	9212-9342	\$163,800.97
Highway	1014-1021; 2408-2421	\$206,246.44
Job Development	2513-2518, 2521	\$8,088.22
Self Insurance	58453, 58456, 58525, 58527, 1142, 1143	\$5,144.87

Moved, Eick; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

The following add on resolutions were presented for adoption.

RESOLUTION NO. 286-717

AUTHORIZING ABOLISHING POSITION IN THE WEIGHTS AND MEASURES DEPARTMENT, AND CREATING AND FILLING POSITION IN THE DEPARTMENT OF PUBLIC HEALTH

WHEREAS, as a result of the recent retirement of the Director of Weights and Measures and the position is required under the provisions of New York State Ag and Markets for all counties to employ a said Director; and

WHEREAS, the duties and responsibilities of the Director of Weights and Measures are being expanded to assist with the Public Health Environmental division; now be it

RESOLVED, that this Legislature does hereby abolish a part-time Director of Weights and Measures and the Weights and Measures Department; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Director of Weights and Measures in the Public Health Department, Environmental Health Division, at Grade 4 of the Management Compensation Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant full-time Director of Weights and Measures, effective July 27, 2017; and be it

FURTHER RESOLVED, that the Management Compensation Plan shall be amended to move the Director of Weights and Measures from a covered employee as a Department Head to a covered employee as a Managerial and Confidential Employee.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 287-717

AUTHORIZING CONVEYANCE OF A PARCEL OF VACANT LAND IN THE VILLAGE OF ALBION, APPROXIMATELY 29 X 20.5, TAX MAP NO. 73.5-4-24.2

WHEREAS, a land-locked parcel of land on West State Street in the Village of Albion, approximately 29 X 20.5 feet, tax map no. 73.5-4-24.2 was included in the In Rem Tax Foreclosure Proceeding relating to the 2010 Town and County Tax, Index No. 13-41401, and

WHEREAS, the County has attempted to sell the parcel at public auction on a number of occasions, and has received no bids for the purchase thereof, and

WHEREAS, the County is desirous of making disposition of the parcel in order to place it back on the tax rolls, and

WHEREAS, the adjoining property owners have agreed to accept conveyance of title to the parcel, now, therefore be it

RESOLVED, the County Treasurer is hereby authorized to convey all of the County's right, title and interest to tax map no. 73.5-4-24.2 to Dominic DeCarlo and Grace DeCarlo of 318 West State Street for the sum of one and no more dollars, said conveyance to be at County expense.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

RESOLUTION NO. 288-717

ACCEPTING THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER TO PURSUE FILING THE STATE MANDATED COUNTY-WIDE SHARED SERVICES PROPERTY TAX SAVINGS PLAN FOR 2018

WHEREAS, New York State passed An Act to establish the county-wide shared services property tax plan; and

WHEREAS, Orleans County is an established leader in the area of shared services; and

WHEREAS, Orleans County has pursued shared services in earnest for decades and continues to do so with or without input from the State of New York out of a sense of responsibility and duty to the citizens of this county; and

WHEREAS, Orleans County is currently considering shared services opportunities in the areas of Law Enforcement, Water Systems, Weights and Measures, Animal Control and Code Enforcement with our partner municipalities as well as neighboring counties; and

WHEREAS, the Orleans County Shared Services Panel has met and three public hearing were held as required by the county-wide shared services property tax law; and

WHEREAS, the Shared Services Panel Chairman and Orleans County Chief Administrative Officer is recommending that the county

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reserve submission of the plan until more work can be done on the ongoing projects; now be it

RESOLVED, that this Legislature accepts and affirms the recommendation of the Shared Services Panel Chairman.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeFilipps.

With their being no further business or comments, Legislator Allport moved to adjourn; second by Legislator Eick. Meeting adjourned at 4:59 p.m.

RE-ORGANIZATIONAL MEETING

August 14, 2017

Vice Chairwoman Johnson called the meeting to order at 10:01 a.m. and led the Pledge of Allegiance. The Clerk called the roll and the following Legislators were present: Donald Allport, E. John DeFilipps, Kenneth DeRoller, William Eick, Lynne Johnson, and Fred Miller.

Clerk's Note: Re-organizational meeting called due to the resignation/retirement of Chairman David Callard effective August 3, 2017.

The Clerk opened the floor for nominations for Chairman of the Legislature. Legislator Eick moved to nominate Legislator Johnson for Chairman. Legislator DeRoller moved to nominate Legislator DeFilipps for Chairman. In his nomination, Legislator DeRoller expressed that Legislator DeFilipps has had sixteen years in town and county leadership roles. He is a Legislator at Large which Legislator DeRoller felt was an important consideration. The entire county would have participation in his vote. He is a team player, good listener and does his homework. As nearly a four year Legislator, DeFilipps has stepped up on many fronts. He has served 95% on all standing legislative committees. He attends the meetings hosted by New York State Association of Counties. He has completed the Pelletier Institute, certification for higher learning. He participates in InterCounty, attending meetings with nineteen other counties. He participates in meetings with all ten towns and villages when his schedule permits. Legislator DeFilipps attends and participates in the Genesee Finger Lakes Regional Planning Council which incorporates nine counties. Legislator DeRoller feels John is aware of the mission to serve the entire county on critical issues and opportunities; and also knows the economic and social health of our region. Legislator DeRoller stated that John takes the time to be in the room in all discussions and presentations. Legislator DeRoller admitted that this is a difficult process and indicated that this is his nomination.

Clerk called for any other nominations. With there being none, Clerk Hanlon called for a roll call vote on the first nomination of Legislator Johnson for Chairman. The following roll call resulted: Allport, nay; DeFilipps, nay; DeRoller, nay; Eick, aye; Johnson, aye; Miller, nay.

Clerk Hanlon called for a roll call vote on the second nomination of Legislator DeFilipps for Chairman. The following roll call resulted:

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Allport, aye; DeFilipps, aye; DeRoller, aye; Eick, nay; Johnson, nay; Miller, aye.

Clerk Hanlon declared Legislator DeFilipps as the new Orleans County Legislative Chairman with 4 aye votes and 2 nay votes.

County Attorney Schubel stated that the offices of Chairman and Vice Chairman are separate and distinct therefore Legislator Johnson will continue to serve as Vice Chairwoman at this time.

Legislator DeFilipps took the chair of the Chairman, but was first offered a congratulatory handshake by Vice Chairwoman Johnson. Chairman DeFilipps state that no further business was going to be conducted today and called for a motion to adjourn. Legislator DeRoller moved to adjourn at 10:06 a.m.; second by Legislator Eick. Motion was carried and meeting was adjourned.

LEGISLATURE MEETING

August 23, 2017

Chairman DeFilippis called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present and Charles H. Nesbitt, Jr., Chief Administrative Officer was absent.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$15.19, that has been reviewed and authorized by her office. State of New York Office of Real Property Tax Services has sent the List of Certified 2017 State Equalization Rates for the 2017 assessment rolls for Orleans County municipalities and has been filed in our office.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through July. Treasurer Heard said things look good. Sales tax revenue looks good and is hopeful that it stays this way.

Chairman DeFilippis called for open discussion as it related to the resolutions or agenda. With there being no discussion or questions, Legislator Eick moved to add six resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

Legislator Eick moved to approve payments for infrastructure projects; second by Legislator Miller. Legislator Eick added that the Highway Department was hoping to have the Platten Road project completed before school begins however the weather did not cooperate therefore they are looking for completion of this project in October. The following resolution was adopted:

RESOLUTION NO. 289-817

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
---------------	--------------------	--------------------

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\$107,382.69	Keeler Construction	Construction of Marshall Road Bridge – Pymnt #2 - 7/31/17-8/12/17
\$128,396.79	Keeler Construction	Construction of Culvert Road Bridge – Pymnt #2 - 7/31/17-8/12/17

FURTHER 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>
\$144,589.11	Keeler Construction	Construction for Platten Road Culverts – Pymnt #5 – 7/13/17- 8/12/17
\$15,050.00	LaBella Associates	Professional Services – Millers Rd/East Shelby Rd Culverts – 2/25/17-7/21/17

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 290-817

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND THE PUMP DOCTOR INC.

RESOLVED, this Legislature awards and accepts the low bid submitted by The Pump Doctor Inc., 2706 Hemlock Road, Eden, New York 14057, and authorizes the Chairman to execute an agreement with The Pump Doctor Inc. for the Replacement of the Veeder Root Monitoring System located at the Highway Department at a bid cost of \$15,548.20. Agreement effective as soon as County gives notice to proceed; to be paid out of the Fuel Farm Capital Equipment Budget Account #DM5140.270.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 291-817

APPROVING THE RENEWAL AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND THE NYS UNIFIED COURT SYSTEM

RESOLVED, that this Legislature approves a one (1) year renewal agreement between Buildings and Grounds Department and the Unified Court System, which provides for the county to clean and maintain the Court Facility, Contract #C300357, at a cost of \$161,205 for the period of April 1, 2017 through March 31, 2018, with 100% reimbursement to be made to the county by the state.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 292-817

AUTHORIZING FILLING VACANCIES IN THE JOB DEVELOPMENT AGENCY

WHEREAS, an employee has resigned from the position of Workforce Coordinator effective August 4, 2017; and

WHEREAS, an employee has resigned from the temporary part-time position of Employment and Training Program Assistant effective August 18, 2017; now be it

RESOLVED, that this Legislature authorizes the filling of a vacant Workforce Coordinator position (6210.08) in the Job Development Agency, at grade 18 of the CSEA Salary Schedule, effective August 24, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of a vacant temporary, part-time Employee and Training Program Assistant position (6210.18*) in the Job Development Agency, at grade 7 of the CSEA Salary Schedule, effective August 24, 2017.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 293-817

APPROVING AGREEMENT WITH THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agency:

Elmcrest, Syracuse, NY for the provision of residential foster care services; to be effective October 1, 2017 through September 30, 2018 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.

Snell Farm Children's Center, Bath, NY for the provision of residential foster care services; to be effective July 1, 2017 through June 30, 2018 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.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 294-817

AUTHORIZING COMPUTERS TO BE PURCHASED FROM DELL COMPUTER PRODUCTS FOR THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Orleans County has committed to the procurement of quality hardware for ongoing computer operations and Computer Services has aligned Orleans County with Dell as a workstation of choice; and

WHEREAS, the Department of Social Services has a number of computers that have aged past the point of obsolescence; and

WHEREAS, the New York State Information Technology Services has refused to give approval allowing leased desktop computers on the state Human Services Enterprise Network; and

WHEREAS, Computer Services has received a quote from Dell Financial Services for the purchase acquisition of desktop computers; now be it

RESOLVED, that this Legislature approves the purchase of 17 desktop computers from Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547 from quote number 300015527011.2, for

\$8,623.75 to be paid from Department of Social Services budget A6010.220.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 295-817

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

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operation of County business due to recent retirements, resignations and reorganizations; now be it

RESOLVED, that this Legislature does hereby abolish a full-time Keyboard Specialist position (6010.0132) effective September 1, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Clerk position at the Grade 7 of the CSEA Salary Schedule effective September 1, 2017.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 296-817

AUTHORIZING CREATING TEMPORARY POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature authorizes the creation of temporary positions in the Department of Social Services for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% Federal Funds, as follows:

Full time Social Welfare Examiner effective September 1, 2017 through April 30, 2018 at Grade 13 of the CSEA Salary Schedule.

Full time Social Welfare Examiner effective October 16, 2017 through March 31, 2018 at Grade 13 of the CSEA Salary Schedule.

Full time Clerk effective November 1, 2017 through April 30, 2018 at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created temporary vacant positions.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 297-817

AUTHORIZING OUT OF STATE TRAVEL FOR VETERANS SERVICE AGENCY DIRECTOR

RESOLVED, that this Legislature authorizes Out of State Travel for Earl M. Schmidt, Director of Veterans Service Agency to attend the Assemblyman Steve Hawley's Patriot Trip IX in Washington DC from September 21st through September 24th, 2017. County cost \$0.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 298-817

AUTHORIZING THE MENTAL HEALTH DEPARTMENT TO PURCHASE TWO NEW FORD FUSIONS

WHEREAS, Request for Proposals were received under proposals 2017-01 and 2017-02 from several area dealerships; now be it

RESOLVED, that this Legislature authorizes the Mental Health Department to award the proposals and purchase two (2) New 2017 Ford Fusions from Orleans Ford, 1405 South Main St., Medina, NY 14411 in the amounts of \$18,611 and \$18,386 to be paid from Mental Health Account A4310.270 Capital Equipment as set up under Resolution No. 226-617.

Moved, Allport; second, Allport.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 299-817

APPROVING CELLULAR PHONE USE AGREEMENT FOR MENTAL
HEALTH DEPARTMENT

WHEREAS, certain Mental Health Clinic Therapists are now providing services at county school satellite offices; and

WHEREAS, it is necessary for these Clinic Therapists to be able to receive and place telephone calls at these locations; and

WHEREAS, Clinic Therapist (Position No. 4310.48) will acknowledge the approved forms of agreement for cellular phone use; now be it

RESOLVED, that this Legislature approve the use of a cellular phone in accordance with the Cellular Phone Use Policy for Position No. 4310.48

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 300-817

APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY
HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agency:

Orleans Community Health a/k/a Medina Memorial Hospital, 200 Ohio St, Medina, NY 14103 to provide lead poisoning education, information, sampling, and testing for the residents of Orleans County. This contract runs concurrent with the New York State contract. Contract period October 1, 2017 through September 30, 2018. County cost \$0.

NYSDOH/ Bureau of Water Supply Protection, Corning Tower, Room 1110 Empire State Plaza Albany, NY 12237 an amendment to contract to receive additional funding for personal services, equipment, staff development and contractual needs. Additionally, contract is to provide education and safe water programs. The contract amount remains the same at \$107,516.00 for April 1, 2015 through March 31, 2017 but is amended and increased to \$122,020.00 for the April 1, 2017 through March 31, 2018 year. County cost \$0.

Health Research, Inc, Riverview Center, 150 Broadway, Ste. 560, Menands, NY 12204 to provide additional funding for Emergency Preparedness (EPC) Coordinator and supplies needed for services in Orleans County. EPC to oversee implementation & completion of deliverables: assist in assessment of local public health emergency preparedness capacities and address deficiencies. Contract amount \$52,096.00. Contract period July 1, 2017 through June 30, 2018. County cost \$0.

Amerigroup IPA, P O Box 62509, Virginia Beach, VA 23466-9900, a subsidiary of Blue Cross and Blue Shield, this contract will allow the Orleans County Health Department to bill Amerigroup IPA for child health plus and Medicaid managed care patients for services provided under Blue Cross Blue Shield effective July 19, 2017 through July 18, 2019. County Cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Allport moved to authorize application for funding through the Food and Drug Association; second by Legislator DeRoller. Legislator DeRoller asked Public Health Director Paul Pettit if there have been some enhancements to this program. Director Pettit explained that this is the third year they are offering this funding. This will allow us to take a look at our own standards within NYS law and Federal standards and prepare us for the transition to the Federal Food code which is expected at some point. This funding will also allow our Public Health Sanitarians to travel to regional training. Legislator DeRoller stated that he has been keeping Director Pettit informed of some of the different inspections that have been going on in our restaurant businesses and it is a concerning view and our staff needs to be on top of these particular issues. Legislator DeRoller shared his appreciation for obtaining this funding opportunity. The following resolution was adopted:

RESOLUTION NO. 301-817

AUTHORIZING THE HEALTH DEPARTMENT TO APPLY FOR FUNDING FROM THE FOOD AND DRUG ASSOCIATION AND ASSOCIATION OF FOOD AND DRUG OFFICIALS

RESOLVED, that the Health Department is authorized to apply for a funding opportunity through the Association of Food and Drug Officials, 2550 Kingston Rd, Suite 311, York, PA 17402 for completion of a project, and training to enhance conformance with the Voluntary National Retail Food Regulatory Program Standards. Grant period from January 1, 2018 through December 31, 2018 for an award up to \$6,000. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 302-817

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

WHEREAS the Orleans County Health Department has maintained high standards of communicable disease reporting measures since the first year of the program based on timeliness and completeness; now be it

RESOLVED the Orleans County Health Department has been awarded \$12,000 to support costs associated with Article 6 programs; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department as a result of the award from the New York State Department of Health:

Revenue:

A3401	State Aid	\$12,000
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Appropriations:

A4010.220	Office Equipment	\$4,200
A4010.250	Other Equipment	\$1,100
A4010.402	Laboratory	\$1,000
A4010.411	Office Supplies	\$400
A4010.458	Books and Periodicals	\$400
A4010.487	Environmental Health Supplies	\$2,900
A4010.489	Nursing Supplies	\$2,000

Moved, Allport; second, DeRoller.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 303-817

**AUTHORIZING FILLING OF VACANCY IN THE ORLEANS
COUNTY DEPARTMENT OF MOTOR VEHICLE OFFICE**

WHEREAS, upon the retirement of a Motor Vehicle Application Examiner on August 25, 2017, after 22 years of employment with the Orleans County Department of Motor Vehicles; and

WHEREAS, this position provides a valuable service to the residents of Orleans County while providing revenue to Orleans County; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full time Motor Vehicle Application Examiner position in the County Clerk/DMV Department at Grade 9 of the CSEA Salary Schedule, effective August 28, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 304-817

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

WHEREAS, Resolution No. 300-814 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 of \$0.1897 per bill and \$0.0612 per collector's copy, with such fees charged back to municipalities; now be it

RESOLVED, that this Legislature approves an agreement extension for an additional 12 month period for printing services through August 31, 2018 with no contract changes.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 305-817

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 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, 2020, 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, 2020, 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 tax 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, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, 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, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, 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, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, 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, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, 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, 2020, the tax shall be at the rate of four percent, and on and after December 1, 2020, 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, 2020, 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, 2020, are set aside for County purposes and shall be available for any County purpose.

SECTION 6. This resolution shall take effect on December 1, 2017.

Moved, Johnson; second, Allport.

Roll Call – 6 ayes: Allport, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 306-817

APPROVING SOFTWARE SUBSCRIPTION SERVICE BETWEEN THE TREASURER’S OFFICE AND ACCELA

RESOLVED, that this Legislature approves the annual software subscription service between the Treasurer’s Office and ACCELA f/k/a KVS Information Systems, 821 Maple Rd, Williamsville, NY 14221 covering all programs relating to the Treasurer’s Office, Personnel Office and Budget Officer at a cost of \$10,304.60; effective August 1, 2017 through July 31, 2018, to be paid from the respective budgets, as applicable.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 307-817

APPROVING AGREEMENTS BETWEEN SHERIFF’S OFFICE AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements between the Sheriff's Office and various agencies:

Frontier Communications of America, Inc. to provide maintenance and repair services for equipment and associated products of the 911 Plan for term December 15, 2016 through December 14, 2017, at a cost of \$9,722.05, to be paid from Public Safety Communications budget line 3020.496.

ELSAG ALPR Systems, 205 H Creek Ridge Rd, Greensboro, NC 27406 for a two year extended software warranty on license plate recognition devices for period August 21, 2017 through August 21, 2019 at a cost of \$3,781 to be paid from the STOP DWI Budget.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 308-817

APPROVING RENEWAL AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 26-115 approved a five-year agreement between the Sheriff's Office and the New York State Unified Court System to reimburse the county for security personnel assigned to the county courthouse; now be it

RESOLVED, that this Legislature approves a one year renewal with the New York State Unified Court System and the Orleans County Sheriff's Office for Contract No. UCS05-C200493-5000284, with a maximum monetary reimbursement amount not to exceed \$347,903 for the fourth period April 1, 2017 through March 31, 2018.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 309-817

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE

RESOLVED, as a result of a resignation, this Legislature does hereby authorize filling two vacant part-time Correction Officer positions

(3150.38 and 3150.26) at the rate of \$14.20 per hour effective August 24, 2017; and be it

FURTHER RESOLVED, as a result of a retirement, this Legislature does hereby authorize the filling of a vacant Criminal Investigator position (3110.39) at Grade 1 of the OCDSA Salary Schedule effective August 24, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 310-817

AUTHORIZING TRANSFER OF FUNDS WITHIN THE SHERIFF BUDGET

RESOLVED, that the Treasurer is authorized to transfer funds within the Sheriff's STOP DWI Budget for the purchase of a filing cabinet, as follows:

<u>From:</u>		
A3315.411	Office supplies & materials	\$279.80
<u>To:</u>		
A3315.210	Furniture & furnishings	\$279.80

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 311-817

APPROVING AGREEMENT WITH AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND APPROVING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes agreement with Tim Warth, dba Radio Technologies at 15 Pamda Dr, Rochester, NY 14617; as a third party communications consultant to provide professional services as required under the Communications Governance Structure of the Statewide Interoperable Communications Grant at a cost not to exceed \$61,193 effective January 1, 2017 through December 31, 2017; said

services to be paid from the FY16 Statewide Interoperable Communications Grant, 3640.486.SI16, and be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend Statewide Interoperability Communications Grant Funds (SI16) in the amount of \$17,193.00 for Consultant Services with Tim Warth, dba Radio Technologies, 15 Pamda Drive, Rochester, NY 14617; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set setting up DHSES Statewide Interoperability Communications SI16 Grant Funds as follows:

Revenue

A4309.1674	Statewide Interop Communications Grant SI16-1015-D00	\$17,193
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Appropriation

3640.486.1674	Special Grants – State Interop SI16	\$17,193
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Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 312-817

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND
VARIOUS AGENCIES FOR PRINTING**

RESOLVED, that this Legislature does hereby approve the agreement between the County of Orleans and Lake Country Media, 170 N. Main St., Albion, NY 14411 to provide printed material including letterhead, stationary, envelopes, business cards and appointment cards for all county departments from September 14, 2017 through September 13, 2020; and be it

FURTHER RESOLVED, that this Legislature does hereby approve the agreement between the County of Orleans and The Notable Corporation, 4240 Ridge Lea Rd, Amherst, NY 14226 to provide printed material including letterhead, stationary, envelopes, business cards and appointment cards for all county departments from September 14, 2017 through September 13, 2020; and be it

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

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 313-817

AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 13, 2017:

Fund/Department	Check Number (s):	Amount:
General	9356-9541	\$473,233.97
Highway	1022-1043; 2422-2449	\$131,055.32
Job Development	2524-2535	\$8,887.53
Self Insurance	1144, 58575, 58616, 58618, 58619	\$46,434.16

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 Superintendent of Highways, 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 27, 2017:

Fund/Department	Check Number (s):	Amount:
General	9559-9706	\$282,246.82
Highway	1044-1051; 2450-2460; 6792	\$446,424.34

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Job Development	2539-2546	\$8,746.27
Self Insurance	1145-1146, 58617	\$189.98

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 314-817

AUTHORIZING THE FILLING OF POSITIONS IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, the Mental Health Department has a vacancy for a permanent Keyboard position (Position #4310.36); now be it

RESOLVED, that this Legislature authorizes the filling of a permanent Keyboard Specialist (Position # 4310.36) in the Mental Health Department at Grade 7 of the CSEA salary schedule, effective September 5, 2017.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 315-817

AUTHORIZING TREASURER TO SET UP FROM RESERVE INTO THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up from Miscellaneous Reserve into the Mental Health Department budget to pay back unexpended HIT funds as follows:

From:
Miscellaneous Reserve \$813.74

To:
A4310.418 Other Contractual \$813.74

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 316-817

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 3-INTRO OF 2017 REGARDING DOG CONTROL LAW OF THE COUNTY OF ORLEANS

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled DOG CONTROL LAW OF THE COUNTY OF ORLEANS; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 27th day of September, 2017 at 4:25 p.m. at the Legislature Chambers, 3 South Main St., Albion, New York.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 317-817

RESCINDING RESOLUTION NO. 283-717 CONCERNING LEASE AGREEMENT WITH VERIZON WIRELESS

RESOLVED, that this Legislature rescinds Resolution No. 283-717 concerning Lease Agreement with Verizon Wireless.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 318-817 (RESCINDED – Res No. 352-917)

AUTHORIZE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE, NEGATIVE DECLARATION, TOWER LEASE AGREEMENT, ON PROPERTY LOCATED AT 14064 WEST COUNTY HOUSE ROAD, TOWN OF ALBION, ORLEANS COUNTY

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless ("Verizon Wireless") proposed to construct and operate a wireless telecommunications facility, including installing antennas on tower space and property to be leased from the County of Orleans (the "County"), pursuant to that certain Tower Lease Agreement (the "Lease"), on property located at 14064 West County House Road, Town of Albion, County of Orleans, State of New York, as shown on the Tax Map of the Town of Albion as Tax Map Number 83-1-28.1 (the "Project"); and

WHEREAS, representatives of Verizon Wireless previously met with County officials and thoroughly reviewed the Project and the Lease and have submitted materials and information in connection therewith; and

WHEREAS, the County Legislature (the "Legislature") is fully familiar with the proposed location and the surrounding area; and

WHEREAS, the Project is an unlisted action under SEQRA and the Legislature is the only involved agency and, therefore, the Lead Agency; and

WHEREAS, the Legislature has fully reviewed the Project, the Lease and all other materials submitted in connection therewith and taken a "hard look" at any potential adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED THAT:

Based upon the Legislature's thorough and careful review of the Project, the Lease, and all other materials submitted in connection therewith, the Legislature hereby determines that the Project and the Lease will not result in any significant adverse environmental impacts and hereby issues a negative declaration pursuant to SEQRA.

REASONS SUPPORTING THE NEGATIVE DECLARATION:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. The Project will produce minimal, if any, disturbance of soil and vegetation, with

minimal storm run-off.

2. Aesthetics, Agriculture, Archaeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archaeological, historical, natural, or cultural resources. The Project is a public utility which must be located as and where necessary to provide essential wireless telecommunications service. Although a facility of this nature will be visible, its overall visibility will be minimized to the maximum extent possible.
3. Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species. No plant or animal life will be adversely affected by the Project.
4. Community Plans, Use of Land or Natural Resources. The Project is in keeping with the official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.
5. Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent development.
6. Long Term, Short Term, Cumulative or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.
7. Critical Environmental Area. The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, subdivision 617.14(g).
8. Public Health and Safety. The Project will have no adverse impacts on the public health. The Legislature recognizes that the Project will enable Verizon Wireless to provide reliable wireless telecommunications service to the County and the area generally, enabling individuals, businesses and emergency service providers access to this essential service. For all these reason, the Project will promote the general health, safety and welfare of the citizens of the area by providing access to a modern, reliable system of wireless telecommunications service.

BE IT FURTHER RESOLVED that the Legislature finds that none of the criteria for determining significance set forth in §617.7(c)(1)(i)-(xii) would be implicated as a result of this Project.

BE IT FURTHER RESOLVED that Notice of this determination of non-significance shall be filed to the extent required by the applicable regulations under SEQRA or as may be deemed advisable by the Legislature.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 319-817 (RESCINDED – Res No. 352-917)

AUTHORIZE LEASE FOR WIRELESS TELECOMMUNICATIONS FACILITY ON COUNTY PROPERTY WITH BELL ATLANTIC MOBILE SYSTEMS OF ALLENTOWN, INC. D/B/A VERIZON WIRELESS ("VERIZON WIRELESS")

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless ("Verizon Wireless") proposed to construct and operate a wireless telecommunications facility and install antennas on a tower located on property to be leased from the County of Orleans (the "County"), pursuant to that certain Tower Lease Agreement (the "Lease"), on property located at 14064 West County House Road, Town of Albion, County of Orleans, State of New York, as shown on the Tax Map of the Town of Albion as Tax Map Number 83-1-28.1 (the "Project"); and

WHEREAS, representatives of Verizon Wireless have met with County officials and thoroughly reviewed the Project and the Lease and;

WHEREAS, the County Legislature (the "Legislature") is fully familiar with the proposed location and the surrounding area, the terms and conditions of the proposed Lease and the benefits to the public which will result from the improved wireless service; and

WHEREAS, proceeding with the Lease is in the best interest of the County and will serve important County purposes, including enabling emergency services, businesses and individuals to have access to adequate, reliable, modern wireless communications services to relevant portions of the County; and

WHEREAS, because the Lease and the Project will serve important County and public purposes, they do not require local municipal zoning approval; and

WHEREAS, the lease premises are not needed for any other public purpose; and

WHEREAS, the initial rent under the Lease is \$18,000.00 with 2% annual increases, which the County has determined is fair market value; and

WHEREAS, pursuant to the Lease, the initial term shall be for a period of five years, with automatic five-year renewal terms for an overall term not to exceed 49 years; which term has been authorized by a superseding local law (the "Local Law"), authorizing a lease period in excess of the County Law Section 215 term limit; and

WHEREAS, in connection with the Lease, the Legislature has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project pursuant to the State Environmental Quality Review Act ("SEQRA") and duly issued a Negative Declaration pursuant thereto; and

WHEREAS, based upon the Legislature's thorough and careful review of the Project, and all other materials submitted in connection therewith, and the important County and public interest to be served by the Project, the Legislature has determined to enter the Lease on the terms and conditions set forth therein and noted below.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Legislature hereby authorizes the Chairman of the Orleans County Legislature, to enter into the Lease with Verizon Wireless to allow Verizon Wireless to construct and operate a wireless telecommunications facility and related infrastructure on the Property.
2. The Lease shall be for an initial term of five (5) years with up to eight (8) five (5) year and one (1) four (4) year renewal terms, which term is in keeping with relevant statutory provisions.

3. The Lease shall have an initial annual rent of \$18,000.00, with rent escalating 2% every lease year, which the County has determined is fair market value.
4. The Lease shall additionally serve an important public purpose by providing emergency services to businesses and individuals in the relevant coverage area with access to adequate, modern, reliable wireless communications.

BE IT FURTHER RESOLVED, that the Chairman of the Legislature be hereby authorized to execute the Lease with Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless for the term set forth above, subject to approval of the Orleans County Attorney.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

Chairman DeFilipps asked if anyone wished to make comments. Mike Elam, a member of the Orleans County Sportsman Federation, thanked the Legislature for their help in supporting the rifle bill that was signed by Governor Cuomo to allow rifle hunting in Orleans County.

As the Legislature's appointed representative to the Fish and Wildlife Board, Mr. Elam expressed that their primary goal is access to fishing. Today he is inquiring about the Marine Park fishing dock. He said that the Marine Park closes in late November which is prime time for Perch fishing. There are not too many spots for a shore fisherman to fish at Oak Orchard. In his experience from last fall and this spring, Perch fishing looks like it will be good. Mr. Elam asked for the Marine Park to stay open longer, a few additional weeks, for these shore fishermen to have the opportunity to fish from our docks for Perch. He would greatly appreciate the consideration and thanked the Board to allow him to speak.

Chairman DeFilipps announced that all legislative appointments to the current Standing Committees and Boards will continue until the end of the year.

Legislator Johnson moved to adjourn; second by Legislator DeRoller.
Meeting adjourned at 4:51 p.m.

SPECIAL LEGISLATURE MEETING
September 11, 2017

Chairman DeFilippis called the meeting to order at 3:31 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present.

The following resolution was presented for adoption:

Legislator Johnson moved to authorize an Intermunicipal Agreement to create NORLIC, A New York Land Bank; seconded by Legislator Allport. Legislator DeRoller stated that relative to the process and his research, there has been eighteen land banks that have been awarded through the State of New York through the end of 2016 and the Attorney General has put out \$32 million in that process so far. The Buffalo, Erie, Niagara Land Improvement Corporation has received \$4.5 million to date. Legislator DeRoller hopes that we aggressively pursue funding through the Attorney General in this land bank process. This will allow us to demolish properties. Out of 1995 properties claimed abandoned in New York State, 701 properties were returned to productive use, 409 were considered unstable which were demolished or in process. This is what we are buying into in that we can get structures back on the market but also need to consider demolishing if it sees fit. In Orleans County, Legislator DeRoller stated that we have 10,200 single family homes. In discussion with Real Property Director Dawn Allen, it has been determined that about 5% of that is vacant and 20 to 30% have mortgages. So we have definitions of vacant, zombie; and this will provide more oversight in other opportunities. Legislator DeRoller reviewed the membership terms and terms of the agreement. He asked about the language to terminate membership. Attorney Schubel expressed that we would be able to opt out by providing 6 months notice. The following resolution was adopted:

RESOLUTION NO. 320-917

AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ORLEANS, COUNTY OF NIAGARA, CITY OF LOCKPORT, CITY OF NIAGARA FALLS and the CITY OF NORTH TONAWANDA RELATIVE TO THE CREATION OF THE NORLIC, A NEW YORK LAND BANK

WHEREAS, addressing the need to strengthen and revitalize local communities, New York State recently enacted the "Land Bank Act" (Not

for Profit Corporation Law, Article 16) which authorizes municipalities to establish individual or cooperative land banks; and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community: and

WHEREAS, land banks may acquire, redevelop and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism to acquire blighted properties and convert them to productive uses; and

WHEREAS, to maximize opportunities and increase efficiencies, the County of Orleans, County of Niagara, City of Lockport, City of Niagara Falls and the City of North Tonawanda desire to establish a single land bank; and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Land Bank on behalf of Orleans County and others; now, therefore, be it

RESOLVED, there is hereby created a land bank on behalf of the County of Orleans, with the intent but not the requirement to include County of Niagara, City of Lockport, City of Niagara Falls and the City of North Tonawanda, to be known as the Niagara Orleans Regional Land Improvement Corporation ("NORLIC"), and be it further

RESOLVED, that the Board of Directors shall consist of seven members; as set forth below and subject to each member approving the Intermunicipal Agreement subject to respective municipality joining the land bank; and be it

FURTHER RESOLVED, that the initial members of the Board of Directors and their alternate appointee will have a term of six (6) months or until replaced by the respective municipality; and are hereby approved, as follows:

- (a) Richard Updegrave, Niagara County Manager;
- (b) E. John DeFilipps, Chairman of Legislature, Orleans County;
- (c) [Mayor], City of Lockport;
- (d) [Mayor], City of Niagara Falls;
- (e) [Mayor], City of North Tonawanda;

- (f) Samuel Ferraro, Niagara County Commissioner of Economic Development;
- (g) Niagara County Treasurer or appointee

and be it

FURTHER RESOLVED, that the manner of appointment of Board of Directors, after the initial term, subject to the municipalities who have joined, shall be as follows:

- (a) Three members shall be appointed by the Chairman of the Niagara County Legislature;
- (b) One member shall be appointed by the Orleans County Legislature;
- (c) One member shall be appointed by the Mayor of the City of Lockport;
- (d) One member shall be appointed by the Mayor of the City of Niagara Falls;
- (e) One member shall be appointed by the Mayor of the City of North Tonawanda;

and be it

FURTHER RESOLVED, that the term of said directors after the initial term shall be two (2) years; and be it

FURTHER RESOLVED, that each board member, at the election of his or her appointing party, may not be subject to term limits; and be it

FURTHER RESOLVED, that the County of Orleans does hereby authorize the Chairman of the Legislature to execute an Intermunicipal Agreement between the County of Orleans and other municipalities that may include, County of Niagara, City of Lockport, City of Niagara Falls and the City of North Tonawanda for the creation of the NORLIC, a New York Land Bank; and be it

FURTHER RESOLVED, that the agreement shall only be executed after review and approval by the Orleans County Attorney for terms, form and content; and be it

FURTHER RESOLVED, that the Certificate of Incorporation for the Land Bank shall be in substantially the same form as available for

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Resolution 320

review at the Orleans County Clerk's Office and hereby is approved;, and
be it

FURTHER RESOLVED, that the Agreement will be for a five (5)
year period upon execution, with an automatic five (5) year renewal period
unless terminated in accordance with its terms and conditions; and be it

FURTHER RESOLVED, that the land bank may proceed forward
whether the Intermunicipal Agreement includes all the suggested
municipalities or only the County of Orleans.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Johnson moved to adjourn; second by Legislator Eick. Meeting
adjourned at 3:39 p.m.

LEGISLATURE MEETING
September 27, 2017

Chairman DeFilipps called the meeting to order at 4:33 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Johnson.

The Clerk presented the following communications: Making Strides against Breast Cancer Orchard Walk will take place at Watt Farms on October 28th. A request has been made to place a 3x12 banner on the courthouse lawn from October 14th through October 28th to advertise this event. Sheriff Bower is requesting to use Courthouse Square, mostly along East State Street, on Friday, October 6th at 6 p.m. for the Ride 4 Life Program. Tents will be placed and power will be needed. Both requests were approved by the Legislature. The third annual Family Game Night in Orleans County has been scheduled and plans are underway. This event is sponsored by the Orleans County Youth Bureau and Orleans County Legislature. The event will take place on Thursday, October 12th from 5:30-7:30 pm at the Trolley Building, Cornell Cooperative Extension 4-H Fairgrounds, 12690 Route 31, Albion. This event will feature dinner, games to play, displays to visit and a FREE board game to every family. The booths will provide information on a wide array of services for youth and families that are provided by the County of Orleans. Cost, including dinner, is \$5 for a family of four or \$3 for individuals. We will also have prizes, promotions and activities throughout the night. To register or for more information you can contact the Legislative Office at 589-7053 or at www.orleansny.com. Commissioner Ball from the New York State Department of Agriculture and Markets has certified that the land included in the Orleans County Agricultural District is viable agricultural land, and as proposed is feasible and shall serve the public interest in assisting in maintaining a viable agricultural industry within the District.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through August 2017. Treasurer Heard noted she made a little loan to the Road and Machinery Fund, which most of that has been paid back in the month of September. Sales tax is coming along nicely and hopefully it continues.

Chairman DeFilipps called for open discussion as it related to the resolutions, with there being no comments, Legislator Eick moved to add

four resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 321-917

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$ 50,021.39	Labella Associates	Professional Services for Culvert Road Bridge Repl. 2/25/17-7/21/17 Inv #81928
\$ 58,892.76	Labella Associates	Professional Services for Marshall Road Bridge Repl. 2/25/17-7/21/17 Inv #81927
\$19,156.72	Labella Associates	Professional Services for Marshall Road Bridge Repl. – 7/22/17-8/18/17 Inv #82356
\$15,533.73	Labella Associates	Professional Services for Culvert Road Bridge Repl. – 7/22/2017-8/18/17 Inv #82357
\$ 194,219.98	Keeler Construction	Construction for Marshall Road Bridge – Pymnt #3 – 8/13/17-9/8/17

FURTHER 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>
\$ 28,189.05	Labella Associates	Professional Services for Platten Road Culverts – 3/11/17-8/11/17 Inv #81923
\$ 97,059.08	Keeler Construction	Construction for Platten Road Culverts – Pymnt #6 – 8/13/17 – 9/9/17

Moved, Eick; second, Miller
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 322-917

APPROVING EXTENSION OF AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND MONROE TRACTOR

WHEREAS, Resolution No. 172-517 approved an agreement between the Orleans County Highway Department and Monroe Tractor from May 1, 2017 through August 1, 2017 for a rental of a mini excavator to assist the Highway Department in road work; now be it

RESOLVED, that this Legislature does hereby approve an extension of this agreement with Monroe Tractor, 1001 Lehigh Station Road, Henrietta, NY 14467 until October 1, 2017 at a rate of \$1,785 a month.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 323-917

AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY DEPARTMENT

RESOLVED, that the County Treasurer is authorized to set up new money in the Highway budget to pay for unforeseen postage expenses within the Highway budget as follows:

<u>Revenue:</u>		
D2655	Minor Sales	\$200.00
 <u>Appropriation:</u>		
D5010.461	Postage	\$200.00

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 324-917

APPROVING AGREEMENT AND ACCEPTING GRANT BETWEEN OFFICE FOR THE AGING AND HEALTH FOUNDATION FOR WESTERN & CENTRAL NEW YORK; AUTHORIZING TREASURER

TO SET UP NEW MONEY IN THE OFFICE FOR THE AGING BUDGET

RESOLVED, that this Legislature approves an agreement between Orleans County Office for the Aging and Health Foundation for Western & Central New York, 726 Exchange Street, Suite 518, Buffalo, NY 14210 for participation in the Aging by Design Grant which is funded by the Health Foundation for Western and Central New York, Contract period is October 1, 2017-March 31, 2018, grant award is \$25,000-payments to be divided over two years (2017-\$15,000, 2018-\$10,000), county cost is \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Office for the Aging Budget as a result of the new agreement with Health Foundation for Western and Central New York as follows:

Revenue:

A1972	Local Grants	\$15,000
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Appropriations:

A6772.100	Personnel Services	\$11,287
A6772.411	Office Supplies	\$100
A6772.461	Postage	\$50
A6772.462	Mileage	\$300
A6772.463	Mileage – Other than Travel	\$100
A6772.486	Special Grant	\$550
A6772.810	State Retirement	\$1,749
A6772.820	Medicare	\$164
A6772.830	Social Security	\$700

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 325-917

APPROVING AGREEMENT WITH THE DEPARTMENT OF SOCIAL SERVICES AND WILLIAM GEORGE AGENCY

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and The William George Agency, Freeville, NY for the

provision of residential foster care services; to be effective September 1, 2017 through August 31, 2018 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.

Moved Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 326-917

**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 operations of county business due to recent retirements, resignations and reorganizations; now be it

RESOLVED, that this Legislature does hereby authorize filling a full-time Caseworker position (6010.0228) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective September 28, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize filling a full-time Social Welfare Examiner position (6010.0111) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective September 28, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Account Clerk Typist position (6010.0251) effective October 27, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Account Clerk position at Grade 9 of the CSEA salary schedule effective October 27, 2017.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 327-917

**MODIFYING AGREEMENT OF INTERAGENCY INSTALLMENT
OBLIGATION AGREEMENT BETWEEN THE COUNTY OF**

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ORLEANS AND THE COUNTY OF ORLEANS INDUSTRIAL
DEVELOPMENT AGENCY

WHEREAS, the County Of Orleans Industrial Development Agency (COIDA) requested from the County Of Orleans short term funding assistance with the COIDA's cash flow obligations arising from the MEDINA INDUSTRIAL PARK PROJECT in the principal sum of \$100,000.00; and

WHEREAS, by Legislature Resolution No. 270-716, the County of Orleans Legislature authorized an Interagency Installment Obligation by COIDA in the principal sum of \$100,000 to be repaid together with interest at the rate of 2.0% per annum; and

WHEREAS, COIDA and the County entered into an Interagency Installment Obligation Agreement dated as of the 12th day of August, 2016; and

WHEREAS, the Interagency Installment Obligation Agreement provides that the Agency will pay the Orleans County Treasurer the principal sum of \$100,000.00 with interest at the rate of 2% per annum on the 1st day of September, 2017; now be it

RESOLVED, that the Interagency Installment Obligation agreement be modified to provide that the principal sum of \$100,000 shall be repaid in three equal annual installments of principal in the amount of \$33,333.33 together with interest at the rate of 2% per annum on the unpaid balance and such payments will be due and payable on September 1, 2018, September 1, 2019 and September 1, 2020, at which time the entire remaining unpaid principal balance together with interest at the rate of 2% per annum shall be due and payable; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Modification Agreement where all other terms and provisions of the Interagency Installment Obligation Agreement shall remain the same.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 328-917

AUTHORIZING FILLING OF VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a Clinic Therapist position (4310.15) in the Mental Health Department at Grade 22 of the CSEA Salary Schedule, effective September 28, 2017.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 329-917

AUTHORIZING TREASURER TO SET UP FROM RESERVE INTO THE MENTAL HEALTH DEPARTMENT BUDGET AND AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO REIMBURSE NYS DEPARTMENT OF HEALTH COMMUNITY SUPPORT PROGRAMS (CSP) MONIES

RESOLVED, that the County Treasurer is authorized to set up from Miscellaneous Reserve into the Mental Health Department budget to reimburse Medicaid for overpayment of CSP money for the period January 1, 2010 through October 31, 2013 as follows:

<u>From:</u>	
Miscellaneous Reserve	\$13,065.22
<u>Appropriation:</u>	
A4310.418 Other Contractual	\$13,065.22

and be it

FURTHER RESOLVED, that this Legislature authorizes the Department of Mental Health to reimburse Community Support Programs (CSP) money for the period of January 1, 2010 through October 31, 2013 to the New York State Department of Health in the amount of \$13,065.22 to be paid from Mental Health Account A4310.418 – Other Contractual.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 330-917

September 27, 2017
Resolution 321-361

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Student Transport, Inc. (DBA:WNY Bus Co), at 850 Aero Dr., Cheektowaga, NY 14225 for the provision of transportation services to Early Intervention participants pursuant to Public Health Law, title 11-A of article 25, and preschool supportive health services students pursuant to section 4410 of education law and part 200 regulations of the commissioner of education. These services qualify for 49% reimbursement from NYS less any Medicaid payment from Medicaid eligible children. Cost to county 51% Contract period September 1, 2017 through August 31, 2017.

Erie County Public Health Lab at 503 Kensington Ave., Buffalo NY 14214 to provide Lab Services for Public Health Nursing and the Environmental Health Water Program. Contract reimbursement from NYS Water Grant fees and State Aid. Reimbursement in accordance with the most current fee schedules for environmental and clinical testing services. No cost to County. Contract period January 1, 2018 through December 31, 2018.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 331-917

AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND THE SIGNING OF THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Orleans, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ORLEANS

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF ORLEANS or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

Moved, DeRoller; second, Allport.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 332-917

SETTING DATE OF PUBLIC HEARING FOR LOCAL LAW NO. 4-INTRO OF 2017 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 October 25, 2017 at 4:20 p.m. at which time all interested parties will be heard.

Moved, DeRoller, second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 333-917

SUPPORTING AN INCREASE IN STATE SUPPORT FOR CORNELL COOPERATIVE EXTENSION COUNTY ASSOCIATIONS IN THE STATE OF NEW YORK

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of the New York's natural resources, building opportunity through STEM based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses; and

WHEREAS, support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 8 of the County Law have remained stagnant for seventeen years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs; now be it

RESOLVED, that the Legislature of Orleans County supports increasing the State appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies this resolution to Governor Andrew Cuomo, Senator Rob Ort, Assemblyman Steve Hawley, Assemblyman Michael Norris, Orleans County Cornell Cooperative Extension and all others deemed necessary and proper.

Moved DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 334-917

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE COUNTY CLERK’S BUDGET

WHEREAS, the camera used for Passport and Pistol Permits is no longer working and this camera is a source of revenue in the County Clerk’s office in processing these applications; now be it

RESOLVED, that the County Treasurer is authorized to transfer funds into the County Clerk’s budget for emergency purchase of a new passport camera as follows:

<u>From:</u>		
A1990.435	Contingent Fund	\$1,695
<u>To:</u>		
A1410.220	Office Equipment	\$1,695

Moved, Eick; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 335 -917

SETTING DATE OF PUBLIC HEARING FOR LOCAL LAW NO. 5-
INTRO OF 2017 REGARDING DISABLED TAX EXEMPTIONS

WHEREAS, there has been duly presented and introduced to this Legislature a proposed local law entitled “A Local Law Amending Local Law No. 4 of the Year 2007 to Revise Income Eligibility Levels”; therefore be it

RESOLVED, that a public hearing will be held on the said proposed local law by this Legislature on October 25, 2017 at 4:25 p.m. at which time all interested parties will be heard.

Moved, Eick, second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 336-917

AUTHORIZING TREASURER TO PLACE ADVERTISEMENT
REGARDING UNPAID TAXES

RESOLVED, that pursuant to a request from the County Treasurer, this Legislature authorizes the placement of a notice in the Lake Country Pennysaver notifying the delinquent taxpayers that failure to pay their 2017 taxes will result in the County filing a tax lien against said property as required by New York State Real Property Tax Laws.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 337-917

APPROVING AGREEMENTS BETWEEN THE SHERIFF’S OFFICE
AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Sheriff’s Office and the following agencies

Brite Computers, 7647 Main Street Fishers, Victor, NY 14564 for NetMotion Mobility XE Premium Maintenance for 25 device licenses of

Mobility with the Analytics Module and Policy Module, for period beginning October 7, 2017 through October 6, 2019 at a cost of \$3,245.

General Physicians Sub I, PLLC, 100 Ohio Street, Medina, NY 14103, for nursing services to be provided at the Orleans County Jail, effective for period January 1, 2017 through December 31, 2018, at a cost of \$8,226.61 per month for year 2017 at an increase of 3%, and \$8,473.41 per month for year 2018, with an increase of 3%.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 338-917

**APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN
NYS DOCCS AND ALBION CORRECTIONAL FACILITY**

RESOLVED, that this Legislature approves a Memorandum of Understanding between New York State Department of Corrections and Community Supervision and Albion Correctional Facility, in collaboration with Orleans County Sheriff's Office/Animal Shelter and Ebb Tide Kennels, for the Canine Training Program, a mutually beneficial program designed to enhance vocational skills for inmates and to make possible the adoption of trained canines.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 339-917

**APPROVING AMENDMENT TO MEMORANDUM OF
UNDERSTANDING BETWEEN SHERIFF'S OFFICE/JAIL AND
KEEFE COMMISSARY NETWORK, LLC**

WHEREAS, an addendum to the Memorandum of Understanding between Keefe Commissary Network, LLC, 13675 Darice Parkway, Strongsville, OH 44149, was approved in Resolution No. 272-716, now be it

RESOLVED, that this Legislature approves an Amendment to Deposit Services, Memorandum of Understanding, which provides for the application of service fees for all debit/credit deposits in accordance with the new fee structure, fees being assessed to the depositor/payee.

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Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 340-917

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE STOP-DWI FOUNDATION

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to the New York State STOP-DWI Foundation, Inc., 414 Fairview Avenue, Hornell, NY 14843, for Crackdown Grant Funding for 2017-2018. Grant funds would provide the Sheriff's Office, and other local law enforcement agencies, to participate in increased STOP-DWI patrols during peak holiday periods throughout the year. Grant period to be October 1, 2017 through September 30, 2018.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 341-917

AUTHORIZING FILLING VACANCY IN THE SHERIFF'S OFFICE

RESOLVED, this Legislature does hereby authorize the filling of this contingent permanent vacant Public Safety Dispatcher position (3020.09) at Grade 4 of the OCSEA Salary Schedule effective October 30, 2017.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Legislator Eick moved to approve a resolution to call upon the State to reimburse counties for temporary detainment of Parole Violators at our local jail. Legislator Eick requested CAO Nesbitt to comment on this resolution. Mr. Nesbitt stated that we have had a problem with the State over the years leaving parole violators in our local jail a lot longer than what is appropriate based on the zero reimbursement we receive now since 2009 which we used to get \$70 per day once they exceeded ten days. Last year our jail housed a prisoner for 215 days and the average length of stay is 52 days explained CAO Nesbitt. It is inappropriate for the state to do

this to us without any type of reimbursement so this is why this resolution is on today's agenda. This was also approved by the NYSAC Board and its membership at the fall conference. Legislator Allport stated that our cost is over \$500,000 to hold these parole violators. Sheriff Bower confirmed it was a \$560,000 cost last year to our county. Legislator Allport stated that if one wants to know what \$500,000 is on the tax impact, every \$16,000 expense is a penny on your tax. The following resolution was adopted:

RESOLUTION NO. 342-917

CALLING ON THE STATE TO REIMBURSE COUNTIES FOR THE TEMPORARY DETAINMENT OF PAROLE VIOLATORS AT LOCAL CORRECTIONAL FACILITIES

WHEREAS, those who violate their parole are often held at local correctional facilities while appeals and extensions on hearing the violation are granted by the court; and

WHEREAS, the parole violator must appear before the court within 10 business days of the court's notice to appear; and

WHEREAS, the time the violator spends in the local correctional facility is credited to their sentence and oftentimes their additional sentence is served in a local correctional facility; and

WHEREAS, this is causing a financial and personnel strain on local correctional facilities; and

WHEREAS, S.744 (Ritchie)/A.305 (Gunther) requires parole violators to be transferred to state correctional facilities after 10 days in a local correctional facility; and

WHEREAS, the legislation also requires Department of Correctional and Community Supervision (DOCCS) to reimburse the local facility for the cost of the temporary detainment of the parole violator if they are not transferred to a DOCCS facility within 10 days; and

WHEREAS, operating local jails imposes a significant cost to counties. It is important to implement policies that require the state to be responsible for the costs of detaining state parole violators. This bill has the potential to provide fiscal relief for counties; now be it

RESOLVED, that the Orleans County Legislature calls on the Governor and the New York State Legislature to support legislation that requires parole violators be transferred to state correctional facilities after 10 days or reimburse counties for temporary detainment of parole violators; and be it

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

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 343-917

AUTHORIZING THE SHERIFF'S OFFICE TO PURCHASE A 2018 CHEVROLET TAHOE FOR SHERIFF PATROL AND AUTHORIZING THE TREASURER TO TRANSFER FUNDS INTO THE SHERIFF'S BUDGET

WHEREAS, a current patrol car has been deemed as totaled and NYMIR has provided a settlement of \$43,725.30 to replace this patrol vehicle, now be it

RESOLVED, that this Legislature authorizes the Sheriff's Office to purchase a new 2018 Chevrolet Tahoe 4WD 4 door for a Sheriff Patrol Vehicle at a total cost of \$49,510.00 from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New York 14043, to be paid from Sheriff's Budget Account A3110.270 – Capital Equipment.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 344-917

APPROVING AND ADOPTING AN AGREEMENT TO EXTEND THE TERM OF THE ORLEANS COUNTY BAR ASSOCIATION ASSIGNED COUNSEL PLAN PURSUANT TO COUNTY LAW SECTION 722(3)(A)

WHEREAS, the Orleans County Bar Association approved and adopted an updated assigned counsel plan pursuant to County Law Section 722(3)(a) on December 10, 2013, and

WHEREAS, by Legislature resolution no. 135-414, adopted on April 9, 2014, the Orleans County Legislative approved, adopted and implemented the Orleans County Bar Association Assigned Counsel Plan (hereinafter the "Plan") as approved and adopted by the Orleans County Bar Association on December 10, 2013, and

WHEREAS, the Orleans County Bar Association and the County of Orleans wish to extend the term of the Plan for an additional term of three years, all of the other terms and provisions to remain the same, and

WHEREAS, the Orleans County Bar Association at a meeting duly called and held on September 5, 2017 adopted a resolution to extend the term of the Plan for an additional term of three years, all other terms and provisions to remain the same, now therefore be it

RESOLVED, that this Legislature hereby approves an Agreement to extend the term of the Plan for an additional three years.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 345-917

APPROVING AGREEMENT FOR ANNUAL INSPECTIONS FOR THE EMERGENCY MANAGEMENT TOWERS

RESOLVED, that this Legislature approves an agreement for the 2017 and 2018 annual inspection and maintenance of two (2) large guyed towers and one (1) self supporting tower at Emergency Management and two (2) smaller radio towers in Clarendon and Medina to be performed by Nudd Towers, 1743 Route 104, PO BOX 577, Ontario NY 14519 at a total amount of \$11,900 for each calendar year to be paid from Emergency Management Budget account #3640.418 – Other Contractual Expenses;

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

September 27, 2017
Resolution 321-361

Legislator Eick moved a resolution to fill the vacancy of the Secretary to the Director in the Emergency Management Office, which is for his wife Pat's position, who is retiring. Legislator Miller seconded the motion. Legislator DeRoller commented that he has worked very closely with her concerning lake levels and on the south shore, collecting thousands of documents, and has done a marvelous job on these projects. She has given many years of good service to this County and she will be missed greatly. Legislator Eick added that she has worked with three Directors which include Dick Clark, Paul Wagner, and now Dale Banker and she has enjoyed her job. The following resolution was adopted:

RESOLUTION NO. 346-917

AUTHORIZING FILLING OF VACANCY IN EMERGENCY MANAGEMENT OFFICE

WHEREAS, the Secretary to the Director in the Emergency Management Office has submitted a letter of retirement to take effect as of close of business on October 27, 2017; be it

RESOLVED, that this Legislature does hereby authorize the filling of the vacant full-time position of Secretary to the Director in the Emergency Management Office, effective October 30, 2017; at Grade 3 of the Management Compensation Plan.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 347-917

AUTHORIZING TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, new funding opportunities have become available in the amount of \$20,958 to continue participation in the Emergency Management Performance Grant cycle (EMPG) FY2017; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant EM17-1040-D00, contract #T972475 in the amount of \$20,958 for the Emergency Management Office to use for

purchase of trailer for transportation of UTV, interop communications equipment and update of the County’s Continuity of Operations Plan (COOP) according to grant guidance; effective October 1, 2016 to September 30, 2018.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 348-917

APPROVING PURCHASE FROM HARRIS–PSPC FROM THE EMERGENCY MANAGEMENT BUDGET

RESOLVED that this Legislature approves the purchase of a SV-AW5R Power Amplifier Linear 800 MHz from Harris–PSPC, P O Box 419436, Boston, MA 02241-9436 in the amount of \$5,840 (PO#58619) to replace the previously borrowed amplifier from Harris after ours failed; to be paid from Emergency Management Account A3640.418 – Other Contractual Expenses.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 349-917

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA FINANCIAL SERVICES

RESOLVED, that this Legislature approves a 48-month lease agreement between Orleans County and Toshiba Financial Services, 1310 Madrid St, Suite 101, Marshall, MN 56258 to provide one (1) eStudio 4505AC multifunction machine for the office of the District Attorney effective November 1, 2017 through October 31, 2021.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 350-917

AUTHORIZING STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”) DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE AND NEGATIVE DECLARATION FOR

CONSTRUCTION, BONDING AND FINANCING OF ADDITION TO EXISTING COUNTY OFFICE BUILDING

WHEREAS, the County of Orleans has proposed the Orleans County Government Center project which entails construction, bonding and financing of an approximately 23,000 square foot addition to the existing County Office Building, the said addition to house various county offices and legislative chambers, thereby enabling the County to consolidate operations and improve accessibility (hereinafter the “Project”), and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (hereinafter “SEQRA”), the Project is determined to be an Unlisted Action which will not be subject to a coordinated review, and this Legislature is the only involved agency and therefore, the Lead Agency, and

WHEREAS, at the request of the County Legislature, Wendel Companies, architects and engineers, has prepared an Environmental Assessment of the Project, and

WHEREAS, this Legislature has fully reviewed the Project, the Wendel Companies Environmental Assessment, and all other materials proposed in connection therewith and taken an analysis of any potential adverse impacts, now therefore be it

RESOLVED, that the Orleans County Legislature hereby designates itself as Lead Agency for the proposed Project pursuant to 6 NYCRR Part 617, and be it further

RESOLVED, that based upon examination of the Wendel Companies Environmental Assessment Form, its own independent analysis of the proposed Project, and comparison with the criteria for determining significance under 6 NYCRR 617.7, the Orleans County Legislature finds that the proposed Project will not have a significant environmental impact and hereby issues a Negative Declaration, and be it further

FURTHER RESOLVED, that this determination is based on facts and conclusions as noted in the Wendel Companies Environmental Assessment Form which is incorporated herein by reference.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Legislator Eick moved to authorize construction for an addition to the County Office Building and to authorize the issuance of Bonds for an estimated cost not to exceed \$10,063,881 to pay for this addition; second by Legislator Miller. CAO Nesbitt reported that a bid package is being evaluated for Phase I and we are not in a position of spending any money on this project until the issuances of these bonds are complete. We have received a \$3.682 million dollar grant so far and continue to work with Senator Ortt to procure additional grant money to reduce our costs. The \$10,063,881 is the worst case scenario and there are some optional bids that will be released depending on how favorably or unfavorably the bids are returned. We may be able to add things to the project or remove things all based on bid returns. Any additional funds we may get from the SAM program application could reduce this number. Legislator Eick stated that our objective is to get our Public Health Department and Elections Office out of our previously owned Nursing Home which we continue to pay rent to keep them in this facility. The following resolution was adopted:

RESOLUTION NO. 351-917

AUTHORIZING THE CONSTRUCTION OF AN ADDITION TO THE COUNTY OFFICE COMPLEX IN AND FOR THE COUNTY OF ORLEANS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$10,063,881; AND AUTHORIZING THE ISSUANCE OF \$10,063,881 BONDS OF SAID COUNTY TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Orleans, New York, as follows:

Section 1. The construction of an addition to the County Office Complex in and for the County of Orleans, New York, including site improvements, furnishings and equipment as well as incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$10,063,881.

Section 2. The plan for the financing of such maximum estimated is by the issuance of \$10,063,881 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law;

provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received (currently estimated at \$3,682,748).

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Orleans, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Moved, Eick; second, Miller.

Roll Call: 5 ayes: Allport, DeFilipps, DeRoller, Eick, Miller; 0 nays; 1 absent, Johnson.

Adopted.

RESOLUTION NO. 352-917

RESCINDING RESOLUTION NO. 318-817 and 319-817
CONCERNING SEQRA DETERMINATION AND LEASE
AGREEMENT WITH VERIZON WIRELESS

RESOLVED, that this Legislature rescinds Resolution No.'s 318-817 and 319-817 concerning SEQRA Determination of Environmental Significance and the Lease Agreement with Verizon Wireless.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Legislator Eick introduced Robert Brenner who is with the law firm of Nixon Peabody. Mr Brenner, who is here on behalf of Verizon Wireless, seeks approval of a lease agreement which they are requesting the County of Orleans to enter into with Verizon Wireless for an existing cell tower located at 14064 West County House Road. Mr. Brenner stated that it is an existing 180 ft tall tower which Verizon Wireless is seeking to install

its antenna's at the 100 ft elevation therefore we would not be extending the height of the tower or modifying it in any way. Mr. Brenner added that in addition they propose to install ground level equipment consisting of equipment platforms, some outdoor cabinets in the existing fence compound area, and adjacent to that a propane tank will be installed to power up a generator in the event of power failure so communications could be continued. Legislator DeRoller questioned if the coverage footprint would be improved. Generally, Mr. Brenner explained, that they are seeking to build out 4th generation or 4GLTE (long term evolution network) on this tower location. This tower location is essentially centered on what the targeting coverage area is therefore the coverage will pick up about a two mile radius around this tower location. Verizon has experienced some drop calls and lack of signal in this area and are trying to rectify this by the installation of this facility. The following resolution was presented:

RESOLUTION NO. 353-917

AUTHORIZE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE, NEGATIVE DECLARATION, TOWER LEASE AGREEMENT, ON PROPERTY LOCATED AT 14064 WEST COUNTY HOUSE ROAD, TOWN OF ALBION, ORLEANS COUNTY

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless ("Verizon Wireless") proposed to construct and operate a wireless telecommunications facility, including installing antennas on tower space and property to be leased from the County of Orleans (the "County"), pursuant to that certain Tower Lease Agreement (the "Lease"), on property located at 14064 West County House Road, Town of Albion, County of Orleans, State of New York, as shown on the Tax Map of the Town of Albion as Tax Map Number 83-1-28.1 (the "Project"); and

WHEREAS, representatives of Verizon Wireless previously met with County officials and thoroughly reviewed the Project and the Lease and have submitted materials and information in connection therewith; and

WHEREAS, the County Legislature (the "Legislature") is fully familiar with the proposed location and the surrounding area; and

WHEREAS, the Project is an unlisted action under SEQRA and the Legislature is the only involved agency and, therefore, the Lead Agency; and

WHEREAS, the Legislature has fully reviewed the Project, the Lease and all other materials submitted in connection therewith and taken a "hard look" at any potential adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED THAT:

Based upon the Legislature's thorough and careful review of the Project, the Lease, and all other materials submitted in connection therewith, the Legislature hereby determines that the Project and the Lease will not result in any significant adverse environmental impacts and hereby issues a negative declaration pursuant to SEQRA.

REASONS SUPPORTING THE NEGATIVE DECLARATION:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. The Project will produce minimal, if any, disturbance of soil and vegetation, with minimal storm run-off.
2. Aesthetics, Agriculture, Archaeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archaeological, historical, natural, or cultural resources. The Project is a public utility which must be located as and where necessary to provide essential wireless telecommunications service. Although a facility of this nature will be visible, its overall visibility will be minimized to the maximum extent possible.
3. Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species. No plant or animal life will be adversely affected by the Project.
4. Community Plans, Use of Land or Natural Resources. The Project is in keeping with the official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.
5. Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent

development.

6. Long Term, Short Term, Cumulative or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.
7. Critical Environmental Area. The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, subdivision 617.14(g).
8. Public Health and Safety. The Project will have no adverse impacts on the public health. The Legislature recognizes that the Project will enable Verizon Wireless to provide reliable wireless telecommunications service to the County and the area generally, enabling individuals, businesses and emergency service providers access to this essential service. For all these reason, the Project will promote the general health, safety and welfare of the citizens of the area by providing access to a modern, reliable system of wireless telecommunications service.

BE IT FURTHER RESOLVED, that the Legislature finds that none of the criteria for determining significance set forth in §617.7(c)(1)(i)-(xii) would be implicated as a result of this Project.

BE IT FURTHER RESOLVED, that Notice of this determination of non-significance shall be filed to the extent required by the applicable regulations under SEQRA or as may be deemed advisable by the Legislature.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 354-917

AUTHORIZE LEASE FOR WIRELESS TELECOMMUNICATIONS FACILITY ON COUNTY PROPERTY WITH BELL ATLANTIC MOBILE SYSTEMS OF ALLENTOWN, INC. D/B/A VERIZON WIRELESS ("VERIZON WIRELESS")

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless ("Verizon Wireless") proposed to construct and operate a wireless telecommunications facility and install antennas on a tower located on property to be leased from the County of Orleans (the "County"), pursuant to that certain Tower Lease Agreement (the "Lease"), on property

located at 14064 West County House Road, Town of Albion, County of Orleans, State of New York, as shown on the Tax Map of the Town of Albion as Tax Map Number 83-1-28.1 (the "Project"); and

WHEREAS, representatives of Verizon Wireless have met with County officials and thoroughly reviewed the Project and the Lease and;

WHEREAS, the County Legislature (the "Legislature") is fully familiar with the proposed location and the surrounding area, the terms and conditions of the proposed Lease and the benefits to the public which will result from the improved wireless service; and

WHEREAS, proceeding with the Lease is in the best interest of the County and will serve important County purposes, including enabling emergency services, businesses and individuals to have access to adequate, reliable, modern wireless communications services to relevant portions of the County; and

WHEREAS, because the Lease and the Project will serve important County and public purposes, they do not require local municipal zoning approval; and

WHEREAS, the lease premises are not needed for any other public purpose; and

WHEREAS, the initial rent under the Lease is \$18,000.00 with 2% annual increases, which the County has determined is fair market value; and

WHEREAS, pursuant to the Lease, the initial term shall be for a period of five years, with automatic five-year renewal terms for an overall term not to exceed 49 years; which term has been authorized by a superseding local law (the "Local Law"), authorizing a lease period in excess of the County Law Section 215 term limit; and

WHEREAS, in connection with the Lease, the Legislature has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project pursuant to the State Environmental Quality Review Act ("SEQRA") and duly issued a Negative Declaration pursuant thereto; and

WHEREAS, based upon the Legislature's thorough and careful

review of the Project, and all other materials submitted in connection therewith, and the important County and public interest to be served by the Project, the Legislature has determined to enter the Lease on the terms and conditions set forth therein and noted below.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Legislature hereby authorizes the Chairman of the Orleans County Legislature, to enter into the Lease with Verizon Wireless to allow Verizon Wireless to construct and operate a wireless telecommunications facility and related infrastructure on the Property.
2. The Lease shall be for an initial term of five (5) years with up to eight (8) five (5) year and one (1) four (4) year renewal terms, which term is in keeping with relevant statutory provisions.
3. The Lease shall have an initial annual rent of \$18,000.00, with rent escalating 2% every lease year, which the County has determined is fair market value.
4. The Lease shall additionally serve an important public purpose by providing emergency services to businesses and individuals in the relevant coverage area with access to adequate, modern, reliable wireless communications.

BE IT FURTHER RESOLVED, that the Chairman of the Legislature be hereby authorized to execute the Lease with Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless for the term set forth above, subject to approval of the Orleans County Attorney.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Legislator Allport stated it is a privilege to present a resolution to this Legislature urging the United States Congress to enact and for President Trump to sign into law H.R. 3576 concerning The Second Amendment Guarantee Act. He reported that Orleans County was the first county in the state that 100% opposed the Act and was recognized at the annual SCOPE meeting in Lackawanna that year. He shared his appreciation to all of the agencies, especially SCOPE, who works hard to protect our constitutional rights. Legislator DeRoller seconded the motion and the following resolution was adopted:

RESOLUTION NO. 355-917

URGING THE UNITED STATES CONGRESS TO ENACT, AND
PRESIDENT TRUMP TO SIGN INTO LAW, H.R. 3576, THE SECOND
AMENDMENT GUARANTEE ACT

WHEREAS, the Second Amendment to the Constitution of the United States clearly states that "the right of the people to keep and bear Arms, shall not be infringed,"; and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, "The defense and protection of the state and of the United States is an obligation of all persons within the state,"; and

WHEREAS, the NY SAFE Act signed by Governor Andrew M. Cuomo on January 15, 2013 amended various provisions of New York Law in relation to firearms and ammunition; and

WHEREAS, the NY SAFE Act abridges the rights of law-abiding citizens of the State of New York as enumerated in the Second Amendment to the United States Constitution; and

WHEREAS, the Legislature of the County of Orleans did, on February 13, 2013, unanimously oppose the SAFE Act and call for its immediate repeal; and

WHEREAS, on July 31, 2017, the Honorable Chris Collins of Clarence, United States Representative for the 27th District of New York, did introduce House Resolution 3576, The Second Amendment Guarantee Act; and

WHEREAS, under The Second Amendment Guarantee Act states or local governments would not be able to regulate, prohibit, or impose registration and licensing that are any more restrictive under federal law for the sale, manufacturing, importation, transfer, possession, or marketing of a rifle or shotgun, under the authority granted exclusively to Congress to regulate interstate commerce; and

WHEREAS, under The Second Amendment Guarantee Act states or local governments would not be able to enact restrictions on any part of a rifle or shotgun including any detachable magazine or ammunition feeding devise and any type of pistol grip or stock design; and

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WHEREAS, under The Second Amendment Guarantee Act, any current or future laws enacted by a state or political subdivision that exceeds federal law for rifles and shotguns would be void, including the NY SAFE Act; and

WHEREAS, the Legislature of the County of Orleans again declares its complete opposition to the NY SAFE Act; now, therefore be it

RESOLVED, that the Legislature of the County of Orleans commends Representative Collins for acting to preserve the freedoms of New Yorkers as guaranteed under the Bill of Rights, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the Honorable Paul Ryan of Wisconsin, Speaker of the House of Representatives, and the Honorable Mitch McConnell of Kentucky, Senate Majority Leader, to rapidly advance H.R. 3576 to the floors of their respective houses for a vote, and upon the members of both houses to take up and enact the same; and be it

FURTHER RESOLVED, that the Legislature of the County of Orleans does hereby call upon the Honorable Donald J. Trump, President of the United States, to act to protect the Constitutional rights of all Americans by signing H.R. 3576 into law, and be it further RESOLVED, that the County of Orleans shall forward copies of this Resolution to Representative Collins, President Trump, Speaker Ryan, Senate Majority Leader McConnell, Mr. Wayne LaPierre, Executive Vice President and CEO of the National Rifle Association, Mr. Jacob Rieper, Legislative Director and Vice President of the New York State Rifle and Pistol Association, Mr. David Thom, Orleans County Scope Chairman, the Orleans County Federation of Sportsman Club, and all others deemed necessary and proper.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 356-917

AUTHORIZING RESCHEDULING NOVEMBER LEGISLATURE MEETING

RESOLVED, that this Legislature authorizes rescheduling the scheduled Tuesday, November 21, 2017 Legislature meeting to Wednesday, November 29, 2017 at 4:30 p.m.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 357-917

AUTHORIZING PAYMENT OF CLAIMS FOR OCTOBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 October 11, 2017:

Fund/Department	Check Number (s):	Amount:
General	9721-9885	\$588,095.32
Highway	1052-1064; 2461-2489	\$125,913.16
Job Development	2550-2551	\$475.45
Self Insurance	58666-58668	\$17,748.05

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 Superintendent of Highways, 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 October 25, 2017:

Fund/Department	Check Number (s):	Amount:
General	9904-10063	\$530,923.34
Highway	1065-1075; 2490-2502	\$132,208.25
Job Development	2556-2563	\$9,451.91

Park in the amount of \$20,000 and authorizes payment of the same; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Orleans Economic Development Agency budget to further the goal of Economic Development projects in the Medina Business Park as follows:

<u>From:</u>		
A1990.435	Contingency	\$20,000
<u>To:</u>		
A8021.439	Authorized Agencies	\$20,000

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Legislator Eick moved to pursue litigation against major drug manufacturers to recover current and future damages to the County from abuse of opioid pharmaceuticals and to retain the law firm of Napoli Shkolnik as special counsel, second by Legislator Miller. County Attorney Schubel explained that several counties have been examining for several months litigation against the pharmaceutical companies. Nearly forty counties to date have authorized commencement of this litigation and there are several firms that will take representation. The firm that is proposed here is also representing a number of counties which include: Niagara, Cattaraugus, Chautauqua, and Schuyler so this firm is not only familiar with larger counties but also smaller counties as well. Attorney Schubel indicated he has had extensive discussions with them and pressed upon them that with being a rural county we have limited staff and part of the retainer agreement is that they will provide their assistance to developing the information necessary to commence the litigation. All the county litigation is now being consolidated before one judge in Suffolk County so there will be some uniformity. Attorney Schubel said initially it looked like each county would have a separate litigation piece. This will be on a contingent fee basis so there will be no cost to the County and the contingency fee will range from a 7½% to 25% of their recovery. The 7½% recovery will be if all of the counties filed suit and the pharmaceutical companies throw up their hands and say we retreat, which he feels will not happen. The 25% recovery will be realized if we will have to go to trial, explained Attorney Schubel. This firm will upfront all

staff costs in retaining experts and alike. The following resolution was adopted:

RESOLUTION NO. 360-917

AUTHORIZING LITIGATION AGAINST MAJOR DRUG MANUFACTURERS TO RECOVER CURRENT AND FUTURE DAMAGES TO THE COUNTY FROM ABUSE OF OPIOID PHARMACEUTICALS AND TO RETAIN NAPOLI SHKOLNIK PLLC AS SPECIAL COUNSEL

WHEREAS, according to statistics provided by the Centers for Disease Control and Prevention, in 2014, there were 28,647 opioid overdose deaths nationwide, or 78 people per day, and a 14% increase in one year, driven by both prescription opiate abuse as well as heroin abuse, the latter often brought on by prescription opiate abuse; and

WHEREAS, a report of the New York State Comptroller in 2016 found that overdose deaths in New York related to heroin use reached a record high of 825 in 2014, a jump of more than 23 percent from the previous year and nearly 25 times the number of a decade earlier, and that deaths in which prescription opioids were a contributing factor also reached a new peak in 2014, nearly four times the level in 2005; and

WHEREAS, various entities, including Erie County, Niagara County, Chautauqua County, Cattaraugus County, Suffolk County, Nassau County, Broome County, and the State of Ohio have pursued lawsuits against the manufacturers of pharmaceuticals containing opioids, alleging, in the words of the Buffalo Law Journal, that “pharmaceutical manufacturers misled doctors and patients into believing that opioid painkillers were not addictive” and that “the drug manufacturers aggressively marketed opioid pain relievers despite growing addiction rates, misrepresented the dangers of long-term opioid use to physicians and ignored that continued use of opioids diminishes the drugs’ intended result, requiring increases in dosage and ups the risk of addiction,” and

WHEREAS, the Nassau County lawsuit states that the pharmaceutical manufacturers “knew that opioids were effective treatments for short-term post-surgical and trauma-related pain, and for palliative (end-of-life) care,” but “they also knew- and had known for years-that opioids were addictive and subject to abuse, particularly when used long-term for chronic non-cancer pain (pain lasting three months or

longer, hereinafter referred to as “chronic pain”), and therefore should not be used except as a last-resort” and that “the U.S. Food and Drug Administration (“FDA”) has expressly recognized that there have been no long-term studies demonstrating the safety and efficacy of opioids for long-term use,” and

WHEREAS, it is appropriate that the County of Orleans should recover damages from those parties directly contributing to high costs to the taxpayers in the form of increased social services, policing, and other expenditures, so as to mitigate the impact of same; now, therefore be it

RESOLVED, that the County of Orleans is hereby authorized and empowered to commence civil litigation on behalf of the County against pharmaceutical manufacturers and other persons who have culpability in manufacturing and promoting opioid products in an unsafe manner which has caused current and future damages to the County; and be it further

RESOLVED, a Special Counsel Agreement between the County and Napoli Shkolnik PLLC is authorized and approved.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 361-917

MODIFYING RESOLUTION NO. 128-316 REGARDING LEASE PAYMENTS FOR THE JAIL TRANSPORT VAN

WHEREAS, Resolution No. 128-316 authorized a four year lease agreement between the Sheriff’s Office and First Niagara Leasing Inc. for the Jail Transport Van with annual payments to be paid out of Sheriff’s/Jail budget accounts A3110.270 and A3150.270 for the years 2016-2019; now be it

RESOLVED, that this Legislature modifies Resolution No. 128-316 to adjust annual payments for the years 2016 through 2019 to be paid in annual amounts of \$14,139.42 and such annual payments for 2017, 2018 and 2019 will be paid from Jail Budget Account A3150.270 – Capital Equipment now to be paid to Key Government Finance, who acquired First Niagara.

Moved, Eick; second, Miller.

September 27, 2017
Resolution 321-361

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Chairman DeFilipps called for any unfinished business. With hearing none, Chairman DeFilipps called for a motion to adjourn. Legislator DeRoller moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:13 p.m.

LEGISLATURE MEETING
October 25, 2017

Chairman DeFilipps called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

<u>Town/Village</u>	<u>Resolution Title</u>
T/Barre	Calling on the State of New York to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities (Support Orl Co. Res No. 342-917)
T/Yates	Resolution Regarding Article 10 Process and Comprehensive DOD Review of Lighthouse Wind LLC Project

Hospice of Orleans County requested a banner be hung at our Courthouse Square for National Hospice and Palliative Care Month. They wish to have this 2.5' x 10' banner hung from November 6, through November 20th. Board granted approval of Hospice's request. Treasurer Heard Filed EFPR Group's County of Orleans Audit report for the year that ended on December 31, 2016 in the office of the Clerk of the Legislature.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through September of 2017 She stated that she awaits repayment of the loan she provided to the Machinery Fund which will be paid back by the end of the year. Treasurer Heard indicated that we are financially stable to where we were last year.

Chairman DeFilipps called for open discussion from our Legislators. Legislator Eick reported on attending the 10th Anniversary of the GCC Campus opening in Medina and a coffee hour that the Town of Shelby hosted with Assemblyman Norris. He stated he expressed his concerns on roads and bridges in our County.

Legislator Deroller reported on a meeting held with Mary Austerman, Great Lakes Coastal Community Specialist and New York Sea Grant, who toured our 24 miles of shoreline. There might be some Sea Grant funding to help look at our erosion and other lakeshore concerns. Legislator

DeRoller stated that he and the Planning Department staff thought it was a productive meeting.

Legislator Johnson encouraged residents to shop our small businesses in Orleans County on Saturday, November 25th. Orleans County Chamber of Commerce is promoting this event and she indicated that we have some wonderful places to shop in our downtown Albion and Medina areas so let us support our local business.

Chairman DeFilipps asked if any public would like to comment on today's resolutions. With there being none, Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried.

The following resolutions were presented for adoption:

RESOLUTION NO. 362-1017

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$406,057.50	Keeler Construction	Construction of Marshall Rd Bridge – Pymnt #4 – 9/9/17-10/13/17
\$231,944.36	Keeler Construction	Construction of Culvert Rd Bridge – Pymnt #3-8/13/17-10/13/17
\$35,671.16	LaBella Associates	Professional Services for Marshall Rd Bridge Repl. 8/19/17-9/22/17 Inv#83350
\$10,098.03	LaBella Associates	Professional Services for Culver Rd Bridge Repl. 8/19/17-9/22/17 Inv#83353

and be it

FURTHER 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>
\$966.76	LaBella Associates	Professional Services for Platten Rd Culverts 8/12/17-9/22/17 Inv #83349

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 363-1017

**AUTHORIZING FILLING VACANCY IN THE JOB DEVELOPMENT
AGENCY**

WHEREAS an employee has resigned from the temporary part-time position of Employment and Training Program Assistant effective September 14, 2017, now, therefore be it

RESOLVED, that this Legislature authorizes the filling of a vacant temporary, part-time Employee and Training Program Assistant position (6210.19*) in the Job Development Agency, at grade 7 of the CSEA Salary Schedule, effective October 26, 2017.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 364-1017

**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 funding support of local programs in the delivery and enhancement of the essential components of NY Connects, which include Information and Assistance (including screenings), Public Education and local Long Term Care Councils in the amount of \$21,645 to run from October 1, 2017 to March 31, 2018. County cost \$0.

Moved, Miller, second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 365-1017

AUTHORIZING ACCEPTANCE OF A DONATION BY THE OFFICE FOR THE AGING AND AUTHORIZING SETTING UP NEW MONEY IN THE OFFICE FOR THE AGING BUDGET

WHEREAS, the Orleans County Office for the Aging wishes to send its sincere thank you to the Albion Rotary who have generously donated the proceeds to their annual golf tournament; now be it

RESOLVED, that this Legislature accepts a donation to assist the Orleans County Office for the Aging who provide services and information and assistance to older adults in Orleans County; and be it

FURTHER RESOLVED, that the Treasurer is authorized to set up new money in the Office for the Aging's budget to accept this donation, as follows:

<u>Revenue:</u>		
A2705	Donations	\$5,000
 <u>Appropriation:</u>		
A6772-411	Office Supplies	\$250
A6772-462	Mileage	\$500
A6772-473	Nutrition	\$2500
A6772-486	Special Grants	\$250
A6772-492	Transportation	\$1,500

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 366-1017

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR BENEFITS ENROLLMENT CENTER GRANT OPPORTUNITY

WHEREAS, the focus of this 18-month grant is to enhance access to benefits for qualifying low-income Medicare beneficiaries through a Benefits Enrollment Center (BEC) approach. BECs use person-centered strategies in a coordinated, community wide approach to find and enroll Medicare beneficiaries-both seniors aged 65+ years and adults living with

disabilities-who have limited income and resources into available benefits. There will be a primary focus on five core benefit programs; now be it

RESOLVED, that this Legislature authorizes Orleans County Office for the Aging to apply for the Benefits Enrollment Center Grant in the amount of \$30,000 from the National Council on Aging, 251 18th Street South, Suite 500, Arlington, VA 22202, from January 1, 2018 to June 30, 2019 at no county cost; and be it

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

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 367-1017

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

Kendall Central School, Kendall, NY for the provision of preventive services to children and families through the assignment of one (1) Social Services Caseworker to the School District; to be effective August 30, 2017 through August 29, 2018. Said services are to be funded 50% Federal, 31% State, and 19% School; and be it,

Orleans County Office for the Aging, Albion, NY for the provision of assisting select public assistance clients in applying for SSI; to be effective January 1, 2018 through December 31, 2018 at a cost of \$5,000. County cost is dependent upon program for which the client is eligible.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 368-1017

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**APPROVING INTERMUNICIPAL AGREEMENTS BETWEEN
GENESEE COUNTY AND ORLEANS COUNTY**

WHEREAS, The Youth Bureau Director presented an agreement with Genesee County to the Economic Assistance and Opportunity Committee for the operation of the Youth Bureau and for the operation of the STOP-DWI Public Information and Education Component for 2018; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$4,705 per quarter from January 1, 2018 through December 31, 2018 for a total of \$18,820; and be it

FURTHER RESOLVED, that the Chair of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the STOP-DWI Public Info and Education Program by Genesee County at a cost not to exceed \$10,755 to the Orleans County STOP-DWI Program for January 1, 2018 through December 31, 2018.

Moved Miller; second, Eick
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 369-1017

**APPROVING AGREEMENT BETWEEN DEPARTMENT OF
MENTAL HEALTH AND LANGUAGE LINE SERVICES**

RESOLVED, that this Legislature approves the agreement between the Mental Health Department and Language Line Services, 1 Lower Ragsdale Road, Monterey, CA 93940; to provide telephone interpretation provider services following the term of the New York State Office of General Services contract dated October 25, 2012 through October 24, 2018 at a cost of \$0.75/minute of translation services. County cost \$.08/minute of translation services.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 370-1017

AMENDING RESOLUTION NO. 442-1216 BETWEEN MENTAL HEALTH AND MENTAL HEALTH ASSOCIATION IN GENESEE AND ORLEANS COUNTIES

WHEREAS, Resolution No. 442-1216 approved an agreement between Mental Health and Mental Health Association in Genesee and Orleans Counties, 25 Liberty Street, Batavia NY 14020 providing mental health support services and Drop-In Center at a cost of \$79,223 with no County cost; and

WHEREAS, there has been a COLA increase of \$11; be it

RESOLVED, that this Legislature authorizes the addition of the \$11 COLA increase to this agreement, now totaling \$79,234. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 371-1017

AMENDING RESOLUTION NO. 442-1216 BETWEEN MENTAL HEALTH AND LIVING OPPORTUNITIES OF DEPAUL

WHEREAS, Resolution No. 442-1216 approved an agreement between Mental Health and Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227 providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services at a cost of \$149,164 with no county cost; and

WHEREAS, Living Opportunities of DePaul has increased supported housing beds at a cost of \$17,403; be it

RESOLVED, that this Legislature authorizes the addition of the \$17,403 increase to this agreement now totaling \$166,567. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 372-1017

AUTHORIZING THE COUNTY TREASURER TO DECREASE PETTY CASH MONIES FOR SUPPORTIVE CASE MANAGER POSITIONS AT MENTAL HEALTH

WHEREAS, the State Office of Mental Health requires that all Supportive Case Managers carry cash for specific client needs; and

WHEREAS, the Mental Health Department has been reduced to four Supportive Case Manager positions; be it

RESOLVED, that this Legislature authorize the County Treasurer to reduce petty cash monies by \$75.00.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 373-1017

AUTHORIZING TRANSFER OF FUNDS WITHIN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to transfer funds within in the Mental Health budget to pay for break room and bathroom renovations, as follows:

<u>From</u>		
A4310.270	Capital Equipment	\$1,677.88
<u>To:</u>		
A4310.405	Building Project	\$1,677.88

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 374-1017

AUTHORIZING PLANNING AND DEVELOPMENT TO APPLY FOR GRANT FOR FUNDING TO UPDATE THE COUNTYWIDE HAZARD MITIGATION PLAN

WHEREAS, a County Multi-Jurisdictional All-Hazard Mitigation Plan was adopted by the Orleans County Legislature on August 27, 2008 and approved by the Federal Emergency Management Agency (FEMA) on September 2, 2008; and

WHEREAS, said Plan provides proactive mitigation policies and actions to help reduce risk and create safer, more disaster-resilient communities while reducing the costs of disaster response and recovery and lessening the exposure to risk for first responder, as well as to reduce operational downtime and accelerate recovery after disaster; and

WHEREAS, FEMA and the New York State Department of Homeland Security and Emergency Services provide funding opportunities in their effort to encourage the regular update of said Plan to remain relevant to changing conditions; now be it

RESOLVED, this County Legislature hereby authorizes the Orleans County Department of Planning and Development to submit an application to FEMA in the amount of \$85,227 for an update to County Multi-Jurisdictional All-Hazard Mitigation Plan at no cash cost to County.

Moved, DeRoller; second, Allport
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 375-1017

**DESIGNATING THE TOURISM PROMOTION AGENCY AND
AUTHORIZING APPLICATION FOR THE 2018 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 2018 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for the 2018 State Matching Funds and to receive such funds to the extent that local matching funds are available.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

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RESOLUTION NO. 376-1017

AUTHORIZING FILLING VACANCY IN THE TOURISM DEPARTMENT

RESOLVED, due to a resignation, that this Legislature does hereby authorize the filling of a vacant part-time Senior Account Clerk Typist position (6410.01) in the Tourism Department at Grade 10 of the CSEA Salary Schedule, effective October 26, 2017.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 377-1017

APPROVING MEMORANDUM OF UNDERSTANDING AGREEMENT WITH GENESEE COUNTY FOR MAINTENANCE OF TAX MAPS

RESOLVED, that this Legislature approves a Memorandum of Understanding agreement between Orleans County and Genesee County, Old County Courthouse, 7 Main St, Batavia, NY, for Maintenance of the Orleans County tax maps at a cost of \$6,500 for the term January 1, 2018 through December 31, 2018.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 378-1017

SETTING DATE OF PUBLIC HEARING FOR LOCAL LAW NO. 6-INTRO OF 2017 TO AMEND LOCAL LAW NO. 4 OF 2008 TO CONTINUE TO PROVIDE REAL PROPERTY TAX EXEMPTIONS TO COLD WAR VETERANS WITHOUT REGARD TO THE TEN YEAR LIMITATION

WHEREAS, there has been duly presented and introduced to this Legislature a proposed local law entitled “A Local Law to Amend Local Law No. 4 of 2008 to Continue to Provide Real Property Tax Exemptions to Cold War Veterans Without Regard to the Ten-Year Limitation”; therefore, be it

RESOLVED, that a public hearing will be held on the said proposed local law by this Legislature on November 29, 2017 at 4:25 p.m. at which time all interested parties will be heard.

Moved, Johnson, second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 379-1017

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2017-2018 SCHOOL TAXES TO THE 2018 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid school taxes, adding a 7% penalty, to be added to the 2018 tax rolls, for the respective towns as of November 1, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 380-1017

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2017 SOLID WASTE/RECYCLING FEES TO THE 2018 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid 2017 Solid Waste/Recycling fees, to be added to the 2018 tax rolls for the respective towns as of November 1, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 381-1017

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2017-2018 VILLAGE TAXES TO THE 2018 COUNTY/TOWN TAX BILLS

WHEREAS, Local Law No. 4 of 1997 provides for the collection of certain delinquent Village taxes by the County of Orleans in accordance

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with Section 1442 of the Real Property Tax Law of the State of New York, be it

RESOLVED, that the County Treasurer is authorized to relevy the unpaid 2017-2018 village taxes, adding a 5% penalty, to be added to the 2018 tax rolls for the respective towns as of November 1, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 382-1017

APPROVING ANIMAL CONTROL SERVICES AGREEMENTS WITH THE TOWNS IN ORLEANS COUNTY

RESOLVED, that this Legislature approves renewal agreements with the Towns of Albion, Barre, Carlton, Clarendon, Gaines, Kendall, Murray, Ridgeway, Shelby, and Yates to assist in the provision of Animal Control Services and to maintain a shelter for seized animals effective January 1, 2017 through December 31, 2017; and be it

FURTHER RESOLVED, that the Towns shall pay the Orleans County Treasurer the sum of money set forth in their respective contracts by the due date of December 22, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 383-1017

AUTHORIZING GRANT ACCEPTANCE AND APPROVING AGREEMENT WITH THE NEW YORK STATE STOP-DWI FOUNDATION, INC. FOR THE ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, the NYS STOP-DWI Foundation, Inc., as participant in New York State Governor's Traffic Safety Committee's Highway Safety Program, has informed the Orleans County Sheriff's Office that it has been awarded grant money, in the amount of \$9,989, for use in their 2017-2018 Crackdown Enforcement Program; now be it

RESOLVED, that this Legislature accepts this grant award and authorizes the Chairman to execute the appropriate grant award documents

with the New York State Governor's Traffic Safety Committee and the New York State STOP-DWI Foundation, Inc., to provide reimbursement to the Sheriff's Office and local law enforcement agencies for increased STOP-DWI patrols during peak holiday times of the year, to be conducted during the period October 1, 2017 through September 30, 2018.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Johnson moved to authorize grant acceptance for funding for our STOP DWI programs; seconded by Legislator Allport. Legislator Johnson expressed how proactive our Sheriff is in obtaining various grants to benefit his department and our community, the following resolution was adopted:

RESOLUTION NO. 384-1017

AUTHORIZING GRANT ACCEPTANCE FROM THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES, GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND STOP-DWI FOR THE SHERIFF'S OFFICE

RESOLVED, that this Legislature accepts grant funding appropriated by the State of New York, in the amount of \$22,500 for Orleans County, for services related to county special traffic options programs for driving while intoxicated (STOP-DWI) programs, and for this funding to be included in the county's 2018 STOP-DWI Annual Plan and budget.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 385-1017

APPROVING CERTIFICATION OF THE 2018 STOP DWI PLAN BETWEEN THE SHERIFF'S OFFICE AND THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES-GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature approves the Certification of the 2018 STOP-DWI PLAN with the New York State Department of Motor Vehicles-Governor's Traffic Safety Committee, 6 Empire State Plaza,

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Albany, NY 12228, for a budget of \$100,917, for annual plan year January 1, 2018 through December 31, 2018.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 386-1017

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

WHEREAS, in Resolution #164-417, the Orleans County Sheriff's Office applied 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 is authorized to participate in and accept the grant award between the NYS Canal Corporation and the Sheriff's Office for 2017-2018, with award funding up to a maximum of \$10,000; 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 Laws and to monitor activity along the canal and its pathways effective April 1, 2017 through March 31, 2018; subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 387-1017

**APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE
AND THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY
COMMITTEE**

WHEREAS, Resolution No. 152-417 authorized the Orleans County Sheriff's Office to apply to the New York State Governor's Traffic Committee, 6 Empire State Plaza, Albany, NY 12228, for safety grant funding; now be it

RESOLVED, that this Legislature accepts the 2017-2018 Child Passenger Safety Grant (CPS-2018-Orleans Co SO-00145-(037) award in the amount of \$4,000 for funding period October 1, 2017 through September 30, 2018, to be used for purchase of car seats, signs, and technician recertification costs; and be it

FURTHER RESOLVED, that this Legislature accepts the 2017-2018 Police Traffic Services Grant (PTS-2018-Orleans Co SO-00245-(037) award in the amount of \$6,300 for funding period October 1, 2017 through September 30, 2018 to be used for traffic enforcement to increase seat belt usage and reduce dangerous driving behaviors.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 388-1017

AUTHORIZING CREATION OF A TEMPORARY FULL TIME POSITION AT THE ORLEANS COUNTY SHERIFFS OFFICE/JAIL

WHEREAS, a Corrections Officer employed at the Orleans County Jail is out on a medical leave, and

WHEREAS, to help keep the cost of overtime at a minimum, it is requested that a temporary Correction Officer position be created until such time the full-time employee returns to full duty; now be it

RESOLVED, that this Legislature authorizes the creation of one temporary full-time Correctional Officer position in the Sheriff's Office at Grade 5 of the Orleans County Sheriff's Employees Association salary schedule effective October 26, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this temporary full-time Correctional Officer; and therefore be it

FURTHER RESOLVED, that this temporary position shall be abolished once the aforementioned employee returns to work.

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 389-1017

ADOPTING LOCAL LAW NO. 3 OF 2017, ENTITLED A LOCAL
LAW FOR DOG CONTROL LAW OF THE COUNTY OF ORLEANS

WHEREAS, Local Law No. 3-Intro of the year 2017 was introduced at a regular meeting of the Orleans County Legislature held on August 23, 2017 and a Public Hearing was held on September 27, 2017, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts Local Law No. 3 of 2017, A Local Law entitled Dog Control Law of the County of Orleans as follows:

Section 1. Title.

The title of this article shall be “Dog Control Law of the County of Orleans.”

Section 2. Authority.

This article is enacted pursuant to Article 7 of the Agriculture and Markets Law of the State of New York, together with any future modifications thereof. All provisions of said Article 7 are applicable and incorporated herein except where modified hereby. The relevant portions of the Conservation Law and Public Health Law also apply, and enforcement of this article is intended by application of the Penal Law.

Section 3. Purpose.

The purpose of this article is to protect the health, safety and well-being of persons, property, wildlife, and dogs by imposing restrictions on the keeping and running at large of dogs within the County. This article is being enacted because the running at large and other uncontrolled behavior of dogs has caused physical harm to persons and damage to property and created a nuisance within the County.

SECTION 4. Definitions.

All terms defined in § 108 of the Agriculture and Markets Law shall have the same meaning as used herein unless specifically modified. For the purposes of this article, the terms as hereinafter used are defined as follows:

AGRICULTURE AND MARKETS LAW

The Agriculture and Markets Law of the State of New York in effect during the life of this article.

CONFINED

A dog is securely confined or restrained when it is kept on the owner's premises either within a building, kennel or other suitable enclosure or securely fastened on a chain, wire, or other effective tether of such length and so arranged that the animal cannot reach or endanger any person on any adjacent premises or on any public street, way or place; or, if the animal is being transported by the owner, it is securely confined in a crate, on a tether or in another container or so restrained within an enclosed vehicle in a safe manner consistent with the dog's good health so that it cannot be expected to escape therefrom. (See Agriculture and Markets Law §§ 353 and 356, cruelty to animals.)

COUNTY

Any area within the boundary lines of the County of Orleans, excluding the incorporated Villages situate in the County.

COUNTY DOG CONTROL OFFICER

Any person authorized, by the Sheriff of the County of Orleans, directed or permitted to enforce the provisions of this article or the provisions of the Agriculture and Markets Law.

DANGEROUS DOG

In addition to the definitions of a dangerous dog under the provisions of § 108(24) of the Agriculture and Markets Law of the State of New York, a dog shall be considered a dangerous dog, subject to the provisions of this article and of § 123(3) of the Agriculture and Market Law, if such dog, without justification or provocation, attacks a person or domestic animal or causes physical injury or death to such animal.

DOG

Male and female, licensed or unlicensed, members of the species *Canis familiaris*.

DOG OWNER

- A. The person, persons, firm, association or corporation who or which:
 - (1) Purchased the license for the dog and is the registered owner;

- (2) Professes ownership of the dog;
 - (3) Has custody or control of the dog;
 - (4) Harbors or is otherwise responsible for the dog;
 - (5) Is the parent, guardian or head of household of any minor under 18 years of age who owns or harbors the dog; or
 - (6) Brings into or permits the dog to come into the County.
- B. For proof purposes, any person harboring, possessing or controlling a dog for a period of one week prior to the filing of any complaint charging a violation of this article or the Agriculture and Markets Law shall be held and deemed to be the owner of such dog for the purposes of this article. Parents, guardians or heads of household, as mentioned above, shall be deemed to have custody and control of dogs owned or harbored by minors and shall be responsible for compliance with this article and the Agriculture and Markets Law in the County.

RECREATIONAL AREA

Any real property owned by a Town, the County or the State of New York located in the County which is used for recreational purposes by the public, including but not limited to parks or playgrounds.

RUN AT LARGE

Any dog that is unleashed and on property open to the public or is on private property not owned or leased by the owner of the dog unless permission for such presence has obtained. No dog shall be deemed to be running at large if it is: accompanied by and under the immediate supervision and control of the owner or other responsible person; or a service dog; or accompanied by its owner or other responsible person and is actively engaged in hunting or training for hunting on unposted land or on posted land with the owner's written permission.

SECTION 5. Dog Control Officer.

The Sheriff of the County of Orleans may, by resolution of the Orleans County Legislature, maintain the appointment of one or more Dog Control Officers as permitted by § 113 of the Agriculture and Markets Law, setting compensation therein. Such officer shall have authority as set forth in Subdivision 4 of § 113 of the Agriculture and Markets Law and shall be responsible for enforcing the Agriculture and Markets Law and this Local Law. A County Dog Control Officer is hereby authorized to issue an appearance ticket pursuant to § 150.20 of the Criminal Procedure Law, to serve a summons and to serve and execute any other order or process in

the execution of the provisions of this article as specified in Subdivision 4 of § 113 and Subdivision 2(c) of § 124 of the Agriculture and Markets Law. A County Dog Control Officer shall maintain all reports required by Article 7 of the Agriculture and Markets Law, specifically Subdivisions 5 and 6 of § 113.

SECTION 6. Night quarantine.

The County reaffirms and readopts the same night quarantine of dogs invoked by the Orleans County Legislature on March 19, 1981, in Resolution No. 127, which resolution requires that all dogs within the County shall be securely confined by dog owners (see section 7, subdivision B for exception) between sunset and one hour after sunrise. Violations of this quarantine shall be punishable in accordance with the Agriculture and Markets Law and this article, and dogs may be seized or destroyed as authorized by Agriculture and Markets Law § 123.

SECTION 7. Restrictions.

- A. It shall be unlawful for any dog owner in the County to permit or allow a dog to:
 - (1) Attack, chase or otherwise harass any person, other dog, cat or domesticated animal while such person, dog, cat or domesticated animal is in a place where it may be lawfully.
 - (2) Engage in habitual loud howling, barking, crying or whining or conduct itself in such a manner so as to unreasonably or habitually disturb the comfort or repose of any persons other than the owner of such dogs.
 - (3) Uproot, dig into, upset or otherwise damage any vegetables, lawns, flowers, garden beds, garbage containers or other property not belonging to the owner of such dog.
 - (4) Chase, jump upon or at or otherwise harass any person in such a manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm or injury except when such person may be on the owner's private property without said owner's consent.
 - (5) Habitually chase, run alongside or bark at motor vehicles, cyclists and/or pedestrians while on a public street or highway or upon public or private property other than property of the owner or harbinger of said dog.
 - (6) Create a nuisance by defecating, urinating or digging on public or private property other than the property of said

owner.

- (7) Allow a female dog to be off the owner's premises when in heat except when transporting such dog to a veterinarian's office or when involved in a formalized, controlled breeding program.
 - (8) Run at large (see the definition of "run at large" in section 4) unless the dog is restrained by an adequate leash or unless it is accompanied by its owner or a responsible person able to control it by command. The use of an electronic training collar may be considered to be in the control by owner. A dog controlled by wireless containment systems or electronic collar does not release an owner of responsible restraint of said animal. For the purposes of this article, a dog or dogs hunting in company of a hunter or hunters shall be considered as accompanied by its owner.
 - (9) To be at large if determined to be a dangerous dog within the meaning of the definition in section 4 of this article.
- B. Establishment of the fact or facts that a dog has committed any of the acts prohibited by this article shall be presumptive evidence against the dog owner that he/she has failed to properly confine, leash or control his/her dog.

SECTION 8. Seizure of dogs.

- A. The County Dog Control Officers and/or police officers may seize any dog found:
- (1) Not to be identified and not on the owner's property, or not to be licensed whether on the owner's property or not (see Agriculture and Markets Law § 117); or
 - (2) Running at large in violation of the above quarantine or restrictions.
- B. To effect seizure, officers may only use such degree of force as shall be necessary to gain control over the dog without intentionally injuring or harming the dog, and such dog shall be impounded and disposed of pursuant to § 117 of the Agriculture and Markets Law. Officers are not authorized hereby to enter a building in order to seize a dog without permission of the building owner. When permission is not given and probable cause exists to believe that a dog is in the building and is in violation of the Agriculture and Markets Law or this article, then an officer can proceed before a court of law

to obtain a warrant to enter the building to seize the dog by application of Criminal Procedure Law Article 690. The County Dog Control Officer will maintain records of seized, impounded, forfeited and adopted dogs as required by § 117 of the Agriculture and Markets Law and by the Orleans County Animal Shelter.

- C. The seizure of any dog shall not relieve any owner from any violation provided for by the Agriculture and Markets Law and this article.
- D. No liability for damages or otherwise shall be incurred on account of the seizure, euthanization or adoption of any dog seized pursuant to this article on the part of the Dog Control Officers or police officers. (See Agriculture and Markets Law § 117, Subdivision 11.)

SECTION 9. Holding periods and impoundment fees.

Following seizure of a dog pursuant to this article it shall be impounded pursuant to § 117 of Agriculture and Markets Law, and the fees will be as set forth by the County from time to time. Impoundment fees shall be paid to the County of Orleans.

SECTION 10. Forfeiture, adoption and euthanization.

All dogs seized pursuant to this article will be subject to forfeiture, adoption and euthanization as set forth in § 117 of the Agriculture and Markets Law and the County Animal Shelter rules and regulations. The County hereby encourages that all dogs adopted following seizure pursuant to this article be spayed or neutered before or after release from the impoundment as the County Animal Shelter might require. (See § 117, Subdivision 7 of the Agriculture and Markets Law.)

SECTION 11. Enforcement.

This article may be enforced by either a County Dog Control Officer, town or state Dog Control Officers and/or police officers.

SECTION 12. Penalties for offenses.

- A. It shall be a violation, punishable as provided in § 118 of the Agriculture and Markets Law, for any dog owner to violate any of the restrictions listed in the Local Law.

- B. Upon a violation of this article, a County Dog Control Officer, town and state Dog Control Officers and/or police officers may proceed in accordance with § 118 of the Agriculture and Markets Law.
- C. 118, Subdivision 2(a) of the Agriculture and Markets Law Violations of this article may be prosecuted either (1) to prosecute such action as a violation under the penal law or (2) to commence an action to recover a civil penalty.
- D. Fines and penalties for any violation of this article will be in an amounts either:
 - (1) , except that (i) where the person was found to have violated this article or Article 7 of the Agriculture and Markets Law within the preceding five years, the fine may not be less than \$100.00 and where the person was found to have committed two or more such violations within the preceding five years, it shall be punishable of not less than \$200.00 or imprisonment for not more than 15 days, or both; or
 - (2) Where undertaken as an action to recover a civil penalty, by a civil penalty of not less than \$50.00, except that when the person was found to have violated this article or Article 7 of the Agriculture and Markets Law within the preceding five years, the civil penalty may be not less than \$100.00 and where the person was found to have committed two or more such violations within the preceding five years, the civil penalty may be not less than \$200.00.
- E. A County Dog Control Officer may serve appearance tickets personally upon violating dog owners as required by law.

SECTION 13. Dangerous Dogs.

Dogs believed to be dangerous to human beings or domesticated or protected animals will be proceeded against pursuant to § 123 of the Agriculture and Markets Law.

SECTION 14. Disposition of fines, penalties and/or bail.

All money collected by a Town Court as a fine, penalty and/or bail forfeiture pursuant to this article or Article 7 of the Agriculture and Markets Law shall become the property of the Town in which the enforcement proceeding was prosecuted. Any prosecution under this Local Law shall be the responsibility of a Town's designated attorney.

SECTION 15. Complaints.

- A. Any person who observes a dog in violation of this article may file a complaint with a County Dog Control Officer, town or state Dog Control Officers and/or police officers specifying the nature of the violation, the date thereof, a description of the dog and the name and address, if known, of the owner of the dog.
- B. Upon receipt by a County Dog Control Officer, town or state Dog Control Officers and/or police officers of any such complaint, they may investigate said complaint or they may summon the alleged owner to appear in person before the Town Justice for a fair hearing, at which both the complainant and owner shall have an opportunity to be represented by counsel and to present evidence. If, after such hearing, the Town Justice decides that further action is warranted, he/she may order:
 - (1) The dog to be declared a vicious or dangerous dog to be restrained by collar and leash at all times whether on or off the owner's property; and/or
 - (2) Such other remedy as may be warranted by the circumstances in such case (including euthanasia).
- C. A violation of any order issued by a Town Justice under the provisions of this section shall be an offense punishable, upon conviction thereof, as provided in section 12 of this Local Law.

SECTION 16. Effective Date.

This Local Law shall take effect January 1, 2018

Moved, Johnson; second, Miller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 390-1017

AUTHORIZING DISTRICT ATTORNEY TO CONTINUE TO PARTICIPATE IN AND TO ACCEPT THE STATE AID TO PROSECUTION GRANT RENEWAL WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES

October 25, 2017
Resolution 362-401

WHEREAS, the District Attorney has previously obtained several grants for State Aid to Prosecution with the Division of Criminal Justice Services; and

WHEREAS, an application has been submitted to renew said State Aid to Prosecution grant for the year October 1, 2017 through September 30, 2018 in the amount of \$31,400; now be it

RESOLVED, that the District Attorney is authorized to accept the renewal of the State Aid to Prosecution Grant (AP17-1028-D00/T445046), in the amount of \$30,200 with the Division of Criminal Justice Services to provide vital resources to the DA's Office to support the enhanced prosecution of violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel; and be it

FURTHER RESOLVED, that the Chairman is authorized to electronically sign the grant acceptance and all other documents related to this grant upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 391-1017

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONIES IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2017 Grant Funds in the amount of \$27,891 for Foam Trailer Equipment, Interoperable/RACES Communications Equipment and Personal Protective Equipment for EMO staff at the Emergency Management Office in accordance to DHSES grant guidelines; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up new FY 2017 Homeland Security Funds in the Emergency Management Budget as follows:

<u>Revenue</u>		
A4309.2017	State Homeland Security Grant Program	\$27,891

Appropriation

3640.486.2017 Special Grants – SHSP FY2017 \$27,891

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 392-1017

AUTHORIZING CREATING AND FILLING OF POSITION IN THE
EMERGENCY MANAGEMENT OFFICE

RESOLVED, that this Legislature does hereby authorize the creation of a part-time Sr. Keyboard Specialist position in the Emergency Management Office, at Grade 10 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position, effective October 30, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 393-1017

AUTHORIZING PAYMENTS FROM PUBLIC HEALTH
DEPARTMENT AND EMERGENCY MANAGEMENT OFFICE
BUDGETS

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department and the Orleans County Emergency Management Office to continue the EOC Ready System App License with Spanish translation from QuickSeries Publishing, Inc. 5100 NW 33rd Ave., Suite 247, Ft. Lauderdale, FL 33309 in the amount of \$5,970, to be allocated for payment from the following general accounts:

A4010.452	Personal Service Contracts	\$ 2,985
A3640.486.2016	Homeland Security FY2016	\$ 2,985

The costs are being funded by grants awarded from Office of Homeland Security and State Aid. No County Cost.

Moved, Johnson; second, DeRoller.

October 25, 2017
Resolution 362-401

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 394-1017

RESCINDING RESOLUTION NO. 7-117 REGARDING PURCHASE
OF AN AMPLIFIER IN EMERGENCY MANAGEMENT

WHEREAS, Resolution No. 7-117 authorized purchase of a linear amplifier for the radio system, and

WHEREAS, Harris Corporation loaned a linear amplifier in the interim, at no charge, be it

RESOLVED, that Resolution No. 7-117 is hereby rescinded.

Moved, Johnson; second, DeRoller.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 395-1017

HONORING 2017 AS THE 100TH ANNIVERSARY OF WOMEN'S
SUFFRAGE IN NEW YORK STATE

WHEREAS, this year, 2017, celebrates the one hundredth anniversary of the passage in New York State of the Suffrage Act, granting women in New York the right to vote in local and state elections; and

WHEREAS, New York State is home to the first-ever Women's Rights Convention, held in Seneca Falls on July 19-20, 1848; organized by Lucretia Mott and Elizabeth Cady Stanton; -and

WHEREAS, sixty-nine years later, on Nov. 6, 1917, women in New York State won the right to vote; and

WHEREAS, New York was the first State in the eastern U.S. to successfully approve women's suffrage, an act that led to the passage of the 19th Amendment to the United States Constitution recognizing the right for women to vote across the nation in 1920; and

WHEREAS, the story of how women won the right to vote is an integral part of New York State and its counties; and

WHEREAS, women have made a significant contribution as leaders in New York's counties; and

WHEREAS, this year, the New York State Association of Counties established the NYSAC Women's Leadership Council to provide resources for and support to women holding county office and to engage women in seeking leadership positions in their communities and within NYSAC; now be it

RESOLVED, that the Orleans County Legislature hereby recognizes and celebrates the crucial role that women of all races and ethnic and political backgrounds have played in New York's history, as well as their important role in our county today; and

BE IT FURTHER RESOLVED, that the Orleans County Legislature recognizes and celebrates 2017 as the one-hundredth anniversary of women's suffrage in New York State; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the Clerk of the Legislature shall forward copies of this resolution to those deemed necessary and proper.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Johnson moved a resolution to urge the New York State Congressional Delegation to preserve the Federal Income Tax Deduction for State and Local Taxes. She explained that this resolution refers to the "SALT" tax, which if filing your own taxes is done on a Schedule A - a deduction of paid State and Local taxes. They are not going to allow you as a New York State resident to take this as a deduction but it allows the State to get this tax and no longer deduct it as a citizen of the state. Legislator Johnson said we are fighting this and will send this resolution to Congressman Collins. She encouraged all to contact their state officials against this. Legislator DeRoller stated that in 2014 over 34% tax payers itemized their federal income tax claiming \$67 billion in deductions for state and local taxes. Legislator Allport seconded the motion and the following resolution was adopted:

RESOLUTION NO. 396-1017

**URGING THE NEW YORK STATE CONGRESSIONAL
DELEGATION TO PRESERVE THE FEDERAL INCOME TAX
DEDUCTION FOR STATE AND LOCAL TAXES**

WHEREAS, Congress is proposing significant reforms to the federal tax system; and

WHEREAS, under current federal law there is a deduction for state and local taxes and this deduction has been in place since the federal income tax was instituted in 1913; and

WHEREAS, the deductibility of these taxes prevents double taxation, since state and local taxes are mandatory payments; and

WHEREAS, states and local governments use revenues from property, income, sales and other locally generated resources to finance infrastructure, pay for K-12 education, support higher education and job training, provide for public safety and health, and implement a large array of federally mandated health and human service programs; and

WHEREAS, the deductibility of these state and local taxes allows them to maintain authority over local tax structures that support the public good; and

WHEREAS, eliminating the deductibility of state and local taxes would represent double taxation on all Americans, a principle strongly rejected throughout the rest of the federal tax code; and

WHEREAS, in 2015, nearly 96 percent of all federal income tax itemizers took the state and local deduction; and

WHEREAS, over 36 million individuals and families making under \$200,000 claimed this deduction in 2015; and

WHEREAS, the families taking this deduction accounted for 53 percent of the total amount of double taxation avoided in 2015; and

WHEREAS, in New York State as of 2014, over 34 percent of taxpayers itemize their federal income taxes, claiming \$67 billion in

deductions for state and local taxes, representing over 13 percent of all state and local tax deductions claimed nationwide; and

WHEREAS, New Yorkers claim the highest average deductions of any state in the nation, at \$36,000, on their federal income taxes, with more than two-thirds of these deductions related to state and local taxes; and

WHEREAS, eliminating the federal deductibility of state and local taxes will imperil the delivery of public services in New York, many of which are mandated by the federal government, and may increase the effective federal income tax rate for many New Yorkers; and

WHEREAS, New York State has been a "donor" state for federal income tax purposes for decades, meaning we pay far more in taxes to the federal government than we get back in federal payments and grants; and

WHEREAS, this consistent "donor" status requires the state to raise more revenues locally via state and local taxes to help pay for necessary services and infrastructure for state residents, and to finance federally mandated programs because federal revenues are insufficient to cover the costs of these local services as well as pay for federally mandated programs, regulations, and rules; now be it

RESOLVED, the Orleans County Legislature calls on the New York State Congressional Delegation to preserve the federal deductibility of state and local taxes to prevent double taxation and to ensure New York's "donor" state status with the federal government is not made worse; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to the President of the United States Donald Trump, Governor Andrew M. Cuomo, Congressman Chris Collins, Senator Robert Ort; Assemblyman Steve Hawley, Assemblyman Michael Norris, Orleans County Towns and Villages, and all others deemed necessary and proper.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 397-1017

REQUESTING FORMAL REVIEW OF ARTICLE 10 PROCESS AND
COMPREHENSIVE DOD REVIEW OF LIGHTHOUSE WIND LLC
PROJECT

WHEREAS, New York State has replaced the local home rule review and approval process for the siting of electrical generation projects greater than 25MW; and

WHEREAS, Apex Clean Energy is planning construction of up to 70 wind turbines that could reach heights of over 600 feet; and

WHEREAS, Military bases and state legislatures in numerous states, including U.S. Army Fort Drum in our own State, have expressed concerns that large wind turbines in close proximity to military installations could interfere with flight and radar operations and constitute an encroachment to base operations; and

WHEREAS, the Niagara Falls Air Reserve Station (NFARS) currently is listed by the military as an encroachment free base; and

WHEREAS, despite this status and its many other assets, NFARS has been recommended for closure by two previous Base Realignment and Closure Commissions (BRAC); and

WHEREAS, The President's budget calls for a BRAC in 2021 and there are bills in both Houses of Congress also calling for another BRAC process; and

WHEREAS, Article 10 regulations require an application to construct and operate an electrical generation facility include detailed information about potential impacts on transportation facilities including airports and military installations and operations (16 NYCRR 11001.25(e)); and

WHEREAS, The Article 10 Siting Board may request either an "informal" or "formal" review of a proposed generation facility by the Department of Defense (32 Code of Federal Regulations, Sections 211.6 and 211.7); and

WHEREAS, The Niagara County Legislature has gone on record calling for a complete and thorough study of all potential impacts the Apex project could have on NFARS; now therefore be it

RESOLVED, that the Orleans County Legislature calls upon Governor Cuomo and the Article 10 Siting Board to request the Department of Defense conduct a formal review of the Apex application under 32 Code of Federal Regulations, Section 211.7 when that application is submitted; and be it

FURTHER RESOLVED, that the Orleans County Legislature will join the Town of Yates and the Niagara County Legislature requesting the formal DoD review; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this resolution to Governor Andrew Cuomo, Lt. Governor Kathy Hochel, members of the Article 10 Siting Board, and members of the Western New York Senate and Assembly delegation and the members of the Western New York Congressional delegation.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 398-1017

SETTING DATE OF PUBLIC HEARING FOR COUNTY BUDGET FOR THE YEAR 2018 AND SETTING SPECIAL MEETING DATE TO ADOPT THE 2018 COUNTY BUDGET

RESOLVED, that the public hearing for the Tentative County Budget for 2018 will be held on Monday, December 4, 2017 at 6:30 p.m. at the Orleans County Courthouse, Albion, New York; and be it

FURTHER RESOLVED, that the Legislature will schedule a special meeting immediately after the conclusion of the Public Hearing for the budget at the Chambers of the Legislature to adopt the 2018 County Budget and respective resolutions to complete the 2018 Town and County property tax bills.

FURTHER RESOLVED, that the notice for said public hearing and special meeting will be published in the officially designated County newspaper.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 399-1017

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS
AND WENDEL FOR PROFESSIONAL SERVICES FOR THE
ADMINISTRATION BUILDING ADDITION

RESOLVED, that this Legislature approves a professional services agreement with Wendel, 375 Essjay Rd, Suite 200, Williamsville, NY 14228 in an amount not to exceed \$563,100 for the final design and bid services for a 23,000 square foot administration building addition.

Moved, Johnson; second, Allport
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 400-1017

AUTHORIZING PAYMENT OF CLAIMS FOR NOVEMBER
AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 November 8, 2017:

Fund/Department	Check Number (s):	Amount:
General	10071-10207	\$226,411.95
Highway	1076, 2503-2519	\$53,478.41
Job Development	2566-2569	\$610.91
Self Insurance	1148-1149; 58786, 58833	\$22,297.00

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 Superintendent of

Highways, 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 November 22, 2017:

Fund/Department	Check Number (s):	Amount:
General	10226-10410	\$260,312.15
Highway	1077-1087; 2520-2542	\$123,763.59
Job Development	2572-2576	\$7,791.66
Self Insurance	58834, 58836, 58879	\$4,125.68

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

The following add on resolution was presented for adoption:

RESOLUTION NO. 401-1017

**APPROVING ADVERTISING CONTRACT FOR ORLEANS COUNTY
TOURISM**

RESOLVED, that this Legislature approves an advertising contract to provide advertising in the 2018 CONY Directory through Campground Owners of NY, Inc., 1 Grove St, Ste 200, Pittsford, NY 14534 for the purpose of placing a 3-page advertisement in this directory for Orleans County Campgrounds in the amount of \$5,500 to be paid from Tourism Account A6410.468 – I Love New York. 50% Reimbursement from I Love NY Matching Funds.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 0 absent. Legislator DeFilipps recused himself from deliberations and vote.

Chairman DeFilipps called for any unfinished business, in hearing none presented, Legislator DeRoller moved to adjourn; second by Legislator Miller. Meeting adjourned at 4:55p.m.

LEGISLATURE MEETING

November 29, 2017

Chairman DeFilipps called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Johnson.

The Clerk presented the following communications:

Town/Village resolutions that have been received

Town/Village	Resolution Title
T/Shelby T/Yates	Urging the New York State Congressional Delegation to Preserve the Federal Income Tax Deduction for State and Local Taxes (Support Orl Co. Res No. 396-1017)
T/Shelby	Calling on the State of New York to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities (Support Orl Co. Res No. 342-917)

Town of Shelby provided notice of a proposed Local Law to Amend the Zoning Law of the Town of Shelby regarding the Wildlife Refuge Protection Overlay District. The Orleans County Treasurer has provided the annual examination of Petty Cash Accounts report, which has been filed in our office.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through October of 2017. Treasurer Heard noted that there are some loans outstanding and if we didn't have those loans, there would be nearly ten million in available cash. Treasurer Heard stated that she has to publically present her Treasurer's report to the Board as directed by the Office of the State Comptroller.

Chairman DeFilipps called for open discussion as it related to the resolutions. No comments were made therefore, Legislator Eick moved to add four resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 402-1117

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$34,465.97	LaBella Associates	Professional Services for Marshall Rd Bridge Repl. 9/23/17-10/27/17 Inv#84383
\$18,200.06	LaBella Associates	Professional Services for Culvert Rd Bridge Repl. 9/23/17-10/27/17 Inv#84379

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>
105,945.77	Keeler Construction	Construction for Platten Road Culverts – Pymnt #7-Final 9/10/17-11/15/17

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 403-1117

AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY BUDGET

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

<u>Revenue:</u>		
D3501/5112	CHIPS Revenue Account	\$578,613.09
<u>Appropriation:</u>		
D5112.436	Road Construction – Materials	\$569,751.74
D5112.442	Road Construction – Equipment Rental	\$8,861.35

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 404-1117

**APPROVING AGREEMENT BETWEEN BUILDINGS AND
GROUNDS AND CUSTOM CARPET CENTERS**

RESOLVED, that this Legislature approves an agreement between Custom Carpet Centers, 2847 Southwestern Blvd, Orchard Park, NY 14127, for purchasing and installing flooring in the DMV at the COB, in the amount not to exceed \$5,305.66 with such work to be completed and paid from Buildings & Grounds account A1620.403-Maintenance Projects.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 405-1117

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

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

Albion Central School, Albion, NY, a renewal agreement for the provision of preventive services to children and families through the assignment of two(2) Social Services Caseworkers to the School District; to be effective August 30, 2017 through August 29, 2018. Said Services are to be funded 50% Federal, 31% State, and 19% School.

G4S Secure Solutions f/k/a The Wackenhut Corporation, Williamsville, NY for the provision of armed security services for the County Office Building; to be effective January 1, 2018 through December 31, 2018 at a cost of \$28.09 per hour. County cost is \$9.83 per hour.

Willcare, Inc., Buffalo, NY to provide personal care aide services to Medicaid clients at rates to be set by the NYS Department of Health for the period the period January 1, 2018 through December 31, 2018.

Center for Disability Rights, Rochester, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2018 through December 31, 2018 at rates set by NYS Department of Health. County cost is \$0.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 406-1117

**AUTHORIZING COMPUTERS TO BE PURCHASED FROM DELL
COMPUTER PRODUCTS**

WHEREAS, Orleans County has committed to the procurement of quality hardware for ongoing computer operations and Computer Services has aligned Orleans County with Dell as a workstation of choice; and

WHEREAS, the Department of Social Services has a number of computers that have aged past the point of obsolescence; and

WHEREAS, the New York State Information Technology Services has refused to give approval allowing leased desktop computers on the state Human Services Enterprise Network; and

WHEREAS, Computer Services has received a quote from Dell Financial Services for the purchase acquisition of desktop computers; now be it

RESOLVED, that this Legislature approves the purchase of 28 desktop computers from Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547 from quote number 3000018760146.1, (PO #58952) for \$14,203.84 to be paid from Department of Social Services budget A6010.220 – Office Equipment.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 407-1117

**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 operations of county business due to recent retirements, resignations and reorganizations; now be it

RESOLVED, that this Legislature doe hereby abolish a full-time Account Clerk Typist position (6010.0408) effective December 15, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Account Clerk position at Grade 9 of the CSEA salary schedule effective December 15, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a part-time Registered Nurse position at Grade 21 of the CSEA salary schedule effective December 4, 2017 and be it

FURTHER RESOLVED, that this Legislature authorizes the refilling of a full-time temporary Social Welfare Examiner position (6010.406) at Grade 13 of the CSEA salary schedule effective November 30, 2017 through April 30, 2018 for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% Federal funds.

Moved, Miller; second, Eick.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 408-1117

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2018 calendar year:

Mental Health Association of Genesee and Orleans Counties, 25 Liberty Street, Batavia, NY 14020 providing mental health support services and Drop-In Center at a cost of \$83,234. County cost is 0.

YWCA of Genesee County, Inc., 301 North Street, Batavia, NY 14020 providing mental health telephone referral and information services at a cost of \$15,000. County cost is 0.

County Attorney, P. O. Box 606, Medina, NY 14103 providing attorney services as needed for matters requiring counsel at a cost of \$9,500. County cost is \$665.

John G. Amos, Ph.D., 9 Woodrose Drive, Webster, NY 14580 providing services as Consulting Psychologist for an average of 14 hours per week at an hourly rate of \$119.86. County cost is \$5,638.

Ann P. Burbank, NPP, 32 Park View Drive, Pittsford, NY 14534 providing services as a Psychiatric Nurse Practitioner for up to 468 hours at an hourly rate of \$102.00. County cost is \$3,342.

Tulio Ortega, MD, 2 Featherstone Court, Pittsford, NY 14534 providing services as Medical Director for an average of 11 hours per week including seven additional service hours per month for ten months at \$155.00 per hour. County cost is \$6,488.

AJL NP in Psychiatry, PLLC, 56 Beresford Road, Rochester, NY 14610 providing services as a Psychiatric Nurse Practitioner for up to 480 hours at an hourly rate of \$99.89. County cost is \$3,356.

Community Action of Orleans and Genesee, 411 East State Street, Albion, NY 14411 providing summertime services for youth referred or approved by the Department of Mental Health at a cost of \$5,000. County cost \$0.

Worldwide Dictation, 1545 Saw Mill River Road, Suite 2C, Ardsley, NY 10502 providing internal transcription services at a cost of \$5,500. County cost is \$385.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 409-1117

**AUTHORIZING TREASURER TO SET UP NEW MONEY INTO THE
MENTAL HEALTH DEPARTMENT BUDGET**

RESOLVED, that the County Treasurer is authorized to set up from Miscellaneous Revenue into the Mental Health Department budget for money received from National Council for Behavioral Health as follows:

<u>Revenue:</u>		
Miscellaneous Revenue		\$2,600
 <u>Appropriation:</u>		
A4310.418	Other Contractual	\$2,600

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 410-1117

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Christopher Mitchell Funeral Home at 21 West Ave Albion, NY 14411
Contract to provide transporter services for deaths in Orleans County, contract amounts remain the same at \$150.00 per removal and \$1.50 per mile. Cost to county 100%. Contract period January 1, 2018 through December 31, 2018.

Bogan & Tuttle Funeral Home at 226 Pearl St Medina, NY 14103
Contract to provide transporter services for deaths in Orleans County, contract amounts remain the same at \$150.00 per removal and \$1.50 per mile. Cost to county 100%. Contract period January 1, 2018 through December 31, 2018.

Merrill Grinnell Funeral Home at 12 Ingersol St Albion NY 14411
Contract to provide transporter services for deaths in Orleans County, contract amounts remain the same at \$150.00 per removal and \$1.50 per mile. Cost to county 100%. Contract period January 1, 2018 through December 31, 2018.

Orleans County Sheriff's Department 13925 State Highway 31 #400
Albion NY 14411 to provide for removal services of possible Rabies

Specimens. Contract period January 1, 2018 through December 31, 2020. Cost is \$25 per specimen.

Agri-Business Child Development Newfane ABCD-Rathigaber Center at 3820 Lockport-Olcott Road, Lockport NY. Memorandum of agreement to establish the responsibilities of OCHD and Head Start relative to services for infants and toddlers who are suspected of, or diagnosed as having disabilities. Both OCHD and Head Start support the right of all infants and toddlers with disabilities to receive free and appropriate services including all necessary evaluations, early intervention, and related services which parents request, in accordance with state and federal statute's and regulations. No cost to county. Contract period October 5, 2017 through October 5, 2020.

Alan Barcomb M.D., 1 Dennis Drive Batavia NY 14020 to provide medical consultant services throughout the various departments within the Orleans County Health Department. The contract period will run from January 1, 2018 through December 31, 2021 at a cost not to exceed \$2,500 per calendar year. Reimbursement is from State Aide. County cost \$0.

Thomas Graham, 32 Farnsworth Avenue Oakfield, NY 14125 to conduct hearings for alleged violations and nuisance complaints when efforts of Orleans County Health Department have failed to bring about compliance with regard to laws and codes. Provider is to provide a written report of all hearings and their findings and facts and make recommendations to the Orleans County Board of Health. The contract period will run from January 1, 2018 through December 31, 2021. Cost is \$25.00 per hour.

David C. Schubel, County Attorney, 113 West Center St., Medina, NY 14103 to provide Attorney Services to the Orleans County Health Department and its various programs. Contract to follow terms of legislature. The contract will run from January 1, 2018 through December 31, 2018 with cost not to exceed \$15,500. Reimbursements is from various grants. County cost \$0.

Timothy Hens PE at 7319 Quinlan Road, LeRoy, NY 14482 to provide Engineering Services for the Orleans County Environmental Department at the rate of \$85 per hour. Reimbursement from New York State water grant and State Aide. Contract period January 1, 2018 through December 31, 2018. County cost \$0.

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Summit Educational Resources Inc. at 150 Stahl Road, Getzville NY 14068 to provide center-based/evaluation/special educational Itinerant Services (SEIS) to Orleans County Children (ages3-5) who are eligible for the Preschool Supportive health Service Program. There is partial reimbursement from New York State Educational Department and Medicaid. Center based tuition, evaluation rates and SEIS rates are set by New York State. Reimbursement at 59.5%, Counties responsibility is 40.5% The related services rates are set by the county. Contract period is July 1, 2016 through June 30, 2019.

Office of the Aging at 14016 Rt 31 West Albion NY 14411 to provide chronic disease and accident prevention along with safety programs for Orleans County Residents sixty and above. Term of contract is January 1, 2018 through December 31, 2018 and cost not to exceed \$10,000. Reimbursement from New York State Health Department. County cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 411-1117

AUTHORIZING FILLING VACANCY IN THE HEALTH DEPARTMENT

WHEREAS, as a result of the resignation of the current Director of Weights and Measures and the position is required under the provisions of New York State Ag and Markets for all counties to employ a said Director; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Director of Weights and Measures at Grade 4 of the Management Compensation Salary Schedule, effective November 30, 2017.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 412-1117

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Kevin Johnson 4554 South Holley Rd Holley, NY 14470	Town of Clarendon	12/31/2020
Russell Bosch 4690 Bennetts Corners Rd Holley, NY 14470	Town of Clarendon (Alternate)	12/31/2020
Andrew Kludt 1155 Center Rd Kendall, NY 14476	Town of Kendall	12/31/2019
Monica Seeler 53 South Main St Holley, NY 14470	Village of Holley (Alternate)	12/31/2018
Gary Daum 1968 Marshall Rd Lyndonville, NY 14098	Town of Yates	12/31/2018
Edward Urbanik 12365 Platten Rd Lyndonville, NY 14098	Town of Yates (Alternate)	12/31/2018

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 413-1117

ADOPTING LOCAL LAW NO. 4 OF 2017, ENTITLED AMENDING LOCAL LAW NO. 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

WHEREAS, Local Law No. 3-Intro of the year 2017 was introduced at a regular meeting of the Orleans County Legislature held on

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September 27, 2017 and a Public Hearing was held on October 25, 2017, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enact the following Local Law No. 4 of 2017:

A local law Amending Local Law No. 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

SECTION 1. Section 702 of Local Law No. 4 of the Year 2003 is hereby amended to read as follows:

702. Effective Date: This Local Law shall take effect on January 1, 2004, and expire December 31, 2020, except that the provisions of this Local Law relating to registration and the authority of the Treasurer to adopt regulations and take all necessary action to prepare for the implementation and enforcement of this Local Law shall take effect immediately.

SECTION 2 This Local Law shall take effect on January 1, 2018.

Moved, DeRoller; second, Allport.

Roll Call: 5 ayes: Allport, DeFilipps, DeRoller, Eick, Miller; 0 nays; 1 absent, Johnson.

Adopted

RESOLUTION NO. 414-1117

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE TOURISM BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for funds received from participation ads in 585 Magazine/CONY from various Orleans County entities as follows:

Revenue:

A2000	Ad Revenue	\$2,900
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Appropriation:

A6410.468	I Love NY Matching Funds	\$2,900
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Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 415-1117

**AUTHORIZING ATTENDANCE AT OUT OF STATE TRAVEL SHOWS
FOR TOURISM PROMOTIONS**

RESOLVED: that this legislature hereby authorizes attendance at the following trade and travel shows, to be paid from account A6410.468 - Tourism, I Love New York except as noted:

Fly Fishing Show, Edison, NJ, January 25-28, 2018 to be attended by Mike Waterhouse. Expenses to be paid by Lake Ontario Sportfishing Promotions Council and I Love NY Matching Funds.

Great American Outdoor Show, Harrisburg, PA, February 2-11, 2018 to be attended by Mike Waterhouse. Expenses to be paid by Lake Ontario Sportfishing Promotions Council and I Love NY Matching Funds.

Allegheny Outdoor Sport & Travel Show, Monroeville, PA, February 15-18, 2018 to be attended by Mike Waterhouse. Expenses to be paid by Lake Ontario Sportfishing Promotions Council and I Love NY Matching Funds.

The Springfield Sportsmen's Show, West Springfield, MA to be attended by Mike Waterhouse February 22-26, 2018. Expenses to be paid by Lake Ontario Sportfishing Promotions Council and I Love NY Matching Funds.

Lancaster Fly Fishing Show, Lancaster, Pennsylvania, March 2-4, 2018 to be attended by Mike Waterhouse. Expenses to be paid by I Love NY Matching Funds.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 416-1117

**APPROVING AGREEMENT BETWEEN TOURISM DEPARTMENT
AND WIGHT-OX ENTERPRISES, LLC**

RESOLVED, that this Legislature approves an agreement between the Tourism Department and Wight Ox Enterprises, LLC, 949 Streeter Brook Rd., Little Genesee, NY 14754 to provide:

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- Film 2 episodes from Orleans County on both the Regional and National shows (4 shows total)
- 30 second commercial in each episode to air 52 weeks (520 airings) on 8 regional cable stations airing Rush Outdoors Television Show, November 2017 through October 2018 (Season 6) at a cost of \$4,500;
- 30 second commercial in each of 13 episodes (13 airings) on the Pursuit Channel during the 2nd quarter of 2017 (Season 5) at a cost of \$4,000; and
- Additional digital media ads provided throughout the contract all to be paid from Tourism Account 6410.468 – I Love NY Matching funds.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 417-1117

**APPROVING APPOINTMENTS TO THE OAK ORCHARD
WATERSHED BOARD**

RESOLVED, that the following individuals are appointed to the Oak Orchard Watershed Board for a two-year term, effective January 1, 2018 through December 31, 2019.

Ed Morgan, Chairman, Soil and Water
Guy Smith – Albion
Peter Smith – Albion
Jon Peglow – Barre

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 418-1117

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending September 30, 2017; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

Mortgage Tax Apportionment
April 1, 2017 through September 30, 2017

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	221,712,135	443,424,270	122,876,290	27.71%	32,576.37	9,027.16	23,549.21
Barre	99,631,504				9,027.81		9,027.81
Carlton	205,122,207				20,971.07		20,971.07
Clarendon	160,408,925				25,868.40		25,868.40
Gaines	124,616,074	247,232,148	23,357,825	9.33%	8,286.45	773.27	7,513.18
Kendall	157,973,439				18,020.11		18,020.11
Murray	183,247,740	366,495,480	54,053,895	14.75%	26,155.31	3,857.61	22,297.70
Ridgeway	221,086,173	442,172,346	91,332,735	20.66%	25,355.07	5,237.21	20,117.86
Shelby	183,151,862	366,303,724	73,388,378	20.03%	14,045.74	2,814.04	11,231.70
Yates	<u>152,707,777</u>	305,415,554	<u>29,213,014</u>	9.57%	10,115.08	967.51	9,147.57
Total	1,709,657,836				190,421.41	22,676.80	167,744.61

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 419-1117

ADOPTING LOCAL LAW NO. 5 OF 2017, ENTITLED AMENDING
LOCAL LAW NO. 4 OF THE YEAR 2007 TO REVISE INCOME
ELIGIBILITY LEVELS

WHEREAS, Local Law No. 5-Intro of the year 2017 was introduced at a regular meeting of the Orleans County Legislature held on September 27, 2017 and a Public Hearing was held on October 25, 2017, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enact the following Local Law No. 5 of 2017:

Amending Local Law No. 4 of the Year 2007 to Revise Income Eligibility Levels

Section 1. Statutory Authority.

This local law is enacted pursuant to the provisions of the Municipal Home Rule Law and the Real Property Tax Law of the State of New York.

Section 2. Revised Income Schedule.

Section 4 of Local Law No. 4 of the Year 2007 is hereby amended to revise the income eligibility levels for determining qualification for the partial exemption for real property taxes for persons with disabilities and limited incomes. As amended, section 4 shall provide as follows:

The income eligibility levels for determining qualification for the partial exemption from real property taxes for persons with disabilities and limited incomes are hereby established in accordance with the following schedule

Annual Income	Partial Tax Exemption
\$15,500 or less	50%
\$15,500.01 - \$16,499.99	45%
\$16,500.00 - \$17,499.99	40%
\$17,500.00 - \$18,499.99	35%
\$18,500.00 - \$19,399.99	30%
\$19,400.00 - \$20,299.99	25%
\$20,300.00 - \$21,199.99	20%
\$21,200.00 - \$22,099.99	15%
\$22,100.00 - \$22,999.99	10%
\$23,000.00 - \$23,899.99	5%

Section 3. Revised Ineligibility For Exemption.

Section 6(a) of the Local Law No. 4 of the Year 2007 is hereby amended to revise the income threshold which if exceeded, no exemption shall be granted. As amended, section 6(a) shall provide as follows:

- (a) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of Twenty Three Thousand Eight Hundred Ninety-nine Dollars and Ninety-nine cents (\$23,899.99) income tax year shall mean the

twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, in which case only the income of the spouse or ex-spouse residing at the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the income tax year, not rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital gifts, inheritances or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the County Legislature, after a public hearing, adopts a local law or resolution providing therefore. In computing net rental income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

SECTION 4. Effective Date.

This local law shall take effect immediately upon filing with the Department of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on and after March 1, 2018.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 420-1117

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND ROYAL EMPLOYER SERVICES

RESOLVED, that this Legislature approves a renewal agreement with Royal Employer Services, 430 East Main St., Batavia, NY 14020 for the provision of an Employee Assistance Program, at a cost \$6,000, with cost of agreement to be apportioned at 50% from Mental Health; 25%

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from Personnel; and 25% from Employee Assistance Program and said agreement effective from January 1, 2018 through December 31, 2018.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 421-1117

APPROVING CHANGE TO MANAGEMENT COMPENSATION PLAN

RESOLVED, that this Legislature renames Grade E12 to Executive in the Management Compensation Plan; and

FURTHER RESOLVED, that this Legislature approves a Grade 12 to the Management Compensation Plan with nine steps effective January 1, 2018; and

FURTHER RESOLVED, that this Legislature places the following positions into Grade 12:

County Attorney, part time working 1,500 hours per year
Commissioner of Social Services, full time
Director of Mental Health Services, full time

FURTHER RESOLVED, that this Legislature approves the incorporation of the countywide corporate compliance officer into the Director of Mental Health Services position effective January 1, 2018; and

FURTHER RESOLVED, that this Legislature abolishes the stipend for countywide corporate compliance officer effective January 1, 2018.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 422-1117

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 7-INTRO OF 2017 REGARDING SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM”; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 20th day of December 2017 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Albion, New York.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 423-1117

APPROVING THE PURCHASE OF FINANCIAL SOFTWARE FOR THE COUNTY TREASURER’S OFFICE WITH LOGICS, LLC AND SETTING UP FUNDS FOR SAID PURCHASE

WHEREAS, the KVS Information Systems has sold the company to two separate companies during the last few years, and updates and program changes are not being kept up to date, the new owner is not receptive to making upgrades to the system; and the Treasurer’s office is now in need of a new financial software and vendor; and

WHEREAS, the Treasurer, CAO and the Personnel Director have spent the past year reviewing available options, reviewed the costs and services available of each vendor and find Logics, LLC will meet the needs of Orleans County at the most reasonable cost; and

WHEREAS, the Logics LLC software and implementation services will provide the Management Console, Financial Management, Professional Payroll and Human Resources, Employee Self Services; Revenue Management, Real Property Tax Collection, and Budgeting at a cost of \$85,670, with additional custom programming as needed at a cost of \$10,000; for a total of \$95,670. The annual maintenance agreement will be \$11,648.

RESOLVED, this Legislature does hereby approve the Purchase and Agreement with Logics LLC for their financial software, and

FURTHER RESOLVED, the Legislature authorizes the County Treasurer to set up funds for this purchase as follows:

<u>From:</u>		
Misc. Reserve		\$67,642.73
A1990.435	Contingent Fund	\$28,027.27
<u>To:</u>		
A1325.456	Central Computer	\$95,670.00

Moved; Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 424-117

APPROVING RENEWAL AGREEMENT BETWEEN COUNTY TREASURER AND EFP ROTENBERG, LLP FOR INDEPENDENT AUDIT

WHEREAS, it is the recommendation of the County Treasurer to renew the auditing contract with EFPR Group, CPAs for two extension years; and be it

RESOLVED, that this Legislature approves a two-year agreement between the County of Orleans and EFPR Group, CPAs, 280 Kenneth Dr., Ste 100, Rochester, NY 14623, to provide auditing services for the fiscal years 2017 and 2018 at a cost of \$29,250 per year, including the Department of Transportation audit, Sheriff and Jail audit, and all out of pocket costs. Cost of Audit will be billed to maximize reimbursement to Treasurer, Department of Social Services, Workforce Investment Act (WIA), and the Highway Department.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 425-1117

ACCEPTING PROPOSAL FROM VENESKY & COMPANY FOR
COUNTYWIDE COST ALLOCATION AND SPACE OCCUPANCY
REPORT

RESOLVED, that this Legislature accepts the proposal from Venesky & Company, which will provide for the preparation of the 2017, 2018 and 2019 consolidated County-wide Cost Allocation Plan, a Department of Social Services Indirect Cost Proposal, and the determination of County-wide allocated indirect costs; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to sign said proposal, which shall be in effect during the calendar years 2018, 2019 and 2020 at a cost of \$10,500 for the year 2017; and for the 2018 and 2019 reports at \$10,750 each year. Cost of the Plan will be billed departmentally in order to maximize reimbursement to the Department of Social Services, Public Health and County Treasurer.

Moved, Eick; second, Miller
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 426-1117

AUTHORIZING SETTING UP RESERVE MONIES FOR THE
ENERGY PERFORMANCE LEASE PAYMENT

WHEREAS, the energy savings realized in 2016 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the Treasurer has made the Lease payment and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

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

<u>From:</u>		
Reserve for Debt		\$45,003
 <u>To:</u>		
A9901.556	Transfer to Debt Service	\$45,003

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies in the Debt Service Fund, as follows:

<u>From:</u>		
V5031	Revenue	\$45,003
 <u>To:</u>		
V9710.601	Principal	\$25,000
V9710.701	Interest	\$20,003

Moved, Eick; second, Miller.
 Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 427-1117

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2017 Unpaid Solid Waste/Recycling Fees to the 2018 tax rolls of the several towns in Orleans County:

TOWN		AMOUNT
Albion	Inside	18,005.16
	Outside	6,633.48
Barre		7,699.58
Carlton		17,412.91
Clarendon		7,818.03
Gaines	Inside	1,895.28
	Outside	7,818.03
Kendall		6,633.48
Murray	Inside	8,528.76
	Outside	6,870.39
Ridgeway	Inside	15,636.06
	Outside	12,793.14
Shelby	Inside	12,556.23
	Outside	13,503.87
Yates	Inside	2,606.01
	Outside	10,187.17
Total		156,597.58

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 428-1117

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2018 tax rolls of the respective towns as of November 1, 2017:

TOWN		AMOUNT
Albion	Inside	\$115,343.45
	Outside	71,115.70
Barre		83,731.23
Carlton		243,758.61
Clarendon		191,055.58
Gaines	Inside	12,218.85
	Outside	96,160.66
Kendall		162,422.15
Murray	Inside	110,699.73
	Outside	173,956.39
Ridgeway	Inside	139,806.68
	Outside	173,046.40
Shelby	Inside	192,072.63
	Outside	168,263.26
Yates	Inside	25,245.15
	Outside	109,826.65
Total		\$2,068,723.12

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 429-1117

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2018 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWNS:	AMOUNT
Village of Albion	Town of Albion	\$138,610.67
	Town of Gaines	19,589.13
Village of Holley		78,458.83
Village of Lyndonville		22,229.85
Village of Medina	Town of Ridgeway	122,164.74
	Town of Shelby	173282.38
TOTAL		\$554,335.60

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Legislator Eick moved to approve an agreement between the offices of the District Attorney and County Attorney to handle juvenile delinquency proceedings, seconded by Legislator Miller. Attorney Schubel stated that this is a renewal arrangement and appreciates the assistance of the District Attorney through his 1st Assistant District Attorney Susan Howard who also takes on the 3rd Assistant County Attorney position to assist with the rigorous time restraints placed on handling these cases and now fulfill the statutory requirements on how Juvenile Delinquent cases are handled. This process has been cost effective and efficient due to not having another position in the County Attorney's Office to have to handle these cases in our county. The following resolution was adopted:

RESOLUTION NO. 430-1117

APPROVING AGREEMENT BETWEEN THE OFFICES OF DISTRICT ATTORNEY AND ORLEANS COUNTY ATTORNEY

WHEREAS, Resolution No. 409-1007 authorized the District Attorney to handle and prosecute juvenile delinquency proceedings and further authorized an agreement between the offices of the County Attorney and District Attorney; be it

RESOLVED, that this Legislature approves a renewal agreement between the offices of County Attorney and District Attorney for attorney and staff services in handling juvenile delinquency proceedings in the amount of \$11,245 for the 2017 calendar year.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 431-1117

**APPROVING AGREEMENT BETWEEN PROBATION
DEPARTMENT AND AXON ENTERPRISES, INC**

RESOLVED, that this Legislature authorizes the Probation Department to enter into an agreement with AXON Enterprises, Inc. to purchase Taser Equipment for 6 Probation Officers over a 5 year period beginning December 1, 2017 through November 30, 2022. First year cost will be \$1,762, which includes a onetime shipping fee of \$130 and year 2-5 annual cost will be \$2,232. Total cost of five year contract \$10,690.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 432-1117

**AUTHORIZING PROBATION DIRECTOR TO ACCEPT MONIES
FROM THE OFFICE OF PROBATION AND CORRECTIONAL
ALTERNATIVES**

WHEREAS, the Governor's Traffic Safety Council is providing the Division of Criminal Justice Services (Office of Probation) a funding opportunity to support supervision of Leandra's Law provisions therefore be it,

RESOLVED, the Orleans County Probation Department will be reimbursed \$63.00 per case up to a maximum of \$2,730 for Leandra's Law Ignition Interlock Device (IID) cases. Grant period is from October 1, 2017 to September 30, 2018.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 433-1117

**AUTHORIZING TRANSFER OF FUNDS WITHIN THE PROBATION
DEPARTMENT BUDGET**

RESOLVED, that this Legislature approves the Orleans County Treasurer to transfer monies in the Probation Department budget to cover the cost of Safety Equipment.

<u>From:</u>		
A3140.460	Training	\$400
<u>To:</u>		
A3140.251	Safety Equipment	\$400

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 434-1117

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND THE BUREAU OF JUSTICE ASSISTANCE

WHEREAS, Resolution #275-717, authorized the Orleans County Sheriff's Office to apply for reimbursement funding available through the U.S. Department of Justice, Bureau of Justice Assistance; now be it

RESOLVED, that this Legislature accepts the grant funding award of \$5,069.26 under the FY 2017 Bullet Proof Vest Partnership Initiative, administered through the Bureau of Justice Assistance, for matching reimbursement on the purchase of bullet proof vests, effective through August 31, 2019; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute all paperwork necessary to administer this grant funding.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 435-1117

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND VOIANCE LANGUAGE SERVICES

RESOLVED, that this Legislature approves the service agreement between the Sheriff's Office and Voiance Language Services, LLC, 5780 North Swan Road, Tucson, AZ 85718 for providing over-the-phone translation and interpretation services to Sheriff's 911 Center at a cost of \$0.75 per minute, on an as-needed basis; agreement effective November 29, 2017 through November 29, 2020.

Moved. Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 436-1117

AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR 2017-2018 PUBLIC SAFETY ANSWER POINTS (PSAP) OPERATIONS GRANT PROGRAM FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for the Public Safety Answering Point (PSAP) Operations Grant through the NYS Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications, which allows reimbursement funding to counties for costs related to the operations in a PSAP, for contract year January 1, 2018 through December 31, 2018.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 437-1117

AUTHORIZING PURCHASE FROM SHERIFF'S OFFICE BUDGET FOR STOP-DWI

RESOLVED, that this Legislature does hereby authorize the purchase of equipment and supplies, to be used by local village police departments and the county sheriff's department in conducting DWI patrols and road checks, from Galls, LLC, 1340 Russell Cave Road, Lexington, KY 40505. The total purchase cost of \$9,695.00 to be paid from the Sheriff's Office STOP DWI budget line A3315.250 – Other equipment.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 438-1117

AUTHORIZING SETTING UP NEW MONEY IN AND PURCHASE FROM THE SHERIFF'S OFFICE BUDGET

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

<u>Revenue:</u>		
A4330	Seat Belt Grant	\$1,990.45
 <u>Appropriation:</u>		
A3110.486	Special Grants	\$1,990.45

FURTHER RESOLVED, that this Legislature approves the purchase of Child Safety Seats from Evenflo Company, in the amount of \$1,990.45, to be paid from Sheriff's Budget account A3110.0486 - Special Grants.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 439-1117

AUTHORIZING SETTING UP NEW MONEY IN THE SHERIFF'S OFFICE BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money in acceptance of grant funding from the 2017-2018 NYS Senate (LG17-1294-D00), administered through the New York State Department of Criminal Justice Services, for the enhancement of Public Protection Initiatives, in the Sheriff's Office budget, as follows:

<u>Revenue:</u>		
A3032	Legislative Initiative Grant	\$4,697.77
 <u>Appropriation:</u>		
A3110.486	Special Grants	\$4,697.77

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 440-1117

AUTHORIZING FILLING VACANCY IN THE SHERIFF'S OFFICE

RESOLVED, as a result of a resignation, this Legislature does hereby authorize filling a vacant full-time Correction Officer position (3150.49) at Grade 5 of the OCSEA effective November 30, 2017.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 441-1117

AUTHORIZATION TO APPROVE REQUEST FOR EXTENDED SICK LEAVE IN THE SHERIFF'S OFFICE

WHEREAS, Section 12.2.1 of the OCDSA Collective Bargaining Agreement provides for Extended Sick Leave at Half Pay upon the request of the employee and with the approval of the County Legislature and Sheriff, and

WHEREAS, a member of the OCDSA union has exhausted all accumulated sick leave time; and

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

WHEREAS, this member of the OCDSA union has supplied the 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 3110.05, to begin November 27, 2017 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, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

Legislator Eick moved to approve a maintenance agreement with Exacom Inc.; seconded by Legislator Miller. EMO Director Banker informed the board that this is a one-year maintenance contract for the recording part of the radio system upgrade. This has to do with the encryption of the law enforcement radios and the recording of all radio transmissions. The following resolution was adopted:

RESOLUTION NO. 442-1117

**APPROVING MAINTENANCE AGREEMENT BETWEEN
EMERGENCY MANAGEMENT OFFICE AND EXACOM, INC.**

WHEREAS, the recording system installed by Harris PSPC with the new P25 Public Safety Radio System in 2014 is no longer under any factory maintenance; and

WHEREAS, there are no distributor or authorized field services organizations in this area nor is the Hindsight product on a New York State OGS contract; be it

RESOLVED, that this Legislature authorizes entering into an agreement for software and hardware maintenance with Exacom, Inc., 99 Airport Road, Concord, New Hampshire 03301 for a period of November 1, 2017 through October 31, 2018 at a cost not to exceed \$13,191; said cost to be paid from Emergency Management Budget Account A3640.486.1674 – Special Grants.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 443-1117

**AUTHORIZING DIRECTOR OF EMERGENCY MANAGEMENT
TO APPLY FOR 2017 STATEWIDE INTEROPERABLE
COMMUNICATIONS GRANT**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for the 2017 Interoperable Communications Formula Based Grant program through the NYS

Division of Homeland Security and Emergency Services Office which will aid in making the necessary improvements and provide for sustainment of Land mobile radio systems, maintenance components supporting interoperability, continuous training and exercise for our first responders, sustainment and further development of governance structure.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 444-1117

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND APPROVING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes Director of Emergency Management to expend State Interoperable Communication Grant FY2016 Grant Funds in the amount of \$161,358 for Harris Radio 800 MHz Radio System equipment and software upgrades to Finger lakes Communications, \$11,550 for installation, programming and testing of both AES Encryption and Phase 2 TDMA to Radio Technologies and \$13,191 for annual hardware and software maintenance agreement at the Emergency Management Office in accordance with DHSES guidelines; and be it

FURTHER RESOLVED THAT THIS Legislature authorizes the Treasurer to set up FY 2016 State Interoperable Security Funds as follows:

Revenue:

A4309.1674	State Interoperable Communications Grant FY16	\$186,099
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Appropriation:

3640.486.1674	Special Grants – SICG FY16	\$186,099
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Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 445-1117

**AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY
MANAGEMENT BUDGET**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds for purchase of Personal Protective Equipment Tactical G-FORCE LEVEL II Vests, at a cost not to exceed \$2,100, according to the grant guidelines of DHSES, and be it

FURTHER RESOLVED, that this Legislature approves setting up 2015 Homeland Security Grant Funds as follows:

Revenue:

A4309.2015	State Homeland Security Grant Program FY 2015	\$2,100
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Appropriation:

A3640.486.2015	Special Grants – SHSP FY2015	\$2,100
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Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 446-1117

**AUTHORIZING PAYMENT OF CLAIMS FOR DECEMBER
AGAINST THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 December 13, 2017:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	10424-10628	\$441,227.86

Highway	1088-1095; 2543-2570	\$117,788.80
Job Development	2579-2586	\$8,847.23
Self Insurance	58923-58924; 1150	\$23,196.44

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 Superintendent of Highways, 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 December 27, 2017:

Fund/Department	Check Number (s):	Amount:
General	10645-10759	\$271,596.81
Highway	1096-1100; 2571-2578	\$45,633.95
Job Development	2591-2594	\$137.12
Self Insurance	58990, 58993; 1151-1152	\$548.86

Moved, Miller; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 447-1117

AUTHORIZING FILLING VACANCY IN THE OFFICE FOR THE AGING

RESOLVED, as the result of a resignation, this Legislature does hereby authorize the filling of a vacant part- time Housekeeper Aide at grade 2 of the CSEA Salary Schedule, effective December 11, 2017.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 448-1117

APPROVING SUBMISSION OF THE GLOW WORKFORCE DEVELOPMENT AREA LOCAL PLAN

RESOLVED, that this Legislature does hereby approve submission of the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Area Local Plan for July 1, 2017 through June 30, 2021,

November 29, 2017
Resolution 402-450

pursuant to the Workforce Innovation and Opportunity Act (WIOA) of 2014, the Final Rule, and Planning guidelines and instructions developed by the Governor of the State of New York.

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the Agreement, subject to review by the County Attorney and Chief Administrative Officer.

Moved, Miller; second, Eick.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 449-1117

AUTHORIZING FILLING VACANCY IN THE HEALTH DEPARTMENT

WHEREAS, as a result of receiving notice of a December 31, 2017 retirement of a full-time Case Manager which is a vital role for the Early Intervention program; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Case Manager position (4010.39) at Grade 15 of the CSEA Salary Schedule, effective January 2, 2018.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

RESOLUTION NO. 450-1117

APPOINTING PUBLIC DEFENDER

RESOLVED, that Joanne Best be appointed Public Defender for Orleans County for a term of two years, effective January 1, 2018 through December 31, 2019, at grade 11, step 6 of the Management Compensation Salary Schedule; and, that in addition thereto, the reasonable disbursements and expenses of Public Defender incurred in the conduct of County business shall be paid upon the usual monthly vouchers and be audited by this County Legislature.

Moved, Eick; second, Miller.
Adopted. 5 ayes; 0 nays; 1 absent, Johnson.

November 29, 2017
Resolution 402-450

Congratulations was provided to Joanne Best on her appointment and Chairman DeFilipps announced that today history has been made with Joanne being appointed the first woman Public Defender in Orleans County.

With there being no further business, Legislator Allport moved to adjourn; second by Legislator DeRoller. Meeting adjourned at 4:59 p.m.

SPECIAL LEGISLATURE MEETING
December 4, 2017

Chairman DeFilipps called the meeting to order at 7:05 PM. The Clerk called the roll. All Legislators were present.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 451-1217

ADOPTING THE 2018 ORLEANS COUNTY BUDGET

WHEREAS, the 2018 tentative budget for Orleans County was presented to the general public at a public hearing held at 6:30 p.m. on December 4, 2017; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now, be it

RESOLVED, that this Legislature does hereby adopt the 2018 tentative budget, as the Orleans County budget for 2018, with a tax levy of \$17,150,323.00.

Moved, Johnson; second, Allport.

Roll Call: 6 ayes: Allport, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 452-1217

APPROVING APPORTIONMENT OF THE 2018 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2018, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature.

Town	Adjusted Taxable Value	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	Omitted Tax	General County Services Amount of 2018 Total Levy	2018 Tax Levy
Albion	223,707,460	220,334,020	100%	223,707,460	12.631%		2,165,958.06	2,165,958.06
Barre	100,265,897	98,781,957	100%	100,265,897	5.661%		970,784.47	970,784.47
Carlton	208,958,897	205,132,207	100%	208,958,897	11.798%		2,023,161.00	2,023,161.00

Clarendon	164,267,429	160,467,375	100%	164,267,429	9.275%		1,590,453.72	1,590,453.72
Gaines	126,461,151	124,026,926	100%	126,461,151	7.140%		1,224,409.55	1,224,409.55
Kendall	160,277,862	157,902,629	100%	160,277,862	9.050%		1,551,826.33	1,551,826.08
Murray	187,356,878	183,355,288	100%	187,356,878	10.579%	\$2,597.64	1,814,008.08	1,814,008.08
Ridgeway	225,915,585	220,935,753	90%	251,017,317	14.173%		2,430,374.84	2,430,374.84
Shelby	186,506,553	182,992,752	98%	190,312,809	10.746%		1,842,627.71	1,842,627.71
Yates	155,280,272	152,742,557	98%	158,449,257	8.947%		1,534,121.60	1,534,121.60
Totals	1,738,997,984	1,706,671,464			100%		17,147,725.36	17,150,323.00

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 453-1217

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2018; be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWNS	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion	128,067.00	250,379.00	
Barre		644,944.00	
Carlton		637,212.00	
Clarendon		381,953.64	
Gaines	59,220.00	167,326.33	17,338.19
Kendall		451,743.00	
Murray	192,413.00	202,509.00	36,737.00
Ridgeway	205,613.00	395,323.00	56,075.00
Shelby	259,228.00	147,421.00	47,762.00
Yates	227,708.00	99,552.50	14,825.00

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with the respective Fire Protection and Improvement Districts in

the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
Albion	Fire Protection	100,000.00
	Water District 1	17,742.00
	Water District 3	70,000.00
	Water District 4	28,569.00
	Water District 5	60,386.00
	Water District 6	22,800.00
	Water District 7	9,360.00
	Water District 8	15,221.00
	Water District 9	10,663.00
	Sewer District 1	50,765.00
Barre	Fire District	199,000.00
	Water District 2	12,025.00
	Water District 3	10,178.00
	Water District 4	14,508.00
	Water District 5	36,360.00
	Water District 6	46,360.00
	Water District 7	14,290.00
	Water District 8	11,416.00
Carlton	Fire Protection	166,118.00
	Light District I	5,500.00
	Light District II	7,500.00
	Water	367,440.00
Clarendon	Fire Protection	173,660.35
	Water District 2	32,406.00
	Water District 3	67,325.26
	Water District 4	57,386.76
	Water District 5	13,955.26
	Water District 6	27,307.00
	Water District 7	45,986.47
	Water District 8	10,138.09
	Water District 9	6,229.50
	Water District #9 Ext	6,757.00
	Water District 10	66,751.54
Water District 11	68,039.22	

Gaines	Fire Protection	100,000.00
	Water District 2	7,884.00
	Water District 3	6,530.75
	Water District 5	3,691.25
	Water District 6	7,095.00
	Water District 7	5,605.39
	Water District 8	8,650.00
	Water District 9	8,996.75
	Water District 10	9,372.75
	Kendall	Fire District 1 (Kendall)
Fire District 2 (Morton)		76,002.00
Light District 1		5,450.00
Light District 2		3,135.00
Light District 3		1,725.00
Water District 1		4,503.00
Water District 2		13,130.45
Water District 3		19,074.71
Water District 4		65,405.38
Water District 5		15,370.46
Water District 6	10,541.00	
Murray	Fire Protection District 1	203,500.00
	Fire District 2 (FHM)	108,950.00
	Light District 1 (Fancher)	2,500.00
	Light District 2 (Hulberton)	3,700.00
	Light District 3 (Brockville)	1,100.00
	Water District 1	1,925.00
	Water District 2	31,000.00
	Water District 3	22,582.00
	Water District 4	6,000.00
	Water District 5	4,300.00
	Water District 6	12,000.00
	Water District 7	19,500.00
	Water District 8	16,440.00
	Water District 9	6,500.00
	Water District 10	7,000.00
Water District 11	104,000.00	
Water District 12	12,000.00	
Water District 13	19,201.00	
Water District 14 (Gaines)	3,900.00	
Water District 15	59,000.00	

Ridgeway	Fire Protection	177,365.00
	Light	3,375.00
	Water Improvement 31-E	8,400.00
	Water improvement 269	7,645.00
	Water District 2	18,775.00
	Water District 3	32,232.63
	Water District 4	65,131.25
	Water District 5	26,476.50
	Water District 6	13,961.88
	Water District 7	7,832.50
	Water District 8	9,810.75
	Water District 9	6,717.90
	Water District 10	11,665.38
	Water District 11	2,020.00
	Water District 12	14,894.81
Water District 13	11,585.63	
Knowlesville Sewer District	32,445.00	
Shelby	Fire Protection District (Shelby & East Shelby)	313,250.00
	Light District 1 (Shelby)	2,550.00
	Light District 2 (Millville)	1,300.00
Yates	Fire Protection	77,400.00
	Water District 4	181,019.00

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	762.10			358,705.00
Barre	168.00			279,232.00
Carlton	1,648.60			312,471.00
Clarendon	9,285.63		395.00	345,291.00
Gaines				240,500.00

Kendall		267,779.00
Murray	425.00	358,111.00
Ridgeway	8,327.47	336,169.00
Shelby	22,488.76	520,314.00
Yates	1928.53	293,022.00

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 454-1217

AUTHORIZING COUNTY TREASURER TO CHARGE BACK ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND SCHOOL DISTRICTS

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 29, 2017, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	SOLID WASTE	TO VILLAGE	TOTAL
ALBION								
Latonya McNeil	73.5-4-24.2	2010-2017	69.88	16.41	27.77		21.78	135.84
Daniel Vandegenachte	73.6-7-80	2003-2013	42,944.28			2,650.74		45,595.02
Daniel Vandegenachte	73.6-7-81	2003-2013	26,626.68			1,325.38		27,952.06
Virginia Mosher Bruce Ribble	73.11-1-52	Various	12,152.93	1,773.06	11,702.66	1,102.67	12,529.21	39,260.53
CARLTON								
Mathew Carber	38.-1-21	2017	23.50	12.89				36.39
Vicki Baes	38.9-2-15.1	2017	4.51	2.22	8.46			15.19
Olin & Lila Kenward	39.-1-8.2	2017		125.00				125.00
Earl Budynski	39.-1-8.111	2017		200.00				200.00
GAINES								
Gerald & Carol Culhane	51.-1-54.11	2017		27.95				27.95
Jennifer Allis	62.-1-76.2	2017		175.97				175.97
MURRAY								

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Liftec Systems Inc	88.21-1-60	1993-2007	75,421.67					75,421.67
Justin Dodson Tonya Shaffer	65.-1-42.112	2017		1,110.59				1,110.59
SHELBY								
Arthur & Nancy Satkowski	91.-1-7.2	2013, 2015-17	6,073.09	2,996.67	4,966.45	662.67		14,698.88
TOTALS								
			163,316.54	6,440.76	16,705.34	5,741.46	12,550.99	204,755.09

Grand Total = \$ 204,755.09

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 455-1217

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion		\$1,789.47
Barre		
Carlton	340.11	
Clarendon		
Gaines	203.92	
Kendall		
Murray	1,110.59	
Ridgeway		
Shelby	2,996.67	
Yates		

Total amount charged to Towns: \$ 6,440.76

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 456-1217

APPROVING CHARGE BACKS TO TOWNS FOR DATA MANAGEMENT SERVICES, USER FEES, TAX BILLS, AND RATE AND MAP FILES

RESOLVED, that this Legislature authorizes charge backs for Data Management Services, user fees, tax bills, and rate and map files to be levied on to the 2018 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2017

TOWN		NO. OF PARCELS	Real Property	Tax Collector User Fees	RATE & MAP Files	RPS User Fees	Total	Total Town
Albion	Inside	1,601	2,001.25				2,001.25	
	Outside	949	1,186.25		150.00	1,277.00	2,613.25	4,614.50
Barre		1,414	1,767.50	217.80	150.00	1,228.00	3,363.30	3,363.30
Carlton		2,451	3,063.75		150.00	1,595.00	4,808.75	4,808.75
Clarendon		1,794	2,242.50	215.28	150.00	1,289.00	3,896.78	3,896.78
Gaines	Inside	236	295.00				295.00	
	Outside	1,048	1,310.00		150.00	641.00	2,101.00	2,396.00
Kendall		1,667	2,083.75		150.00	1,268.00	3,501.75	3,501.75
Murray	Inside	687	858.75	23.64			882.39	
	Outside	1,425	1,781.25	49.08	150.00	1,540.00	3,520.33	4,402.72
Ridgeway	Inside	1,396	1,745.00				1,745.00	
	Outside	1,767	2,208.75		150.00	1,809.00	4,167.75	5,912.75
Shelby	Inside	954	1,192.50				1,192.50	
	Outside	1,361	1,701.25		150.00	1,572.00	3,423.25	4,615.75
Yates	Inside	384	480.00				480.00	
	Outside	1,362	1,702.50		150.00	1,281.00	3,133.50	3,613.50
Totals		20,496	25,620.00	505.80	1,500.00	13,500.00	41,125.80	41,125.80

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 457-1217

SETTING UNIT CHARGE FOR 2018 COUNTY SOLID WASTE/RECYCLING PROGRAM

RESOLVED, that this Legislature sets the unit charge for the 2018 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 210.00
One-half unit of Service	\$ 105.00

and, be it

FURTHER RESOLVED, that an Administrative Fee of \$2.00 shall be added to each unit of service, and a \$1.00 fee to each half unit of service.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 458-1217

APPROVING ABSTRACT OF 2018 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2018 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

Town	No. of Units	*Cost per Unit	Total to be Collected
Albion	2,096.00	\$212.00	444,352.00
Barre	777.50	212.00	164,830.00
Carlton	1,575.00	212.00	333,900.00
Clarendon	1,091.50	212.00	231,398.00
Gaines	1,074.50	212.00	227,794.00
Kendall	1,129.00	212.00	239,348.00
Murray	1,598.00	212.00	338,776.00
Ridgeway	2,500.00	212.00	530,000.00
Shelby	1,714.50	212.00	363,474.00
Yates	1,163.00	212.00	246,556.00
Totals	14,719.50		3,120,428.00

*Includes \$2.00 Administrative charge per unit.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 459-1217

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein contained, be and hereby are, adopted by this Legislature and that the

several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 460-1217

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 461-1217

AUTHORIZING THE TREASURER TO PROVIDE AN ALLOCATION TO COBBLESTONE MUSEUM FROM THE CONTINGENCY FUND

RESOLVED, that the Treasurer is authorized to provide an allocation to the Cobblestone Museum for programs as follows:

<u>From:</u>		
A1990.435	Contingency Fund	\$3,000

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To:
A7450.439 Cobblestone Museum \$3,000

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 462-1217

**AUTHORIZING ABOLISHING POSITIONS IN THE DEPARTMENT
OF SOCIAL SERVICES**

WHEREAS, the 2018 budget has been passed and three positions have been eliminated; now be it

RESOLVED, that this Legislature abolishes two full time Work Experience Crew Leader positions (6010.0302 and 6010.0301) and one part time work experience crew leader (6010.0304) in the Social Services Department effective December 16, 2017.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Eick moved to enter into executive session at 7:11 p.m. per Open Meetings Law §105 (h) to discuss the proposed acquisition, sale or lease of real property second by Legislator Allport. Motion Carried.

Legislator DeRoller moved to exit out of executive session and reconvene the regular meeting at 7:20 p.m.; second by Legislator Allport. Motion Carried.

Legislator Miller moved to adjourn; second by Legislator Johnson. Meeting adjourned at 7:22 p.m.

LEGISLATURE MEETING
December 20, 2017

Chairman DeFilipps called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk had no communications to present.

Chairman DeFilipps called upon Treasurer Susan Heard and presented her a Special Recognition certificate in honor of her retirement after over forty years of service to Orleans County. Treasurer Heard was applauded for her service.

The Treasurer distributed her last Analysis of Monthly Cash Receipts and Disbursements through November, 2017. Treasurer Heard provided a copy of her very first treasurer's report of January 1994, after finishing the books for the 1993 year, the cash balance, with the notes was \$1.9 million. Today's cash balance she is leaving is \$9.877 Million, which includes an outstanding loan. She has done well over the last twenty-four years as Treasurer.

Chairman DeFilipps called for open discussion as it related to the resolutions; and with hearing none Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 463-1217

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$144,645.40	Keeler Construction	Construction of Marshall Rd Bridge – Pymnt 5 – 10/4/17-12/8/17

Moved, Eick; second, Miller.

December 20, 2017
Resolution 463-503

Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Eick withdrew Resolution No. 464-1217 per the request of the Orleans County Highway Superintendent because further negotiations on pricing need to occur.

RESOLUTION NO. 464-1217 - WITHDRAWN

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND NATIONAL FUEL RESOURCES INC.

RESOLVED, that this Legislature does hereby approve an agreement between Orleans County and National Fuel Resources, Inc. 165 Lawrence Bell Drive #120, Williamsville, NY 14221, for the purchase of natural gas supplies, through U.S. Communities Program, for the Orleans County quote of \$3.770 per DTH effective December 1, 2018, through December 31, 2020. New rate is an 18% increase over previous agreement previous contract.

RESOLUTION NO. 465-1217

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND CONSTELLATION NEWENERGY, INC.

RESOLVED, that this Legislature does hereby approve an agreement between Orleans County and Constellation NewEnergy, Inc., (f/k/a Integrys Energy Services) 1221 Lamar Street #750, Houston, TX 77010 for the purchase of Electric supplies, through the MEGA Program, for the Orleans County quote of G187053.139680.0 effective May 30, 2018 — November 26, 2020. New rate is a budgetary savings of nearly 30.6% over previous contract.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 466-1217

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE BUILDINGS AND GROUNDS BUDGET

RESOLVED, that the County Treasurer is authorized to transfer funds into the Buildings and Grounds budget to finish year end projects as follows:

December 20, 2017
Resolution 463-503

RESOLVED, that this Legislature authorizes the filling of a vacant temporary, part-time Employee and Training Program Assistant position (6210.18*) in the Job Development Agency, at grade 7 of the CSEA Salary Schedule, effective December 22, 2017; AND BE IT

FURTHER RESOLVED, that the Temporary Part Time Employee and Training Program Assistant will terminate upon the return of the second Employee & Training Counselor from medical leave; and

RESOLVED, that this Legislature authorizes the creation of a permanent full-time Employment & Training Counselor position in the Job Development Agency, at grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Job Development Agency effective December 21, 2017; and be it

FURTHER RESOLVED, that this position shall be abolished if and when the funding for this position is restricted or eliminated by the source of the grant.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 469-1217

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR 2018 ANNUAL IMPLEMENTATION PLAN GRANT

RESOLVED, that the Office for the Aging is authorized to apply for the New York State Office for the Aging Annual Implementation Plan grant, in the amount of \$1,277,740 with a county cost of \$122,293; and be it

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

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 470-1217

**APPROVING RENEWAL AGREEMENT BETWEEN OFFICE FOR
THE AGING AND ELLEN FOSTER, RD**

RESOLVED, that this Legislature approves a renewal agreement between the Office of the Aging and Ellen Foster, RD of 33 Willmont Street, Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2018 to December 31, 2018 at a cost not to exceed \$13,983. County cost is \$651.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 471-1217

**APPROVING RENEWAL AGREEMENT WITH THE DEPARTMENT
OF SOCIAL SERVICES AND GATEWAY LONGVIEW**

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2018 through December 31, 2018 at per diem rates 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.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 472-1217

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves the following agreements or the Mental Health Department for the 2018 calendar year:

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 providing services as Staff Psychiatrist for an average of 20 hours per month for annual total not to exceed 240 hours at \$188.70 per hour; contractor will provide an additional 260 hours per year at \$163.20 per hour. County cost is \$6,140.

EFPR Group, LLP (formerly EFP Rotenberg, LLP), 280 Kenneth Drive, Rochester, NY 14623 providing 2017 Consolidated Fiscal Report compliance review/audit at a cost of \$6,000. County cost is \$420.

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main Street, Batavia, NY 14020 providing substance abuse/dependency and prevention services, as well as gambling treatment services at a cost of \$352,973. County cost is \$35,167.

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main Street, Batavia, NY 14020 providing chemical dependency services for inmates at the Orleans County Jail at a cost of \$5,000. County cost is \$5,000.

DocuTrac, Inc., 1800 Dual Highway, Suite 306, Hagerstown, MD 21740 providing software maintenance support for the QuicDoc Enterprise Edition, which is computer software utilized by the Department of Mental Health for the Client electronic health record. QuicDoc is also providing the following services: Call Remind, EMR, PM, and EPrescribe at a cost of \$54,500. County cost is \$3,815.

Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227 providing emergency crisis apartments; adult crisis transitional housing services, and supported housing services at a cost of \$183,973. County cost is \$0.

Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611 providing specialized financial management services and preparation and submission of Consolidated Fiscal Reports at a cost of \$32,000. County cost is \$2,240.

Arc of Genesee Orleans, 64 Walnut Street, Batavia, NY 14020 providing supportive employment; vocational assessment, job readiness, and job coaching services at a cost of \$51,028. County cost is \$0.

Arc of Genesee Orleans, 64 Walnut Street, Batavia, NY 14020 providing services to the developmentally disabled population of Orleans County at a cost of \$104,831. County cost is \$39,831.

Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127 providing a mobile mental health crisis intervention team at a cost of \$80,497. County cost \$0.

Oak Orchard Community Health Center, 300 West Avenue, Brockport, NY 14420 providing part-time Clinic Therapist and Care Manager to provide services at Oak Orchard under contract utilizing the IMPACT model of integrated behavioral health and primary care. Reimbursement schedule: Clinic Therapist -- \$62.00 per hour; Care Manager - \$52.00 per hour for all scheduled hours at Oak Orchard.

Moved Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 473-1217

AUTHORIZING ABOLISHING POSITION IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the abolishing of a Supportive Case Manager position (Position #4310.22) at Grade 18 of the CSEA Salary Schedule effective December 21, 2017.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 474-1217

AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget to set up revenue and expenses for Federal Medicaid Salary Sharing monies received as follows:

Revenue:

A4490	Mental Health Federal	\$124,126
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Appropriation:

A4310.418	Other Contractual	\$124,126
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Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 475-1217

APPROVING APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the appointment of Kellie Spychalski to the Community Services Board, to serve a four-year term to begin December 21, 2017, and ending December 20, 2021.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 476-1217

AUTHORIZING CREATING AND FILLING POSITION IN THE HEALTH DEPARTMENT

WHEREAS, a Case Manager for Early Intervention has submitted her notice of retirement effective December 30, 2017 and

WHEREAS, the need to maintain continuity within the Early Intervention program

RESOLVED, that this Legislature authorizes the creation of a temporary part-time Case Manager position in the Public Health Department at Grade 15 Step 1 of the CSEA salary schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of this newly created vacant part-time Case Manager position effective January 2, 2018; and be it

FURTHER RESOLVED, that this temporary position will expire effective December 31, 2018.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 477-1217

APPROVING THE REAPPOINTMENT TO THE GENESEE-ORLEANS COUNTY BOARD OF HEALTH

WHEREAS, a vacancy does exist on the Genesee-Orleans County Board of Health due to a term expiration December 31, 2017; now be it

RESOLVED, that the Orleans County Legislature does hereby re-appoint Deanna Page to the Orleans County Board of Health effective January 1, 2018 through December 31, 2023.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 478-1217

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT DIRECTOR

WHEREAS, the Public Health Director has been selected to participate in the Behavioral Health Training & Technical Assistance for State, Tribal & Local Health Officials program sponsored by the National Council for Behavioral Health

RESOLVED, that the legislature does hereby approve Paul Pettit, Public Health Director, to travel as a participant of this program to the National Council 2018 Conference, April 21, 2018 – April 25, 2018 in Washington, DC. Travel, lodging expenses and conference registration are covered by National Council. County Cost \$0.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Allport moved, seconded by Legislator DeRoller, a resolution to adopt the schedule of fees for Weights and Measures. Legislator DeRoller asked Public Health Director to describe the fee methodology. Mr. Pettit stated that these fees are set in Ag and Markets Law in article sixteen and again, we are formally adopting these, with some additions (in bold print), in Orleans County. The following resolution was adopted:

RESOLUTION NO. 479-1217

ADOPTING THE SCHEDULE OF FEES FOR WEIGHTS AND MEASURES

WHEREAS, Article 16 of the Agriculture and Markets Law allows for the establishment and collection of fees for the inspection and testing of all weights and measures devices and systems; and

WHEREAS, The New York State Department of Agriculture and Markets has established a fee schedule of maximum amounts that municipal Directors of Weights and Measures having a population of less than two million inhabitants may collect for each inspection (or re-inspection after repair) and each testing (or re-testing after repair) of all weights and measures, weighing and measuring devices and systems and related accessories and certifying inspections (witnessing fee) within the jurisdiction now, therefore,

RESOLVED, that the Orleans County Legislature authorizes the Orleans County Health Department to execute the schedule of fees as enumerated below, and are hereby adopted to be effective January 1, 2018.

SCALES

Up to and including 15 kg (33 lb.) capacity	
Each of the 1st five scales/establishment	\$ 20.00
Each after 1st five	\$ 10.00
Over 15 kg and including 300 kg (661 lb.)	\$ 40.00
Over 300 kg and including 1500 kg (3,307 lb.)	\$ 100.00
Over 1500 kg and including 7000 kg (15,432 lb.)	\$ 140.00
Over 7000 kg and including 23000 kg (50,706 lb.)	\$ 160.00
Over 23000 kg (50,706 lb.)	\$ 200.00
Tank batch and crane scales	\$ 200.00

WEIGHTS - FIELD STANDARD (Class F)

Up to and including 3 kg (7 lb.)	\$ 8.00
Over 3 kg and including 30 kg (66 lb.)	\$ 16.00
Over 30 kg and including 300 kg (661 lb.)	\$ 32.00
Over 300 kg and including 1200 kg (2646 lb.)	\$ 60.00

LINEAR FIELD MEASURES

Up to 1 m (39 in.)	\$ 4.00
Over 1 m and including 16 m (52 ft.)	\$ 8.00
Over 16 m and including 31 m (102 ft.)	\$ 12.00
Over 31 m	\$ 20.00
Fabric measuring devices	\$ 20.00
Wire and cordage measuring devices	\$ 40.00

LIQUID MEASURES AND DEVICES

Liquid measures 20L (5 gal.) or less	\$ 8.00
Liquid pump (hand operated) 20L (5 gal.) or less	\$ 20.00
PETROLEUM DISPENSING AND MEASURING DEVICES	
Single dispensing pump	\$ 20.00
Dual dispensing pump	\$ 40.00
Blend dispensing pump	\$ 40.00
Grease and oil pump	\$ 8.00
VEHICLES	
Metering systems 300L/min (79 gpm) or less	\$ 100.00
Metering systems over 300L/min	\$ 120.00
<u>Compartment calibration:</u>	
Up to and including 3000L (793 gal.) capacity	\$ 40.00
Over 3,000L and including 6,000L (1,585 gal.) capacity	\$ 80.00
Over 6,000L and including 12,000L (3,170 gal) capacity	\$ 120.00
Over 12,000L capacity	\$ 240.00
STATIONARY PETROLEUM METERING SYSTEMS	
Up to 400L/min (106 gpm)	\$ 100.00
Over 400L/min including 2,000L/min (528 gpm)	\$ 120.00
Over 2,000L/min including 4,000L/min (1,057 gpm)	\$ 140.00
Over 4,000L/min	\$ 160.00
BULK MILK TANKS	
Up to 3,000L (793 gal.) capacity	\$ 40.00
Over 3,000L and including 6,000L (1,585 gal.) capacity	\$ 80.00
Over 6,000L and including 12,000L (3,170 gal.) capacity	\$ 120.00
Over 12,000L capacity	\$ 240.00
TIMING DEVICES	
All commercially used devices where time is a basis for charge	\$ 4.00
Devices owned or operated by government agencies	No charge
TAXI METERS	\$ 40.00
WITNESSING FEE	
(Fee administered when costs are incurred by the Director of Weights & Measures when inspecting and	

certifying equipment where Privately owned calibrated equipment is being used)

0-2 hrs	\$ 100.00
2-4 hrs	\$ 200.00
4-6 hrs	\$ 300.00
6 hrs and above	\$ 400.00

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 480-1217

AUTHORIZING THE TREASURER TO SET UP NEW MONIES IN THE PLANNING AND DEVELOPMENT DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Planning and Development Department budget for revenue and expenses related to updating the Local Waterfront Revitalization Program for Kendall, Yates, and Carlton pursuant to State Contract #T1000726.

Revenue:

A3903 Local Waterfront Revitalization - KYC \$791.99

Appropriation:

A8020.418 Other Contractual \$791.99

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 481-1217

AUTHORIZING CREATING AND FILLING OF POSITION IN THE TOURISM DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the creation of a full time Tourism Director position in the Tourism Department, at Grade 5 Step 6 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature appoints Dawn Borchert to fill this newly created position, effective January 2, 2018.

Moved, DeRoller; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

The Legislature welcomed Dawn to our County and look forward to working with her.

RESOLUTION NO. 482-1217

APPROVING AGREEMENTS BETWEEN COUNTY CLERK AND ABSTRACT COMPANIES

RESOLVED, that this Legislature approves the lease agreements with the following Abstract Companies for the leasing of space in the County Clerk's Office, agreements effective for the calendar years 2018 and 2019 at an annual costs of \$2,760 per year per company:

Steward Title Insurance Company, 47 West Main St, Rochester, NY 14614
Orleans Abstract, P O Box 129, Albion, NY 14411
Crossroads Abstract Corporation, 121 N. Main St, Suite 200, Albion, NY 14411

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 483-1217

AUTHORIZING THE COUNTY CLERK TO FILL THE VACANT DEPUTY CLERK IN THE COUNTY CLERK'S DMV OFFICE

WHEREAS, the Deputy Clerk of the County Clerk who managed the DMV has announced her retirement, giving nearly thirty-three years of service to Orleans County; now be it

RESOLVED, that this Legislature authorizes the County Clerk to fill the vacant Deputy County Clerk position at the DMV at Grade 5 of the Management Compensation Plan effective January 1, 2018.

Moved, Johnson; second, Allport.

December 20, 2017
Resolution 463-503

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 484-1217

ADOPTING LOCAL LAW NO. 6 OF 2017, ENTITLED AMENDING LOCAL LAW NO. 4 OF THE YEAR 2008 TO CONTINUE TO PROVIDE A REAL PROPERTY TAX EXEMPTION TO COLD WAR VETERANS WITHOUT REGARD TO THE TEN-YEAR LIMITATION

WHEREAS, Local Law No. 6-Intro of the year 2017 was introduced at a regular meeting of the Orleans County Legislature held on October 25, 2017 and a Public Hearing was held on November 29, 2017, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enact the following Local Law No. 6 of 2017:

A LOCAL LAW TO AMEND LOCAL LAW NO. 4 OF 2008 TO CONTINUE TO PROVIDE A REAL PROPERTY TAX EXEMPTION TO COLD WAR VETERANS WITHOUT REGARD TO THE TEN YEAR LIMITATION

SECTION 1:

Pursuant to subsection 2(c)(iii) of §458 of the Real Property Tax Law of the State of New York, the County of Orleans hereby amends Local Law No. 4 of 2008, to provide that the exemption adopted in Local Law No. 4 of 2008 shall continue to apply to qualifying owners of qualifying real property for so long as they remain qualifying owners, without regard to the ten-year limitation.

SECTION 2:

This Local Law shall take effect immediately upon its filing with the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2018.

Moved, Johnson; second, Allport.

Roll Call. Adopted. 6 ayes: Allport, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 485-1217

AUTHORIZING PAYMENT FROM THE REAL PROPERTY TAX SERVICES BUDGET

RESOLVED, that this Legislature authorizes payment to the Office of Real Property Tax Services NYS Department of Taxation and Finance, W.A. Harriman State Campus, Albany, NY 1227 in the amount of \$10,200 (PO 58533) for the Annual Real Property System Licensing Fee (RPS) which will be charged back to the Towns in the 2018 Tax Bills to be paid from account A1970.432 – Town Expenses.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 486-1217

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF-INSURANCE PLAN AND OCCUPATIONAL SAFETY CONSULTANTS, INC.

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan, be it

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc. for safety consulting services at an hourly rate of \$130 and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$16,000 for 2018.

Moved Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 487-1217

AUTHORIZING SALARY SCHEDULES FOR MANAGEMENT, CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES

WHEREAS, the Orleans County Legislature approved the 2017/2018 Management Compensation Plan by passing Resolution No. 95-216; now be it

RESOLVED, that employees are also authorized to receive any increments they are entitled to under the plan; and be it

FURTHER RESOLVED, that the following salaries, effective January 1, 2018, are authorized for certain part-time and unclassified employees:

<u>Annual:</u>	<u>1/1/18-12/31/18</u>
Administrative Assistant – MFCTF	\$ 2,901
Corporate Compliance Officer – Mental Health	1,561
Corporate Compliance Officer – Public Health	1,020
Deputy Budget Officer	3,500
Deputy Fire Coordinator	2,221
Fire Investigator	2,221
Historian	8,490
Insurance Program Assistant	1,093
Director of Computer Services	\$ 80,216
IT Operations Analyst I	60,742
Secretary to the Highway Superintendent	51,407
Director of Community Health Services	75,203
Director of Veterans Service Agency	55,882
Confidential Secretary to the Sheriff	52,859
<u>Daily:</u>	
Court Attendant	\$ 72.51
Examination Monitor (Full Day)	125.61
Examination Monitor (Half Day)	62.82
<u>Hourly (Part-Time Employees)</u>	
Animal Control Officer	\$ 14.48
Clerk (Elections)	10.54
Correctional Officer (Jail)	14.48
Correctional Officer (Jail) Second rate	19.99
Crew Leader (Sheriff)	13.55
Deputy Sheriff (Marine Patrol)	13.95
Dispatchers	14.48

Medical Director	100.92
Voting Machine Technician	18.32

and be it

FURTHER RESOLVED, that the Chairman of the Legislature will be paid an annual salary of \$17,777 for 2018; the Vice-Chairperson will be paid an annual salary of \$13,442 for 2018; with the remaining members of the Legislature to be paid an annual salary of \$11,850 each for 2018.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 488-1217

ADOPTING LOCAL LAW NO. 7 OF 2017, ENTITLED A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

WHEREAS, Local Law No. 7-Intro of the year 2017 was introduced at a regular meeting of the Orleans County Legislature held on November 29, 2017 and a Public Hearing was held on December 20, 2017, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 7 of 2017 as follows:

COUNTY OF ORLEANS
LOCAL LAW NO. 7 of 2017

A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

Be it enacted by the Legislature of the County of Orleans, as follows:

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salaries of the following County Employees are raised as follows, at an annualized salary as set forth below:

<u>Employee</u>	<u>Proposed</u>	<u>Annual Longevity Bonus</u>
Director of Personnel	\$87,677	*\$200
Highway Superintendent	\$87,677	*****\$2,000
Real Property Tax Director	\$74,203	*\$200
Sheriff	\$78,450	****\$1,750
Social Services Commissioner	\$92,689	
Coroners	\$1,969	

Plus \$100 per case

- * Indicates 10 years of Service and at top of the grade
- ** Indicates 20-24 years of service
- *** Indicates 25-29 years of service
- **** Indicates 30-34 years of service
- ***** Indicates 35 and over years of service

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by one affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, after petition, whichever event first occurs.

Moved, Johnson; second, Allport.

Roll Call: 6 ayes: Allport; DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 489-1217

SETTING 2018 SALARY FOR THE ORLEANS COUNTY TREASURER

RESOLVED, that as of January 1, 2018, the salary for the Orleans County Treasurer shall be set at Grade 10, Step 3 of the Management Compensation Salary Schedule.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 490-1217

APPOINTING FISCAL AGENT FOR OAK ORCHARD WATERSHED
PROTECTION DISTRICT

RESOLVED, that this Legislature appoints Kimberly DeFrank as the Fiscal Agent for the Oak Orchard Watershed Protection District, effective January 1, 2018, at an annual salary of \$2,500.00.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 491-1217

AUTHORIZING ABOLISHING, CREATING AND FILING
POSITIONS IN THE COUNTY TREASURER'S OFFICE

WHEREAS, newly elected Orleans County Treasurer Kimberly DeFrank will take office effective January 1, 2018 and her office will be transitioning with her employees; now be it

RESOLVED, that Orleans County Treasurer is authorized to fill the vacant Deputy Treasurer position at Grade 6 of the Management Compensation Plan effective January 1, 2018; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the abolishment of the Principal Clerk position (1325.09) in the Orleans County Treasurer's Office effective December 31, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of an Account Clerk position in the Orleans County Treasurer's Office at Grade 9 of the CSEA Salary Schedule effective December 21, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 492-1217

AUTHORIZING COUNTY TREASURER TO MAKE YEAR END
ADJUSTMENTS FOR YEAR ENDING DECEMBER 31, 2017

WHEREAS, the independent auditors have recommended that the

County Treasurer request a “blanket resolution” to allow for any budget adjustments that may be required at year end; be it

RESOLVED, that this Legislature authorizes the Treasurer to make the necessary budget adjustment and inter-fund transfers, and furnish copy of said adjustment to the Clerk of the Legislature when completed.

Moved, Johnson; second, Allport.
 Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 493-1217

APPROVING APPORTIONMENT OF 2018 SALES TAX TO TOWNS AND VILLAGES

RESOLVED, that the apportionment of the 2018 Sales Tax to Towns and Villages as presented below by the Clerk of the Legislature in the foregoing warrants be, and hereby is approved by this Legislature.

2018 Sales Tax Apportioned to Towns and Villages				
Town	Apportioned To Town	% Due Village	Amount Due Village	Amount Due Town Outside
Albion	\$269,873.14	54.62%	147404.71	122,468.43
Barre	\$64,536.27			\$64,536.27
Carlton	\$95,418.07			\$95,418.07
Clarendon	\$116,260.89			\$116,260.89
Gaines	\$107,656.06	18.39%	\$19,797.95	\$87,858.11
Kendall	\$86,813.23			\$86,813.23
Murray	\$158,966.37	28.86%	\$45,877.69	\$113,088.68
Ridgeway	\$216,076.99	40.36%	\$87,208.67	\$128,868.32
Shelby	\$169,515.26	39.29%	\$66,602.55	\$102,912.71
Yates	\$81,554.72	18.82%	\$15,348.60	\$66,206.12
Totals	\$1,366,671.00		\$382,240.17	\$984,430.83

The percentage due to the village is determined by dividing the village taxable value by the town taxable value

Moved, Johnson; second, Allport.
 Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 494-1217

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND THE ANIMAL CONTROL OFFICERS**

RESOLVED, that this Legislature approves the mutual agreement between the Orleans County Sheriff's Office and Orleans County Animal Control Officers Kathleen Smith and Ariel Strickland for compensation to these Animal Control Officers for collection and preparation of rabies specimens at a rate of \$25.00 per specimen for contract period January 1, 2018 through December 31, 2019.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 495-1217

**AUTHORIZING FILLING VACANCY IN THE PROBATION
DEPARTMENT**

WHEREAS, A Probation Officer has retired, after thirty years of service, and the position is essential to the operations of the Probation Department; now, therefore be it

RESOLVED, that this Legislature authorizes the filling of a vacant full-time Probation Officer position (3140.07) in the Probation Department at grade 18 of the CSEA salary schedule effective December 29, 2017.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 496-1217

**APPROVING CONTRACT BETWEEN PUBLIC DEFENDER AND
NYS OFFICE OF INDIGENT LEGAL SERVICES**

RESOLVED, that this Legislature approve this new contract between the Orleans County Public Defender and the NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds in the amount of \$78,219 (\$26,073/year) to assist the county in improving the quality of indigent legal services in providing

December 20, 2017
Resolution 463-503

for a Third Assistant Public Defender in Orleans County; effective January 1, 2017 through December 31, 2019.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 497-1217

AUTHORIZING FILLING VACANCY IN THE EMERGENCY MANAGEMENT OFFICE

WHEREAS, a Part-Time Fire Investigator employed at the Orleans County Emergency Management Office has submitted a letter of resignation on November 15, 2017 and,

WHEREAS, to help keep the efficient operations of the Emergency Management Office, it is requested that the vacant Permanent Part-Time Fire Investigator position be filled; now be it

RESOLVED, that this Legislature abolish the temporary Part-Time Fire Investigator position as authorized in Resolution No. 244-617; and be it

FURTHER RESOLVED, that the Legislature authorizes the filling of a vacant part-time Fire Investigator position (3640.09) in the Emergency Management Office effective December 21, 2017.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 498-1217

RESCINDING RESOLUTION NO. 115-317 CONCERNING AGREEMENT WITH CROWN CASTLE USA AND COUNTY OF ORLEANS

WHEREAS, by resolution no. 115-317, this Legislature approved a Master Leasing and License Service agreement between Crown Castle USA and the County of Orleans subject to review and approval of the County Attorney, and

WHEREAS, the County Attorney having reviewed the proposed Agreement, has advised and determined that the Agreement not be finalized, now be it

RESOLVED, that Resolution no. 115-317 be, and the same hereby is, rescinded.

Moved, Johnson, second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 499-1217

AUTHORIZING BUDGET OFFICER TO APPOINT DEPUTY BUDGET OFFICER

RESOLVED, that this Legislature authorizes the Budget Officer to appoint the Deputy Budget Officer, effective January 1, 2018 at an annual salary of \$3,500.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 500-1217

APPROVING PURCHASE OF PARCEL OF PROPERTY LOCATED AT 309 WEST ACADEMY AND AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE CONTRACT

RESOLVED, that this Legislature authorizes the purchase of parcel of vacant land, approximately 240 feet frontage x 290 feet depth irregular, being a part of tax map no. 73.13-2-4.21 and commonly known as 309 West Academy Street in the Village of Albion, presently owned by Theresa Albanese, at a purchase price of \$14,000.00 plus costs and disbursements due upon closing, and be it

FURTHER RESOLVED, that the Chairman of the Legislature or his designee is authorized to execute a Purchase and Sale Contract, the terms and conditions of which are subject to written approval by the County Attorney pursuant to Article 3 (H) of the Contract, and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds upon adoption of this resolution and encumber same

pending closing of the transaction as follows:

<u>From:</u>		
A1990.435	Contingent Fund	\$18,011
<u>To:</u>		
A1620.480	Building and Grounds Property Acquisition	\$18,011

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 501-1217

SETTING DATE OF 2018 ORGANIZATIONAL MEETING

RESOLVED, that the Organizational Meeting of the Orleans County Legislature will be held on Wednesday, January 3, 2018 at 4:30 p.m.

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 502-1217

AUTHORIZING PAYMENT OF CLAIMS FOR JANUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 January 10, 2018:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	10769-10885	\$188,446.34

Highway	1101-1104; 2579-2586	\$58,173.74
Job Development	2598-2602	\$471.12
Self Insurance	58991; 59048; 59050; 1153	\$58,211.97

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 Superintendent of Highways, 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 January 24, 2018:

Fund/Department	Check Number (s):	Amount:
General	10901-11098	\$833,861.28
Highway	1105-1114; 2587-2619	\$169,488.33
Job Development	2606-2627; 2630	83,936.99
Self Insurance	59049; 59087; 59088; 59210; 1154	\$1,190.26

Moved, Johnson; second, Allport.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Johnson introduced Kim DeFrank our newly elected Orleans County Treasurer. Legislator Johnson also commended Susan Rustay for her dedication of service to the county for thirty-three years and wished her well in her retirement from being the Deputy County Clerk who fabulously managed our Department of Motor Vehicle office. She was an incredible employee for Orleans County, expressed Legislator Johnson.

The following add on resolutions were presented:

RESOLUTION NO. 503-1217

**AUTHORIZING ABOLISHING, CREATING AND FILLING
POSITIONS IN OFFICE FOR THE AGING**

WHEREAS, there is a Full-time Aging Services Specialist that is being eliminated due to a reduction in state funding allocation in the Office for the Aging, and

RESOLVED, that this Legislature authorizes the abolishing of the full-time Aging Services Specialist position (6772.15) in the Office for the Aging effective December 31, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part-time Aging Services Specialist in the Office for the Aging at Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, the following position changes presented herewith will be contingent upon the availability of receiving Office for the Aging grant funding; now, therefore, be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant part-time Aging Services Specialist in the Office for the Aging effective January 2, 2018.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent.

RESOLUTION NO. 504-1217

APPROVING APPOINTMENT OF PROVISIONAL DIRECTOR OF WEIGHTS AND MEASURES

RESOLVED, that this Legislature does hereby approve the appointment of Ronald P. Mannella as provisional Director of Weights and Measures at Grade 4, step 1 of the Management Compensation Plan effective January 3, 2018.

Moved, Allport; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

Legislator Johnson moved to approve a memorandum of understanding between Niagara, Orleans, Cayuga and Wayne Counties for Regional Dredging Program along Lake Ontario. Legislator DeRoller second the motion and requested Legislator Johnson to provide an update on this project. Legislator Johnson stated that they have been working on a dredging plan for the last couple of years however have held back recently due to the emergency orders concerning the flooding along the lakeshore. Those emergency orders have recently been lifted this month and we do not know at this point what Plan 2014 holds for us in 2018 until the IJC members are replaced. With having a new Director of Tourism to promote our area, we now need to move forward with a regional dredging plan to keep our harbors open and dredged. There are five counties involved, which all will sign this Memorandum by the end of the year with

the exception of one that will sign in January. We have an engineer to help get this plan moving forward and important to proceed forward even when our lake levels are still above our normal levels by fourteen inches expressed Legislator Johnson. The following resolution was adopted:

RESOLUTION NO. 505-1217

APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTIES OF NIAGARA, ORLEANS, CAYUGA AND WAYNE FOR THE LAKE ONTARIO REGIONAL DREDGING PROGRAM

RESOLVED, that this Legislature approves a Memorandum of Understanding between the Counties of Niagara, Orleans, Cayuga and Wayne at a cost of \$5,000 to accomplish the first steps in the implementation of a Regional Dredging Management Plan for the harbors serving navigation along the south shore of Lake Ontario; and be it

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

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 0 absent.

Chairman DeFilipps asked for any unfinished business. Legislator Eick introduced our newly elected Legislator Skip Draper and welcomed him aboard. Merry Christmas wishes were shared amongst the crowd.

Legislator DeRoller moved to adjourn; second by Legislator Miller.
Meeting adjourned at 4:56 p.m.

Town Budgets

SALARIES OF TOWN OFFICERS - 2018

TOWN	SUPERVISOR	HIGHWAY SUPER.	TOWN CLERK	JUSTICES	COUNCILMEN
Albion	\$5,982.00	\$57,029.00	\$37,800.00	\$17,841.00	\$3,854.00
Barre	\$7,500.00	\$57,222.00	\$28,969.00	\$12,000.00	\$2,200.00
Carlton	\$10,336.00	\$53,967.00	\$28,567.00	\$10,017.00	\$3,246.00
Clarendon	\$10,200.00	\$61,155.00	\$38,860.00	\$14,045.00	\$3,732.00
Gaines	\$5,500.00	\$57,866.00	\$31,773.00	\$15,479.07	\$2,800.00
Kendall	\$8,400.00	\$53,250.00	\$28,428.00	\$14,325.00	\$3,120.00
Murray	\$8,500.00	\$63,305.00	\$30,755.00	\$25,840.00	\$3,400.00
Ridgeway	\$9,882.00	\$59,363.00	\$28,000.00	\$27,053.00	\$3,560.00
Shelby	\$10,665.00	\$64,600.00	\$33,475.00	\$22,577.00	\$4,620.00
Yates	\$8,000.00	\$65,780.00	\$44,368.00	\$8,670.00	\$3,275.00

SUMMARY OF THE TOWN BUDGETS FOR THE YEAR 2018

	Expenditures	Estimated Revenue	Unexpended Balance	Amount to be Raised by Tax
ALBION				
General	\$ 704,431.00	\$ 206,904.00	\$ 138,822.00	\$ 358,705.00
General Outside Village	\$ 129,785.00	\$ 3,900.00	\$ 20,000.00	\$ 105,885.00
Highway Townwide	\$ 439,606.00	\$ 156,800.00	\$ 32,427.00	\$ 250,379.00
Highway Outside Village	\$ 189,567.00	\$ 61,000.00	\$ 500.00	\$ 128,067.00
Capital Projects	\$ 227,000.00	\$ 2,277,000.00		
Fire District	\$ 103,124.00		\$ 3,124.00	\$ 100,000.00
Water District #1	\$ 47,476.00	\$ 27,678.00	\$ 2,056.00	\$ 17,742.00
Water District #2	\$ 37,007.00	\$ 150.00	\$ 5,884.00	\$ 30,973.00
Water District #3	\$ 144,195.00	\$ 61,141.00	\$ 13,054.00	\$ 70,000.00
Water District #4	\$ 67,067.00	\$ 30,700.00	\$ 7,798.00	\$ 28,569.00
Water District #5	\$ 126,483.00	\$ 50,500.00	\$ 15,597.00	\$ 60,386.00
Water District #6	\$ 35,810.00	\$ 10,800.00	\$ 2,210.00	\$ 22,800.00
Water District #7	\$ 12,857.00	\$ 3,497.00		\$ 9,360.00
Water District #8	\$ 24,092.00	\$ 7,550.00	\$ 1,321.00	\$ 15,221.00
Water District #9	\$ 14,327.00	\$ 3,076.00	\$ 588.00	\$ 10,663.00
Sewer District #1	\$ 64,578.00	\$ 8,500.00	\$ 5,313.00	\$ 50,765.00
TOTALS	\$ 2,367,405.00	\$ 2,909,196.00	\$ 248,694.00	\$ 1,259,515.00

Town Budgets

BARRE				
General	\$ 434,377.00	\$ 155,145.00		\$ 279,232.00
Highway Townwide	\$ 952,795.00	\$ 307,851.00		\$ 644,944.00
Barre Fire District	\$ 199,000.00			\$ 199,000.00
Water District #1	\$ 179,572.00	\$ 179,572.00		
Water District #2	\$ 25,925.00	\$ 13,900.00		\$ 12,025.00
Water District #3	\$ 24,628.00	\$ 14,450.00		\$ 10,178.00
Water District #4	\$ 32,608.00	\$ 18,100.00		\$ 14,508.00
Water District #5	\$ 46,160.00	\$ 9,800.00		\$ 36,360.00
Water District #6	\$ 58,340.00	\$ 11,980.00		\$ 46,360.00
Water District #7	\$ 17,410.00	\$ 3,120.00		\$ 14,290.00
Water District #8	\$ 621,836.00	\$ 610,420.00		\$ 11,416.00
TOTALS	\$ 2,592,651.00	\$ 1,324,338.00		\$ 1,268,313.00

CARLTON				
General	\$ 519,401.00	\$ 176,930.00	\$ 30,000.00	\$ 312,471.00
Highway Townwide	\$ 1,041,030.00	\$ 378,700.00	\$ 25,118.00	\$ 637,212.00
Light District 1	\$ 6,500.00		\$ 1,000.00	\$ 5,500.00
Light District 2	\$ 8,500.00		\$ 1,000.00	\$ 7,500.00
Carlton Water District	\$ 797,641.00	\$ 312,500.00	\$ 117,701.00	\$ 367,440.00
Carlton Fire District	\$ 166,118.00			\$ 166,118.00
TOTALS	\$ 2,539,190.00	\$ 868,130.00	\$ 174,819.00	\$ 1,496,241.00

CLARENDON				
General	\$ 680,391.00	\$ 275,100.00	\$ 60,000.00	\$ 345,291.00
Highway Fund Townwide	\$ 837,553.64	\$ 320,600.00	\$ 135,000.00	\$ 381,953.64
Water District No. 1	\$ 52,723.00	\$ 52,723.00		
Water District No.2	\$ 63,406.00	\$ 31,000.00		\$ 32,406.00
Water District No. 3	\$ 103,925.26	\$ 36,600.00		\$ 67,325.26
Water District No. 4	\$ 81,686.76	\$ 24,300.00		\$ 57,386.76
Water District No. 5	\$ 26,255.26	\$ 12,300.00		\$ 13,955.26
Water District No. 6	\$ 41,107.00	\$ 13,800.00		\$ 27,307.00
Water District No. 7	\$ 60,532.26	\$ 14,100.00		\$ 46,432.26
Water District No. 8	\$ 13,758.09	\$ 3,620.00		\$ 10,138.09

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Water District No. 9	\$ 10,029.50	\$ 3,800.00		\$ 6,229.50
Water District No. 10	\$ 83,896.00	\$ 15,000.00		\$ 68,896.00
Water District No. 11	\$ 104,837.00	\$ 10,100.00	\$ 23,000.00	\$ 71,737.00
Water District No. 9 Extension	\$ 6,757.00			\$ 6,757.00
Fire District	\$ 173,660.35			\$ 173,660.35
TOTALS	\$ 2,340,518.12	\$ 813,043.00	\$ 218,000.00	\$ 1,309,475.12

GAINES

General	\$ 411,931.89	\$ 151,173.00	\$ 20,258.89	\$ 240,500.00
General Outside Village	\$ 27,738.19	\$ 10,400.00		\$ 17,338.19
Highway Townwide	\$ 303,176.33	\$ 135,850.00		\$ 167,326.33
Highway Outside Village	\$ 209,376.33	\$ 135,100.00	\$ 15,056.33	\$ 59,220.00
Water District No.1	\$ 72,863.56	\$ 97,520.00		
Water District No.2	\$ 24,537.20	\$ 20,870.00		\$ 7,884.00
Water District No. 3	\$ 21,177.47	\$ 16,695.00		\$ 6,530.75
Water District No. 4	\$ 20,312.76	\$ 25,300.00		
Water District No. 5	\$ 27,930.98	\$ 31,100.00		\$ 3,691.25
Water District No. 6	\$ 8,873.98	\$ 3,110.00		\$ 7,095.00
Water District No. 7	\$ 12,644.93	\$ 7,605.00		\$ 5,605.39
Water District No. 8	\$ 14,123.36	\$ 7,180.00		\$ 8,650.00
Water District No. 9	\$ 12,587.00	\$ 4,940.00		\$ 8,996.75
Water District No. 10	\$ 14,558.63	\$ 6,350.00		\$ 9,372.75
Fire District	\$ 100,000.00			\$ 100,000.00
TOTALS	\$ 1,281,832.61	\$ 653,193.00	\$ 35,315.22	\$ 642,210.41

KENDALL

General	\$ 553,811.00	\$ 245,170.00	\$ 40,862.00	\$ 267,779.00
Highway	\$ 738,257.00	\$ 281,514.00	\$ 5,000.00	\$ 451,743.00
Library	\$ 2,000.00	\$ 1,010.00	\$ 990.00	
Water District No.1	\$ 4,503.00			\$ 4,503.00
Water District No.2	\$ 13,730.45		\$ 600.00	\$ 13,130.45
Water District No.3	\$ 19,674.71		\$ 600.00	\$ 19,074.71
Water District No. 4	\$ 65,929.71		\$ 524.33	\$ 65,405.38
Water District No. 5	\$ 28,869.22	\$ 12,998.76	\$ 500.00	\$ 15,370.46
Water District No. 6	\$ 18,241.00	\$ 7,200.00	\$ 500.00	\$ 10,541.00

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Light District No. 1	\$ 5,700.00		\$ 250.00	\$ 5,450.00
Light District No. 2	\$ 3,385.00		\$ 250.00	\$ 3,135.00
Light District No. 3	\$ 1,975.00		\$ 250.00	\$ 1,725.00
Fire District No. 1	\$ 165,000.00	\$ 100.00	\$ 1,000.00	\$ 163,900.00
Fire District No. 2	\$ 76,002.00			\$ 76,002.00
TOTALS	\$ 1,697,078.09	\$ 547,992.76	\$ 51,326.33	\$ 1,097,759.00

MURRAY				
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General	\$ 502,936.00	\$ 144,825.00		\$ 358,111.00
General Outside Village	\$ 56,028.00	\$ 17,250.00	\$ 2,041.00	\$ 36,737.00
Highway Townwide	\$ 379,832.00	\$ 177,323.00		\$ 202,509.00
Highway Outside Village	\$ 376,934.00	\$ 180,000.00	\$ 4,521.00	\$ 192,413.00
Light District No. 1 (Fancher)	\$ 2,600.00		\$ 100.00	\$ 2,500.00
Light Dist. #2 (Hulberton)	\$ 3,900.00		\$ 200.00	\$ 3,700.00
Light Dist. #3 (Brockville)	\$ 1,400.00		\$ 300.00	\$ 1,100.00
Murray Fire District	\$ 203,500.00			\$ 203,500.00
FHM Fire District	\$ 108,950.00			\$ 108,950.00
Water District No. 1	\$ 12,359.00	\$ 8,760.00	\$ 1,674.00	\$ 1,925.00
Water District No. 2	\$ 115,750.00	\$ 80,600.00	\$ 4,150.00	\$ 31,000.00
Water District No. 3	\$ 79,765.00	\$ 56,300.00	\$ 883.00	\$ 22,582.00
Water District No. 4	\$ 13,786.00	\$ 6,110.00	\$ 1,676.00	\$ 6,000.00
Water District No. 5	\$ 7,673.00	\$ 3,050.00	\$ 323.00	\$ 4,300.00
Water District No. 6	\$ 53,502.00	\$ 30,000.00	\$ 11,502.00	\$ 12,000.00
Water District No. 7	\$ 37,965.00	\$ 16,700.00	\$ 1,765.00	\$ 19,500.00
Water District No. 8	\$ 29,440.00	\$ 13,000.00		\$ 16,440.00
Water District No. 9	\$ 12,233.00	\$ 5,100.00	\$ 633.00	\$ 6,500.00
Water District No. 10	\$ 13,899.00	\$ 6,700.00	\$ 199.00	\$ 7,000.00
Water District No. 11	\$ 183,080.00	\$ 67,800.00	\$ 11,280.00	\$ 104,000.00
Water District No. 12	\$ 17,029.00	\$ 3,300.00	\$ 1,729.00	\$ 12,000.00
Water District No. 13	\$ 25,329.00	\$ 6,128.00		\$ 19,201.00
Water District No. 14	\$ 5,991.00	\$ 1,490.00	\$ 601.00	\$ 3,900.00
Water District No. 15	\$ 69,660.00	\$ 8,550.00	\$ 2,110.00	\$ 59,000.00
Water District No. 20	\$ 6,417.00	\$ 6,417.00		
TOTALS	\$ 2,319,958.00	\$ 839,403.00	\$ 45,687.00	\$ 1,434,868.00

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RIDGEWAY				
General	\$ 700,646.00	\$ 176,048.00	\$ 188,429.00	\$ 336,169.00
General Outside Village	\$ 107,844.00	\$ 32,010.00	\$ 19,759.00	\$ 56,075.00
Highway Townwide	\$ 570,661.00	\$ 149,500.00	\$ 25,838.00	\$ 395,323.00
Highway Outside Village	\$ 452,105.00	\$ 247,010.00	\$ (518.00)	\$ 205,613.00
Fire Protection District	\$ 187,665.00	\$ 5.00	\$ 10,295.00	\$ 177,365.00
Knowlesville Light District	\$ 3,375.00	\$ 5.00	\$ (5.00)	\$ 3,375.00
Knowlesville Sewer District	\$ 38,396.00	\$ 5.00	\$ 5,946.00	\$ 32,445.00
Water Debt Service 31E	\$ 8,400.00			\$ 8,400.00
Water Debt Service 269	\$ 7,645.00			\$ 7,645.00
Water #2 Debt Service	\$ 18,775.00			\$ 18,775.00
Water #3 Debt Service	\$ 32,232.63			\$ 32,232.63
Water #4 Debt Service	\$ 65,131.25			\$ 65,131.25
Water #5 Debt Service	\$ 26,476.50			\$ 26,476.50
Water #6 Debt Service	\$ 13,961.88			\$ 13,961.88
Water #7 Debt Service	\$ 7,832.50			\$ 7,832.50
Water #8 Debt Service	\$ 9,810.75			\$ 9,810.75
Water #9 Debt Service	\$ 6,717.90			\$ 6,717.90
Water #10 Debt Service	\$ 11,665.38			\$ 11,665.38
Water #11 Debt Service	\$ 2,020.00			\$ 2,020.00
Water #12 Debt Service	\$ 14,894.81			\$ 14,894.81
Water #13 Debt Service	\$ 11,585.63			\$ 11,585.63
TOTALS	\$ 2,297,841.23	\$ 604,583.00	\$ 249,744.00	\$ 1,443,514.23

SHELBY				
General	\$ 1,154,930.00	\$ 288,625.00	\$ 345,991.00	\$ 520,314.00
General Outside Village	\$ 131,950.00	\$ 62,617.00	\$ 21,571.00	\$ 47,762.00
Highway Townwide	\$ 507,100.00	\$ 168,700.00	\$ 190,979.00	\$ 147,421.00
Highway Outside Village	\$ 544,652.00	\$ 252,102.00	\$ 33,322.00	\$ 259,228.00
Shelby Center Light	\$ 3,000.00		\$ 450.00	\$ 2,550.00
Millville Light	\$ 1,500.00		\$ 200.00	\$ 1,300.00
Shelby Fire Co.	\$ 313,250.00			\$ 313,250.00
Cemetery	\$ 10,000.00	\$ 9,200.00	\$ 800.00	
Water District No. 1	\$ 102,142.00	\$ 102,142.00		
Water District No. 2	\$ 27,477.00	\$ 27,477.00		

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Water District No. 3	\$ 76,762.00	\$ 76,762.00		
Water District No. 4-A	\$ 62,530.00	\$ 62,530.00		
Water District No. 4-B	\$ 59,911.00	\$ 59,911.00		
Water District No. 5	\$ 5,106.00	\$ 5,106.00		
Water District No. 6	\$ 64,158.00	\$ 64,158.00		
Water District No. 7	\$ 62,194.00	\$ 62,194.00		
Water District No. 8	\$ 67,248.00	\$ 67,248.00		
Water District No. 9	\$ 59,690.00	\$ 59,690.00		
Water District No. 10	\$ 61,623.00	\$ 61,623.00		
Water District No. 11	\$ 45,868.00	\$ 45,868.00		
Water District No. 12	\$ 88,863.00	\$ 88,863.00		
TOTALS	\$ 3,449,954.00	\$ 1,564,816.00	\$ 593,313.00	\$ 1,291,825.00

YATES				
General	\$ 463,348.50	\$ 94,600.00	\$ 75,726.50	\$ 293,022.00
General Outside Village	\$ 25,169.50	\$ 10,050.00	\$ 294.50	\$ 14,825.00
Highway Townwide	\$ 379,616.00	\$ 210,500.00	\$ 69,563.50	\$ 99,552.50
Highway Outside Village	\$ 436,391.50	\$ 140,000.00	\$ 68,683.50	\$ 227,708.00
Fire Protection District	\$ 77,400.00			\$ 77,400.00
Water District No. 2	\$ 108,600.00	\$ 108,600.00		
Water District No. 4	\$ 348,509.92	\$ 120,900.00	\$ 46,590.92	\$ 181,019.00
TOTALS	\$ 1,839,035.42	\$ 684,650.00	\$ 260,858.92	\$ 893,526.50

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PROCEEDINGS
of the
Orleans County Legislature
2018



PROCEEDINGS
of the
LEGISLATURE
of
ORLEANS COUNTY

2018

Donald J. Allport	Member at Large
E. John DeFilipps	Member at Large
Merle Draper	Member at Large
William H. Eick	District No. 1
Lynne M. Johnson	District No. 2
Fred Miller	District No. 3
Kenneth DeRoller	District No. 4
Lynne M. Johnson	Chairman
Donald J. Allport	Vice-Chairman
Charles H. Nesbitt, Jr.	Chief Administrative Officer
Nadine P. Hanlon	Clerk of Legislature
Lisa Stenshorn	Deputy Clerk of the Legislature

By Order
of the
Legislature

COUNTY OF ORLEANS)

ss:

STATE OF NEW YORK)

I hereby certify that the following Proceedings of the Legislature of Orleans County by the authority of said Legislature are a true statement of the record of such proceedings as filed in this office.

Nadine P. Hanlon
Clerk of the Legislature



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FRONT ROW: Donald J. Allport, Vice Chairman, At Large – Central; Lynne M. Johnson, Chairman, District 2. BACK ROW: E. John DeFilipps, At Large – East; Kenneth A. DeRoller, District 4; Merle L. Draper, At Large – West; David C. Schubel, County Attorney; Charles H. Nesbitt, Jr., Chief Administrative Officer; William H. Eick, District 1; Fred Miller, District 3; Nadine P. Hanlon, Clerk of the Legislature.

County Officials of Orleans County for 2018

Aging, Office for the, Director	Melissa Blanar
Assistant Director	Susan Miller
Budget Officer	Charles H. Nesbitt Jr.
Deputy Budget Officer	Kimberly DeFrank
Chief Administrative Officer	Charles H. Nesbitt, Jr.
Clerk of the Legislature	Nadine P. Hanlon
Deputy Clerk of the Legislature	Lisa Stenshorn
Computer Services, Director	Edwin L. Moss
Coroner, Chief	Scott M. Schmidt, CFSP
Coroners	Rocco Sidari
	Charles Smith, RN

County Attorney	David C. Schubel/Katherine Bogan
Assistant County Attorney	John C. Gavenda
	James D. Bell
County Clerk	Karen Lake-Maynard
Deputy County Clerk	Diane L. Shampine
Deputy County Clerk – DMV	Pamela Boyer
Development, Industrial/Economic	James Whipple
District Attorney	Joseph V. Cardone
1 st Assistant District Attorney	Susan Howard
2 nd Assistant District Attorney	Katherine Bogan/John Gavenda
3 rd Assistant District Attorney	John Sansone
Election Commissioners	Kathleen Case (R)
	Janice Grabowski (D)
	Dorothy Morgan (R)
Deputy Commissioners	Eileen Aina (D)
	H. Dale Banker
Emergency Management, Director	Paul A. Pettit
Health, Director	Gerald R. Gray
Highway Superintendent	Peter Houseknecht
Deputy Highway Superintendent	James J. Noreck
Buildings and Grounds Assist. Super.	Matthew Ballard
Historian	Kelly Kiebala
Job Development, Director	Mark O'Brien
Mental Health Services, Director	John C. Welch, Jr.
Personnel and Self Insurance, Director	James Bensley
Planning and Development, Director	Luci Welch
Probation, Director	Joanne Best
Public Defender	Patricia Pope
1 st Assistant Public Defender	Dominic Saraceno
2 nd Assistant Public Defender	Nathan D. Pace
3 rd Assistant Public Defender	Dawn M. Allen
Real Property Tax, Director	Charles H. Nesbitt, Jr.
Records Management Officer	Randall Bower
Sheriff	Christopher Bourke
Undersheriff	Michael Mele
Chief Deputy	Scott Wilson
Jail Superintendent	Thomas Kuryla
Social Services, Commissioner	Dawn Borchert
Tourism, Director	Kimberly DeFrank
Treasurer	Melynda Brown
Deputy Treasurer	Earl Schmidt
Veterans, Director	Jocelyn Sikorski
Youth Bureau, Director	

LEGISLATIVE STANDING COMMITTEES-2018

LEGISLATIVE

Johnson, Allport

Chief Administrative Officer
Clerk of Legislature
County Attorney
Historian
Emergency Management
Employee Assistance Program
Fire Advisory Board
Off Track Betting
Safety Committee

PUBLIC SAFETY

Allport, Draper, Johnson

District Attorney
Probation
Public Defender
Sheriff
Courts
Emergency Medical Services
Stop DWI

HEALTH

Draper, Allport, Johnson

Mental Health
Public Health
ARC

ELECTIONS

Miller, Eick, Johnson

Board of Elections

EDA

DeFilipps, DeRoller, Johnson

LDC

Eick, Miller, Johnson

ADMINISTRATION & FINANCE

DeFilipps, DeRoller, Johnson

Budget Officer
Computer Services
County Clerk
Personnel & Self-Insurance
Records Management
Real Property Tax Services
Treasurer
Education (Community Colleges,
Medical Scholarship, Libraries)

HOME & COMMUNITY SERVICES

DeRoller, DeFilipps, Johnson

Planning & Development
Soil and Water Conservation
Solid Waste
Tourism
Cooperative Extension
Gen/F. Lakes Regional Planning Council
Go Art!
Orleans Sportsman Federation
Parks

ECONOMIC ASSISTANCE & OPPORTUNITY

Miller, Eick, Johnson

Housing - Section 8
Job Development Agency
Office for the Aging
Social Services
Veterans Service Agency
Youth Board

HIGHWAY

Eick, Miller, Johnson

Buildings & Grounds
Highway
Genesee Transportation Council
RGRTA - Rochester Genesee Regional
Transportation Authority

Organizational Meeting
January 3, 2018

The Clerk of the Legislature called the meeting to order at 4:30 a.m. The Pledge of Allegiance was led by Nadine Hanlon, Clerk of the Legislature, and invocation was led by Veteran David Kusmierczak. The Clerk called the roll and the following Legislators were present: Donald Allport, E. John DeFilipps, Kenneth DeRoller, Merle Draper, William Eick, Lynne Johnson, and Fred Miller. Our newly elected County Treasurer Kimberly DeFrank, County Attorney David Schubel and Chief Administrative Officer Charles H. Nesbitt were also present along with many Department Heads and county residents.

The Clerk opened the floor for nominations for a Temporary Chairman of the Legislature. Legislator Allport moved that Legislator Eick be the temporary Chairman. Legislator DeFilipps seconded the motion. The Clerk asked if there were any other nominations. With everyone in favor of the motion, this motion was carried.

Temporary Chairman Eick asked for nominations for Chairman. Legislator Draper nominated Legislator Lynne M. Johnson as Chairman. Legislator Allport seconded the motion. Temporary Chairman Eick called for any other nominations. With no further nomination, Temporary Chairman Eick call for a roll call vote: 7 ayes: Allport, DeFilipps, DeRoller, Draper, Eick, Johnson, and Miller; 0 nays; 0 absent. The motion for Legislator Johnson to be Chairman of the Orleans County Legislature was carried. Legislator Johnson was congratulated on her election by the Board in becoming the new Chairman of the Orleans County Legislature.

Temporary Chairman Eick asked for nominations for Vice Chairman. Legislator DeRoller made a motion to nominate Legislator John DeFilipps; seconded by Legislator Miller. Chairman Johnson made a motion to nominate Legislator Allport as Vice Chairman, seconded by Legislator Draper. Temporary Chairman Eick called for a roll call vote. Clerk Hanlon requested that when name was called to indicate their choice of DeFilipps or Allport. The following was tallied during the roll call:

<u>Legislator</u>	<u>Vote for Vice Chairman</u>
Allport	Allport
DeFilipps	DeFilipps
DeRoller	DeFilipps
Draper	Allport

Eick	Allport
Johnson	Allport
Miller	DeFilipps

Legislator Allport was congratulated as being elected as the new Vice Chairman of the Orleans County Legislature.

Temporary Chairman Eick turned the meeting over to the newly elected Chairman, Legislator Johnson. Chairman Johnson was escorted to the Chairman's chair by Temporary Chairman Eick. Chairman Johnson thanked Legislator DeFilipps for the last five months as our Chairman and shared her appreciation for the work he did for our Board. Chairman Johnson then requested to move forward with the business part of the meeting. She requested that seeing no assignments were noted on the agenda if Vice Chairman could move the resolutions and Legislator Eick second them if there are no objections. The following resolutions were presented for adoption:

RESOLUTION NO. 1-118

APPOINTING CLERK OF THE LEGISLATURE

RESOLVED, that Nadine P. Hanlon be appointed Clerk of the Legislature to serve at the pleasure of the Legislature, at grade 6, step 9 of the Management Salary Schedule.

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

RESOLUTION NO. 2-118

APPOINTING COUNTY ATTORNEY

RESOLVED, that David C. Schubel be appointed County Attorney to act as the Attorney for the Orleans County Legislature, the County of Orleans, and the County Officers, for a term of two years with salary set at Grade 12, Step 9 of the Management Salary Schedule; and, that in addition thereto, the reasonable disbursements and expenses of the County Attorney incurred in the conduct of County business shall be paid upon the usual monthly vouchers to be audited by this County Legislature.

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

RESOLUTION NO. 3-118

FIXING COMPENSATION OF LEGISLATORS

RESOLVED, that pursuant to provisions of Section 200 of County Law, effective January 1, 2018, the compensation of each Legislator payable by the County of Orleans shall be annual salary, with the Chairperson's salary to be \$17,777.00, Vice Chairperson' salary to be \$13,442 and each other member to receive \$11,850.00 in lieu of all other compensation for both meetings and committee work, payable in bi-weekly installments in the same manner as other county salaries are paid; and be it

FURTHER RESOLVED, that each Legislator shall also receive from the County, travel allowance and expenses in the performance of his duties in attending meetings, committee work and other duties committed to him, at the rate of 1 cent per mile less than the IRS rate in effect for each calendar year per mile for the miles actually traveled by the most usual route in going and returning between his residence to the place of the performance of each duty; and be it

FURTHER RESOLVED, that in performing duties assigned or committed to him outside the County, each Legislator shall receive from the County his actual expenses and if he furnishes his personal automobile for such travel shall receive, therefore, mileage at the rate of 1 cent per mile less than the IRS rate in effect for each calendar year per mile for the miles actually traveled by the most usual route in going and returning between his residence and place of such assignment; such expenses and mileage shall be audited by the Legislature upon the usual voucher thereof, and paid as are other County charges; and be it

FURTHER RESOLVED, that each Legislator shall be entitled to fringe benefits as currently prescribed by the Management Compensation Plan; and be it

FURTHER RESOLVED, that Legislators are not allowed expenses for meals between Conference Sessions and Legislature Meetings.

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

RESOLUTION NO. 4-118

DESIGNATING NEWSPAPER

WHEREAS, The Daily News is the only newspaper available to be deemed a designated newspaper in Orleans County; and

WHEREAS, Section 214 of County Law provides that, if there be but one newspaper published in the county, such newspaper shall be designated; now therefore be it

RESOLVED, that the County Legislature does hereby designate of The Daily News as their legal newspaper and further designates the Daily News to publish the Concurrent Resolutions for 2018 and 2019, the Tax Redemption Notices for 2018 and 2019; the Official Canvas for 2017 and 2018 and the Election Notices for 2018 and 2019.

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

RESOLUTION NO. 5-118

DESIGNATING MAJORITY AND MINORITY LEADERS OF THE LEGISLATURE

RESOLVED, that William Eick is hereby designated by the Republicans as Majority Leader of the Legislature and that Fred Miller is hereby designated by the Democrats as Minority Leader of the Legislature.

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

RESOLUTION NO. 6-118

AMENDING RESOLUTION NO. 487-1217 THAT AUTHORIZED SALARY SCHEDULES FOR MANAGEMENT, CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES

RESOLVED, that the following additional salaries, effective January 1, 2018, are authorized for certain part-time and unclassified employees:

<u>Annual:</u>	<u>1/1/18-12/31/18</u>
<u>Election Commissioners (2)</u>	\$19,622
<u>Hourly (Full-Time Employees)</u>	
Director of Emergency Management	\$17.07

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

RESOLUTION NO. 7-118

AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY TAX REFUNDS

WHEREAS, the New York State Real Property Tax Law, Section 556, provides an administrative correction of error process to assist the property owner in obtaining real property tax refunds caused by certain clerical errors, unlawful entries and errors in essential fact; and

WHEREAS, Real Property Tax Law, Section 554 provides that the tax levying body may delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law, Section 556; and

WHEREAS, the Administration and Finance Committee does recommend that the Treasurer be delegated to perform said duties; now therefore be it

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a refund and said refund is two-thousand five hundred dollars or less; and be it

FURTHER RESOLVED, that on the fifteenth day of each month, the Orleans County Treasurer shall submit a report to the Orleans County

Legislature of the refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund and when no refunds are given no report will be issued.

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

RESOLUTION NO. 8-118

APPROVING THE EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PLAN FOR 2018

WHEREAS, the Employee Assistance Program (EAP) Committee has been authorized to operate an Employee Assistance Program (EAP) and other related programs for the County; and

WHEREAS, the Legislature requires the EAP Committee to submit for approval a plan of operations, together with a proposed budget for the year 2018; be it

RESOLVED, that this Legislature authorizes the Orleans County Employee Assistance Program budget and plan of operations for the year 2018 as follows:

EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PROGRAM PLAN

<u>Program Revenues:</u>	
Commissions/Deposits 2018	\$2,890.00
Raffles	\$1,350.00
Fund Balance	\$520.00
Total	\$4,760.00

<u>Program Expenditures:</u>	
GCASA Contract	\$1,500.00
Employee of the Month Program	\$700.00
Summer Picnic	\$1,250.00
Holiday Luncheon	\$1,310.00
Miscellaneous	\$0.00

Total \$4,760.00

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

RESOLUTION NO. 9-118

APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

RESOLVED, that this Legislature authorizes the following appointments to the Employee Assistance Program Committee for the following terms:

Katie Harvey	Personnel – Management	1/1/18-12/31/19
Patricia Urquhart	Mental Health – CSEA	1/1/18-12/31/19
John C. Welch, Jr.	Personnel – Management	1/1/18-12/31/19
Devon Pahuta	Sheriff – OCDSA	1/1/18-12/31/19

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

RESOLUTION NO. 10-118

RE-AFFIRMING APPOINTMENTS TO THE ORLEANS COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, certain individuals were heretofore appointed by this Legislature as members of the Orleans County Industrial Development Agency to specified terms as set forth in the resolutions of appointment; and

WHEREAS, subdivision 2 of section 856 of the General Municipal Law provides that members of an industrial agency shall serve at the pleasure of the appointing authority; and

WHEREAS, this Legislature is desirous of resolving any ambiguity with respect to the terms of the certain named individuals by reaffirming their respective appointments to serve at the pleasure of this Legislature; now, therefore be it

RESOLVED, that this Legislature hereby reaffirms the appointments of the following named individuals as members of the Orleans County Industrial Development Agency who shall serve at the pleasure of the Orleans County Legislature pursuant to the provisions of section 856 of the General Municipal Law of the State of New York: Kenneth Rush, Merle L. Draper, Paul Hendel, Carol D'Agostino, and John Misiti; and be it

FURTHER RESOLVED, that it shall be a policy of this Legislature to periodically review the appointments to the Orleans County Industrial Development Agency no less frequently than bi-annually upon the commencement of a new term of the Orleans County Legislature.

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

RESOLUTION NO. 11-118

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY [COIDA] FOR THE YEAR 2018

WHEREAS, it is in the best interest of the County that the many advantages of Orleans County be publicized to those who may be interested in establishing, maintaining, or expanding business and industry in the County of Orleans, in order to create new jobs and keep a healthy economy; and

WHEREAS, equally as important, is the ability to retain within the county the jobs already located here; and

WHEREAS, among the most important tasks facing New York State are the need to increase jobs and encourage higher levels of private capital investment in business and industry, thereby improving the general prosperity and economic welfare of the people of New York State and its constituent municipalities; and

WHEREAS, the County recognizes that the Agency is a community-wide organization with the expertise and capacity to improve

the general prosperity and economic welfare to the people of the County;
and

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County; and

WHEREAS, New York State Public Officers Law Section 18 states that a county legislative body may provide for the defense and indemnification of the officers and employees of a public entity and additional indemnification of said Agency may be contracted in return for services; and

WHEREAS, the County has, by Resolution adopted by the Orleans County Legislature, authorized the execution of this contract and the indemnification agreement herein between the County and the Agency; now, therefore be it

RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with the County of Orleans Industrial Development Agency [COIDA] to provide the services as set forth in the agreement at an annual cost of \$180,000, to be paid in quarterly payments of \$45,000.

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

Legislator Allport moved to approve a renewal contract for our E-Waste collection and recycling program with Sunnking Inc; second by Legislator Eick. Legislator DeRoller expressed how well this program has progressed in working together with the Chief Administrative Officer and our Director of Planning. The following resolution was adopted:

RESOLUTION NO. 12-118

APPROVING RENEWAL OF E-WASTE COLLECTION AND RECYCLING AGREEMENT WITH SUNNKING INC MODIFICATION

WHEREAS, effective January 1, 2015 New York State prohibited the disposal of electronic waste, including cathode ray tube televisions,

monitors, computers, peripheral devices, and other household electronics through curbside trash pickup; and.

WHEREAS, this Legislature, aware of the subsequent lack of opportunities within the County for its residents to properly dispose of said electronic waste, commenced in September 2015 a drop-off program for its collection and recycling at multiple sites within the County so as to avoid its accumulation at locations that are a detriment to the environment and public safety; and.

WHEREAS, in 2017 alone nearly 187,000 pounds of electronic waste have been removed from the County under the drop-off program; therefore be it

RESOLVED, that this Legislature approves renewal of an agreement with Sunnking, Incorporated, 4 Owens Road, Brockport, New York, 14420 under the current terms with the exception of the charge for bare tubes and broken cathode ray tube glass increasing from \$.35/lb. to \$.50/lb.

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

RESOLUTION NO. 13-118

APPROVING AGREEMENT WITH LYNNE MENZ DESIGNS FOR TOURISM COORDINATOR SERVICES

RESOLVED, that this Legislature hereby approves an Independent Agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide Tourism Coordinator Services to Orleans County in 2018 at a cost not to exceed \$12,840 to be paid in equal monthly installments from Tourism Account A6410.466; said agreement to be in effect from January 1, 2018 to December 31, 2018.

Moved, Allport; second, Eick.
Adopted. 6 ayes; 0 nays; 0 absent, 1 abstention, Draper.

RESOLUTION NO. 14-118

APPROVING AGREEMENT WITH LYNNE MENZ DESIGNS FOR DESIGN SERVICES FOR THE I LOVE NY MATCHING FUNDS PROGRAM

RESOLVED, that this Legislature hereby approves an Independent Agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide design services to Orleans County in 2018 at a cost not to exceed \$28,000; said agreement to be in effect from January 1, 2018 to December 31, 2018. This agreement includes costs associated with advertising design, publication design, social media, photography and video production to be paid on a project basis from Tourism Account A6410.468.

Moved, Allport; second, Eick.

Adopted. 6 ayes; 0 nays; 0 absent, 1 abstention, Draper.

RESOLUTION NO. 15-118

APPROVING AGREEMENT WITH MICHAEL R. WATERHOUSE FOR SPORTFISHING MARKETING SERVICES

RESOLVED, that this Legislature approves an Independent Agreement with Michael R. Waterhouse of Albion, NY for the provision of sportfishing marketing services at designated Consumer Trade Shows under supervision of the Tourism Director at a cost of \$22/hour, not to exceed \$7,500; to be paid from I Love NY Matching Funds (Account A6410.468); said agreement to be in effect from January 1, 2018 to May 1, 2018.

Moved, Allport; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 16-118

SETTING LEGISLATURE MEETING SCHEDULE FOR 2018

RESOLVED, that the regular meetings of the Orleans County Legislature will be held on the fourth Wednesday of the months of January through November at 4:30 PM at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that the the regular meeting of the Orleans County Legislature will be held on the third Wednesday of the month of

December at 4:30 PM at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that should additional meetings warrant scheduling, special meetings will be called with proper notice as described by Open Meetings Law Article 7, Section 104; and be it

FURTHER RESOLVED, that Legislative workshops will be scheduled one hour prior to the scheduled conference session unless otherwise posted.

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

RESOLUTION NO. 17-118

AUTHORIZING TREASURER TO LOAN FUNDS TO THE CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT FROM THE GENERAL FUND

WHEREAS, the Capital Project County Office Building Addition and Renovations Account needs a loan from the General Fund to make various payments before we borrow money as authorized in Resolution No. 351-917; now be it

RESOLVED, that this Legislature authorizes the Treasurer to loan funds from the General Fund to the Capital Project County Office Building Addition and Renovations Account in an amount not to exceed \$500,000 to pay various expenses; and be it

FURTHER RESOLVED, that said loan from the General Fund will be repaid upon to when financing is established, as was authorized in Resolution No. 351-917.

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

RESOLUTION NO. 18-118

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$2,843.76	Lock City Supply Inc.	Inv#114041, 114151, 114220 – COB Parking area for New Addition – PO #59318
\$29,401.77	Barre Stone Products	Inv. #7495 – 2” run of crusher for COB Parking area; Inv. #7554 – 19.0 mm F9 Binder for COB Parking area for New Addition - PO #59317
\$13,047.62	Barre Stone Products	Inv #7604 - 2” run of crusher for COB Parking area – PO #59323
\$494.00	Kistner Concrete Products	Inv #141921 – Catch basin for COB Addition Parking Lot - PO #59319

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

Chairman Johnson called for a motion to adjourn, Legislator DeFilippis moved with a second from Legislator Allport. Meeting adjourned at 4:45 p.m.

LEGISLATURE MEETING

January 24, 2018

Chairman Johnson called the meeting to order at 4:30 p.m. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: The Albion Strawberry Festival Committee, under the authority of the Village of Albion, is requesting permission to hold its 32nd annual festival on the Courthouse Lawn on June 8th and June 9th, 2018. Hours of operation will be 11 a.m. to 9 p.m. on Friday and 9 a.m. to 9 p.m. on Saturday. As in the past, the Courthouse grounds will be used for arts and crafts and entertainment. The Board approved this use. The Town of Sommerset Town Board will be holding a public hearing on the adoption of a proposed Local Law entitled “A Local Law Amending the Supplemental zoning regulations related to Commercial/Industrial wind energy conversion systems” on Monday, January 29, 2018 at 6:00 p.m. at their Town Hall located at 8700 Haight Road, Barker, NY. Joseph A Giorgi, property owner in Town of Gaines, commending the Orleans County Highway Department for Culvert work well done on Eagle Harbor Waterport Road.

Treasurer DeFrank distributed an Analysis of Monthly Cash Receipts and Disbursements through December 2017. Treasurer DeFrank reported that our cash balance was down in December, which is largely due to the \$2.5 million retirement bill paid. She also reported that we had over a million dollars in college bills paid out in December. Tax money has started to come in.

Chairman Johnson called for open discussion as it related to the resolutions. With nothing offered, she opened the floor for any Legislative comments. With there being none, Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 19-118

GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND WATER SYSTEMS

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina and Lyndonville located outside their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant or reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2018 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 20-118

AMENDING RESOLUTION NO. 517-1288 TO UPDATE MEMBERSHIP COMPOSITION ON THE SELF-INSURANCE ADVISORY COMMITTEE

WHEREAS, Resolution No. 517-1288 was adopted to create the Self Insurance Advisory Committee for Orleans County and establish the composition of its membership; and

WHEREAS, the Administration and Finance committee has indicated an added interest to recognize the valuable input from Highway employee participants; now be it

RESOLVED, that this Legislature does hereby amend Resolution No. 517-1288 and establish the following committee membership to the Self Insurance Advisory Committee as follows:

Chairman of the Legislature
Chairman of the Administration and Finance Committee
Vice Chairman of the Administration and Finance Committee
(2) Supervisors of Towns with the County of Orleans County
(1) Mayor of a Village within the County of Orleans County
President of the Orleans County Highway Superintendent's Association
Chief Administrative Officer
Director of Personnel and Self-Insurance

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 21-118

ABOLISHING ALL POSITIONS NOT BUDGETED IN 2018

RESOLVED, that effective January 1, 2018, all positions for which an appropriation has not been included in the 2018 County Budget are hereby abolished; and be it

FURTHER RESOLVED, that all County Departments are hereby directed to review the positions on the salary schedule prepared by the Personnel Office and to notify the Director of Personnel of each position not budgeted; and be it

FURTHER RESOLVED, that upon receipt of such notification the Personnel Department will take the appropriate action to insure that non-budgeted positions are abolished and removed from the 2018 salary schedule.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 22-118

DESIGNATING DEPOSITORIES AND AMOUNTS ALLOWED

RESOLVED, that pursuant to Section 212 Subdivision 3 of the County Law, the following institutions be, and hereby are, designated as depositories of all monies received by the County Treasurer, and be it further

RESOLVED, that the maximum amount which may be on deposit at any time in each depository shall not exceed that listed below:

Five Star Bank	\$ 30,000,000
M & T Bank	\$ 10,000,000
JPMorgan Chase	\$ 5,000,000
Key Bank	\$ 5,000,000
Bank of Castile	\$ 15,000,000
Citizens Bank	\$ 5,000,000

Moved, DeFilipps; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to authorize the Planning and Development Department to make application for a grant opportunity to help with the e-waste supplement to our Household Hazardous Waste State Assisted Program; second by Legislator DeFilipps. Legislator DeRoller invited Planning Director Bensley to update the Board on the progress of our e-waste program. Mr. Bensley reported that since starting in September of 2015, we have collected 582,000 pounds (191 tons) of e-waste. The State reimbursement this round will bring our total up to \$22,200. The first few months we started our program at a local level there was no state program and when the State started their program, it was not coordinated well. This is when they decided to help with the local programs. We have stayed strong with the collections along the way and it is keeping them off the roadsides. The following resolution was adopted:

RESOLUTION NO. 23-118

AUTHORIZING GRANT APPLICATION BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT FOR E-WASTE SUPPLEMENT TO THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM.

WHEREAS, the State of New York, as a supplement its household hazardous waste program, provides financial assistance to municipalities for e-waste disposal and recycling; and

WHEREAS, the County of Orleans has incurred disposal and recycling costs and is thus eligible to apply for partial reimbursement to the State of New York under said program for the period commencing April 1, 2017 through December 31, 2017, be it

RESOLVED, that this Legislature authorizes the Orleans County Department of Planning and Development to apply to the State Hazardous Waste Assistance Program for up to 50% of its costs incurred for e-waste disposal and recycling during the forenamed period.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 24-118

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APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY BLANKET BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

WHEREAS, the County of Orleans has appropriated the sum of \$6,647 as its share of the year 2018 operating funds of the Genesee Finger Lakes Regional Planning Council, and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore, be it

RESOLVED, that the Orleans County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Moved; DeRoller; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 25-118

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
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Terrance Brown 1544 East Kent Road Kent, New York 14477	Town of Carlton	12-31-20
William Camann 14829 West Brighton Cliffe Drive Kent, New York 14477	Town of Carlton (Alternate)	12-31-20
Kirk Myhill 10835 West Shelby Road Medina, New York 14103	Town of Shelby	12-31-20

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislature DeRoller moved to set a public hearing for Local Law No. 1 of 2018 concerning real property tax exemptions for Real Property in the Village of Lyndonville; second by Legislator DeFilipps. Legislator DeRoller noted the Village of Lyndonville currently has a Historic District, which would apply to the east side of the village for those structures based on their zoning. The following resolution was adopted:

RESOLUTION NO. 26 -118

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 1 - INTRO OF 2018 REGARDING REAL PROPERTY TAX EXEMPTION FOR HISTORIC PROPERTY FOR THE VILLAGE OF LYNDONVILLE

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled A LOCAL LAW ENACTING A REAL PROPERTY TAX EXEMPTION FOR HISTORIC PROPERTY FOR THE VILLAGE OF LYNDONVILLE; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five day's notice; be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 28th day of February 2018 at 4:20 p.m. at the Legislature Chambers, 3 South Main St., Suite 2, Albion, New York.

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Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 27-118

APPOINTING REPRESENTATIVES TO THE GENESEE FINGER LAKES REGIONAL PLANNING COUNCIL

RESOLVED, that this Legislature confirms the Chairman's appointment of Kenneth DeRoller, Orleans County Legislator as the Chairman's Alternate to the Genesee Finger Lakes Regional Planning Council, for a two-year term ending December 31, 2019; and be it

FURTHER RESOLVED, that this Legislature appoints James Bensley, Director of Planning, as an Orleans County representative on the Genesee Finger Lakes Regional Planning Council, for a two-year term ending December 31, 2019.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to authorize attendance by our Tourism Director, Dawn Borchert, to attend out of state travel shows to promote Orleans County Tourism; second by Legislator DeFilipps. Legislator DeRoller asked Tourism Director Borchert to provide her intent in attending these shows. Ms. Borchert stated that by allowing her to attend these travel shows under the partnership with I Love New York Division of Tourism and the New York State Tourism Industry Association it allows her to introduce our county and our county tourism assets to travelers that are coming into our greater Niagara Region, either Buffalo or Niagara Falls. Ms. Borchert stated that hopefully she can get tourists to extend their stay in our area. She stated that all of her travel expenses will be paid for by the NYS Tourism Industry Association, so there is no expense to the county, it is just for her time in attending. The following resolution was adopted:

RESOLUTION NO. 28-118

AUTHORIZING ATTENDANCE AT OUT OF STATE TRAVEL SHOWS FOR TOURISM PROMOTIONS

RESOLVED: that this legislature hereby authorizes attendance at the following trade and travel shows, to be paid from account A6410.468 - Tourism, I Love New York except as noted:

- AAA Great Vacation Travel Expo, Columbus, OH, January 19-21, 2018, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.
- AAA Travel 2018 Pittsburgh Travel Showcase, Pittsburgh, PA, January 26 – 28, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.
- Great American Outdoor Show, Harrisburg Pennsylvania, February 9-11, 2018 to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.
- AAA Southern New England, Foxborough, MA, March 1-5, 2018, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.
- AAA Vacation Expo, Cleveland, OH, October 28, 2018, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 29-118

APPROVING AGREEMENT WITH SOIL AND WATER CONSERVATION DISTRICT

RESOLVED, that this Legislature authorizes the agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, New York, for the provision of services by “Soil and Water” for the calendar year 2018, at a cost of \$92,500, to be paid in quarterly payments of \$23,125.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 30-118

APPOINTING MEMBERS TO SOIL AND WATER DISTRICT BOARD

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RESOLVED, that this Legislature approves the following appointments to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
E. John DeFilipps	Legislature	1/1/2018-12/31/2018
William Eick	Legislature	1/1/2018-12/31/2018
James Neal	Farm Bureau	1/1/2018-12/31/2020

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 31-118

APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL COOPERATIVE EXTENSION

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$240,000 for the calendar year 2018, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$60,500.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 32-118

APPROVING APPOINTMENTS TO THE FISH AND WILDLIFE MANAGEMENT BOARD

RESOLVED, that this Legislature confirms the Chairman of the Legislature's appointment of the following Sportsman and Legislative representatives to the Fish and Wildlife Management Act Board, terms effective January 1, 2018 through December 31, 2019:

<u>Name</u>	<u>Representing:</u>
E. John DeFilipps	Legislature
Kenneth DeRoller	Legislature (Alternate)
Michael Elam	Sportsmen's Federation
Neil Newton	Sportsmen's Federation (Alternate)

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps introduced Mike Elam, who is here today.

RESOLUTION NO. 33-118

**APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

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

Cathy Miller at 11526 Portage Road Medina NY 14103 to provide for Municipal Representation Services to ensure appropriate healthcare services provision to clients of the Municipality in accordance with accepted professional standards and federal, state, and local regulations. Provider shall provide services under the administrative supervision of the County Public Health Director, or his/her duly constituted agent. Provider shall maintain close working relationships with the Orleans County Department Staff. The contract will run from January 1, 2018 through December 31, 2021. County Cost is \$42.00 per hour.

Laura Calla at 1550 Genesee St., Corfu, NY 14036 to provide for Municipal Representative Services to ensure appropriate healthcare services provision to clients of the Municipality in accordance with accepted professional standards and federal, state, and local regulations. Provider shall provide services under the administrative supervision of the County Public Health Director, or his/her duly constituted agent. Provider shall maintain close working relationships with the Orleans County Department Staff. Contract period is January 1, 2018 through December 31, 2018 at a county cost of \$42.00 per hour.

3D Delivery, Inc- d/b/a Genesee Delivery at 58 Kingsbury Ave. Batavia NY 14020 to provide Delivery Services for the Orleans County Health Departments various programs regarding Lab samples taken within the Environmental and Nursing Divisions, Contract period January 1, 2018 through December 31, 2018. Reimbursement through New York State Aid. No County cost.

Agri-Business Child Development at Batavia a/k/a Head Start at 18 Brooklyn Ave, Batavia NY 14020, Memorandum of Agreement to

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establish the responsibilities of OCHD and Head Start relative to services for infants and toddlers who are suspected of, at risk for, or are diagnosed as having disabilities. Both OCHD and Head Start support the right of all infants and toddlers with disabilities to receive free and appropriate services including all necessary evaluations, early intervention, and related services which parents request, in accordance with state and federal statute's and regulations. Contract period February 1, 2018 through January 31, 2021. No County cost.

Oak Orchard Community Health Center at 300 West Avenue Brockport NY 14420 Contract to provide for translation services and liaison between the Orleans County Health Department and the Migrant population at a cost of \$15,000 effective October 1, 2017 through September 30, 2018. Contract funded through New York State Migrant Grant. Contract period to run concurrent with the New York State Contract. No County cost.

Intermunicipal Agreement between Monroe & Orleans Counties at 111 Westfall Road- Room 962C Rochester, New York 14620 to provide lab services when testing is needed for lead level Investigations effective August 1, 2017 through July 31, 2018. Contract amount not to exceed \$8,000.00. Reimbursement from State Aide. No County cost.

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

RESOLUTION NO. 34-118

AUTHORIZING HEALTH DEPARTMENT TO APPLY FOR GRANT THROUGH THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS

RESOLVED, that the Orleans County Health Department is authorized to apply for a \$15,000 funding opportunity to be used for the purpose of developing a training/technical assistance (TA) package to assist rural health departments in applying a SDOH (Social Development of Health) lens to their community health improvement planning (CHIP) work. This grant would include in-person training in Washington DC. No County cost.

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

RESOLUTION NO. 35-118

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE HEALTH DEPARTMENT BUDGET

WHEREAS, the Orleans County Health Department has been awarded the following two grants from the Association of Food and Drug Officials, Voluntary National Retail Food Regulatory Program Standards Grant Program:

Educational Messaging of Food Safety Tips to Food Handlers (\$1,000)
Northeast FDA Regional Retail Food Safety Seminar (\$2,720)

RESOLVED, that the County Treasurer is authorized to set up the following new monies in the Public Health Department budget (A4010) as a result of these two grant awards:

Revenue:

A4403	Association of Food and Drug Officials	\$3,720
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Appropriations:

A4010.452	Personal Service Contracts	\$500
A4010.463	Travel Other Than Mileage	\$2,720
A4010.478	Health Promotional Supplies	\$500

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

RESOLUTION NO. 36-118

AUTHORIZING PURCHASE FROM HEALTH DEPARTMENT BUDGET FOR RABIES VACCINE

WHEREAS, the Orleans County Health Department needs to purchase Human Rabies Vaccine for post exposure treatment to the residents of Orleans County; now, therefore be it

RESOLVED, that this Legislature allows the Health Department to make purchases of human rabies vaccine, when needed, up to the amount of

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\$100,000 from Health Department Budget account number A4010.409 as approved in the 2018 Orleans County Budget.

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

RESOLUTION NO. 37-118

AUTHORIZING THE CONTINUATION OF THE CONTINUITY OF GOVERNMENT ADVISORY COMMITTEE FOR ORLEANS COUNTY

WHEREAS, Resolution No. 323-808 authorized the establishment of a Continuity of Government Advisory Committee to create a Continuity of Operations Plan (COOP) to ensure the continued performance of essential functions and services when normal, standard operations become overwhelmed, regardless of the emergency; therefore be it

RESOLVED, that this Legislature re-authorizes the continuation of the Continuity of Government Advisory Committee, members include: Paul Pettit, Dale Banker, Chuck Nesbitt, Mark O'Brien, Jack Welch, Gerald Gray, Al Cheverie, and Eddie Moss, as established and will be subject to reauthorization at the end of calendar year 2018.

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

RESOLUTION NO. 38-118

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND HILLSIDE CHILDREN'S CENTER.

RESOLVED, that this Legislature approves the following agreements for Hillside Children's Center for the 2018 calendar year, retroactive beginning January 1, 2018 and ending December 31, 2018.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing a program of family resiliency as a community support service for individuals with mental and emotional problems who are living in the community at a cost of \$79,270. No County cost.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a cost of \$10,456. No County cost.

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

RESOLUTION NO. 39-118

AMENDING RESOLUTION NO. 472-1217 BETWEEN MENTAL HEALTH AND OAK ORCHARD COMMUNITY HEALTH CENTER, INC

WHEREAS, Resolution No. 472-1217 approved an Agreement between Mental Health and Oak Orchard Community Health Center, Inc., 300 West Avenue, Brockport, NY 14420 providing part-time Clinic Therapist and Care Manager to provide services at Oak Orchard utilizing the IMPACT model with the following reimbursement schedule: Clinic Therapist -- \$62.00 per hour; Care Manager -- \$52.00 per hour for all scheduled hours at Oak Orchard; and

WHEREAS, the Agreement requires an amendment to allow for the substitution of a second Clinic Therapist or LCSW at approximately 15-35 hours per week, as available, in place of the personnel designated as a Depression Care Manager; and

WHEREAS, the second Clinic Therapist or LCSW assigned to provide services under the IMPACT model shall be billed by the Department to Oak Orchard Community Health Center, Inc. at the same rate (presently \$62.00 per hour) as the other LCSW; be it

RESOLVED, that this Legislature authorizes this amendment to this Agreement reflecting that the Department of Mental Health will bill Oak Orchard Community Health Center, Inc. at the rate of \$62.00 per hour for both Care Managers to be remitted on a monthly basis, effective January 25, 2018.

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

RESOLUTION NO. 40-118

**AUTHORIZING REIMBURSEMENT TO MENTAL HEALTH
DIRECTOR FOR CELL PHONE USAGE**

RESOLVED, that this Legislature authorizes payment from the Mental Health Department budget, for the Director of Mental Health to be partially reimbursed for cell phone charges, incurred in conducting daily business, in the amount of \$50.00 per month, vouchered quarterly, effective January 1, 2018 through December 31, 2022.

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

RESOLUTION NO. 41-118

**MODIFYING RESOLUTION NO. 86-207 WHICH CREATED THE
HEALTH CARE PROVIDERS COMPLIANCE COMMITTEE**

WHEREAS, Resolution No. 86-207, which created the Health Care Providers Compliance Committee included a list of the members of the Committee; and

WHEREAS, the membership of the Committee has changed over time; be it

RESOLVED, that the committee membership will now consist of the following:

Director of Mental Health
County Attorney
Director of Public Health
Director of Personnel and Self-Insurance
Commissioner of Social Services
Director of Office for the Aging
Director of Computer Services
Department Corporate Compliance Officers
Legislator, as Applicable

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

RESOLUTION NO. 42-118

**APPROVING AGREEMENT BETWEEN PROBATION DEPARTMENT
AND JAY SUPNICK, Ph.D**

RESOLVED, that this Legislature approves an agreement between the Orleans County Probation Department and Jay Supnick, Ph.D of Law Enforcement Psychological Associates, 448 White Spruce Blvd., Rochester, NY 14623 for Fitness to Carry Firearms Psychological screenings and testing for the Orleans County Probation Department at rates set forth in the fee schedule effective January 1, 2018 through December 31, 2023; and be it

FURTHER RESOLVED, that the fee schedule attached to this agreement shall be reviewed annually by the Director of the Orleans County Probation Department who shall take appropriate action by amending this agreement should rates increase during the duration of this contract.

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

RESOLUTION NO. 43-118

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND DOHERTY COMMUNICATIONS**

RESOLVED, that this Legislature approves a three-year agreement between the Sheriff's Office and Doherty Communications, 237 West Academy Street, Albion, NY 14411 for technician services provided to 911 PSAP and EMO at a cost of \$8,900 for year February 1, 2018 through January 31, 2019; \$9,540 for year February 1, 2019 through January 31, 2020; and \$10,220 for year February 1, 2020 through January 31, 2021.

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

RESOLUTION NO. 44-118

**AUTHORIZING SETTING UP NEW MONEY IN AND PURCHASE
FROM THE SHERIFF'S OFFICE BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new money in acceptance of grant funding from the 2017-2018 NYS Legislative Initiatives Grant (LG17-1294-D00) , administered through the New York State Department of Criminal Justice Services, for the enhancement of Public Protection Initiatives, in the Sheriff's Office budget, as follows:

Revenue:		
A3032	Legislative Initiative Grant	\$10,302.23
Appropriation		
A3110.486	Special Grants	\$10,302.23

FURTHER RESOLVED, that this Legislature approves the purchase of a Radar Speed Trailer from Kustom Signals, Inc., 9652 Loiret Blvd., Lenexa, KS for \$10,519, with \$10,302.23 to be paid from A3110.486 Special Grants and \$216.77 to be paid from A3110.418 Other Contractual Expenses.

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

RESOLUTION NO. 45-118

AUTHORIZING CREATING AND FILLING POSITIONS IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature authorizes the creation of three Deputy Sheriff Lieutenant positions in Sheriff Department at Grade 3 in the Orleans County Deputy Sheriff Association Salary Schedule effective January 25, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Animal Control Officer position at Grade 4 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created full time Animal Control Officer position effective January 25, 2018; and be it

FURTHER RESOLVED, that this Legislature authorized the filling of the following vacancies in the Sheriff's Office:

Part Time Correction Officer Position (3150.40), at the Jail, at an hourly rate of \$14.48, effective January 25, 2018.

Part-time Work Experience Crew Leader position (3110.64), in the Sheriff's Office, at an hourly rate of \$13.55/hour, effective January 25, 2018.

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

RESOLUTION NO. 46-118

APPROVING OUT-OF-STATE TRAVEL REQUESTS FOR SHERIFF'S OFFICE

RESOLVED, that this Legislature authorizes Randall Bower, Sheriff, to travel to Washington, DC, for the purpose of attending the National Sheriffs' Association Winter Legislative and Technology Conference to be held at the Marriott Hotel in Washington, DC February 9-12, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes Child Passenger Safety Technicians Joshua Narburgh, Kevin Colonna, and Jeffrey Cole to attend the 2018 NHTSA Region 2 Child Passenger Safety Technical Conference at Ocean Place in Long Branch, New Jersey, March 19-21, 2018 to obtain training, education and certification as technicians in order to perform safety checks and hold safety events. Lodging, registration, mileage and per diem costs covered by grant funding through NYS Association of Traffic Safety and NYS Governor's Traffic Safety Child Passenger Safety grant funding.

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

RESOLUTION NO. 47-118

APPROVING PURCHASE FROM SHERIFF'S OFFICE BUDGET

RESOLVED, that this Legislature does hereby approve the purchase of portable radio units from Licciardi Radio Services, Inc., 992 Carter Street, Rochester, NY 14621, for use by jail correction officers, at a cost of

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\$14,282.83, to be paid from Sheriff/Jail budget account A3150.270 - Capital Equipment.

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

RESOLUTION NO. 48-118

AUTHORIZING EXECUTION OF SECRETARIAL SERVICES AGREEMENT FOR ORLEANS COUNTY PUBLIC DEFENDER

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, an initial two year agreement for Secretarial Services with Joanne L. Best, Esq, for the Orleans County Public Defender, at an annual cost of \$26,509; and said amount to be paid in quarterly installments of \$6,627.25, upon submission of a county voucher at the end of each quarter, agreement effective for the 2018 and 2019 calendar years.

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

RESOLUTION NO. 49-118

APPROVING THE AGREEMENT BETWEEN PUBLIC DEFENDER AND JOSE AVILLA

RESOLVED, that this Legislature approves Orleans County Public Defender extending Agreement with Jose Avilla to provide investigative services to the Public Defender, in Orleans County, at a cost not to exceed \$20,000 effective retroactive to July 1, 2017 through June 30, 2018; to be paid from the Indigent Legal Services Grant.

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

RESOLUTION NO. 50-118

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

RESOLVED, that this Legislature approves an agreement extension

between the Orleans County Public Defender and the NYS Office of Indigent Legal Services through December 31, 2018 to provide funds in the amount of \$211,428 to assist the county in improving the quality of indigent legal services by providing funds to create an assigned counsel administrator, a case manager, investigative services in Orleans County therefore this agreement term is now effective January 1, 2014 thru December 31, 2018.

Moved, Allport; second, Draper.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 51-118

APPROVING AGREEMENT BETWEEN THE DISTRICT ATTORNEY'S OFFICE AND COUNTY OF NIAGARA

RESOLVED, that this Legislature approves an agreement between the District Attorney's Office and the County of Niagara to provide forensic laboratory services through the Niagara County Sheriff's Office effective January 1, 2018 through December 31, 2022 under the scheduled terms of payment to include \$16,335 for 2018; \$31,212 for 2019; \$31,837 for 2020; \$32,473 for 2021; and \$33,122 for 2022; and in addition, compensation of \$50/hour for all time which Laboratory personnel are required to provide testimony, testimony preparation, meeting with District Attorney and all travel time which will be billed separately; and be it

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

Moved, Allport; second, Draper.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 52-118

APPROVING EXTENSION AGREEMENT WITH DOHERTY COMMUNICATIONS FOR THE P25 RADIO SYSTEM MANAGEMENT AND MAINTENANCE COORDINATION

WHEREAS, this Legislature did, via Resolution 82-315, accept an agreement with Kevin M. Doherty, doing business as Doherty Communications, to continue management of Orleans County's three RF

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site Harris P25 digital Public Safety Communications System in a labor-only contractual relationship for a term beginning December 1, 2014 through and including January 31, 2018; and

WHEREAS, Kevin M. Doherty, doing business as Doherty Communications, has provided the Office of Emergency Management with an updated contract, beginning February 1, 2018 through and including January 31, 2021: be it

RESOLVED, that this Legislature authorizes all provisions of that agreement, including but not limited to the scope of work and terms of payment; and not to exceed \$6,425 per month through January 31, 2019; \$6,550 per month from February 1, 2019 through January 31, 2020; and \$6,685 per month from February 1, 2020 through January 31, 2021, to be paid from Emergency Management Account A3640.452 - Personal Services Contractual; and be it

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

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

RESOLUTION NO. 53-118

APPROVING EXPENDING OF GRANT FUNDS AND SETTING UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 311-817 approved an agreement with Tim Warth, dba Radio Technologies at 15 Pamda Dr., Rochester, NY 14617; and

WHEREAS, the first payment was made in August 2017 in the amount of \$17,193; and

WHEREAS, the balance of \$44,000 is now due at the completion of the project per the said agreement; now be it

RESOLVED, that this Legislature does authorize the Treasurer to set up new money in the Emergency Management Budget as follows:

Revenue:

A4309.1674	Statewide Interop Communications Grant SI16	\$44,000
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Appropriation:

A3640.486.1674	Special Grants—State Interop SI16	\$44,000
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 54-118

APPROVING AGREEMENT BETWEEN THE HIGHWAY
DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform Professional Services for the design and construction phase of the Culvert Road culvert in the Town of Ridgeway; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$26,000 and to be paid out of the Capital Project Infrastructure for Culvert Improvements Account H-5120.251.

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

RESOLUTION NO. 55-118

APPROVING AGREEMENT WITH THE HIGHWAY/BUILDINGS AND
GROUNDS DEPARTMENT AND AUCTIONS INTERNATIONAL

RESOLVED, that this Legislature approves an agreement between the Highway/Buildings and Grounds Department and Auctions International, 11167 Big Tree Road, East Aurora, NY 14052 to provide on line auction resource to liquidate Orleans County vehicles that no longer can be used by the county effective January 1, 2018 through December 31, 2019.

Moved, Eick; second, Miller.

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Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 56-118

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$18,474.00	Labella Associates, PC	Professional Services for Culvert Rd Bridge Repl. 10/28/17-12/19/17 Inv. 85796
\$21,767.25	LaBella Associates, PC	Professional Services for Marshall Rd Bridge Repl. 10/28/17-12/29/17 Inv85798

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

RESOLUTION NO. 57-118

**AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A
NEW/UNUSED DECK OVER TRAILER**

RESOLVED, that this Legislature authorizes the Highway Department to purchase a Felling Deck Over Trailer from Tracey Road Equipment Inc., 6803 Manlius Road, East Syracuse, NY 13057 for \$25,918.00 to be purchased under the NYS OGS Felling Award #PGB22792/PC6743 and to be paid from account Highway Machinery Account DM5130.270 – Capital Equipment.

Moved, Eick; second; Miller.
As budgeted
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 58-118

AUTHORIZING HIGHWAY DEPARTMENT TO APPLY FOR THE
SAM GRANT

RESOLVED, that this Legislature authorizes the Highway Department to apply for the State and Municipal Facilities “SAM” Grant through the Dormitory Authority of the State of New York in the amount of \$100,000 for the use of purchasing a new Excavator; and be it

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

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

RESOLUTION NO. 59-118

AUTHORIZING TRANSFER OF FUNDS AND SETTING UP NEW
MONEY IN THE HIGHWAY BUDGET AND AUTHORIZING
PURCHASE OF EXCAVATOR FROM HIGHWAY BUDGET

RESOLVED, that the Treasurer is authorized to transfer monies within the Highway Budget to cover the purchase of a Volvo Excavator:

From:
DM9785.601 Debt Principal Install Payments \$46,815

To:
DM5130.270 Capital Project Equipment \$46,815

and be it;

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Highway budget due to a SAM grant of \$100,000 and a remaining reimbursement balance of \$74,289 from NYSDOT Consolidated Local Street and Highway Improvement Program (CHIPS), as follows:

Revenue:
DM3501 CHIPS Revenue Account \$74,289
DM3511 DASNY State SAM Grant \$100,000

RESOLVED, that this Legislature does hereby authorize the creation of a full-time Senior Building Maintenance Work position in the Buildings and Grounds Department, at Grade 15 of the CSEA Union contract Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Building Maintenance Worker position effective February 4, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position, effective February 4, 2018.

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

RESOLUTION NO. 62-118

**AUTHORIZING ABOLISHING, CREATING AND FILLING
POSITIONS IN THE JOB DEVELOPMENT AGENCY**

WHEREAS there is a retirement of a full time Senior Account Clerk Typist in the Job Development Agency this month; now be it

RESOLVED, that this Legislature authorizes the abolishing of a full time Senior Account Clerk Typist position (6210.05) effective January 28, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full time Account Clerk position in the Job Development Agency, at grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant Account Clerk position in the Job Development Agency effective January 29, 2018 and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part time Senior Account Clerk Typist position in the Job Development Agency, at grade 10 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant Senior Account Clerk Typist position in the Job Development Agency effective January 29, 2018.

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

RESOLUTION NO. 63-118

APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR THE AGING AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby authorize the following agreement for the Office for the Aging Department:

Center for Elder Law Justice, Inc. 237 Main Street, Buffalo, NY 14203 to provide legal services for Orleans County residents age 60 and older from January 1, 2018 to December 31, 2018 at a cost of \$7,000. County cost is \$700.

Community Action of Orleans and Genesee, Inc 409-411 E. State Street, Albion, NY to provide transportation services for Orleans County residents age 60 and older from January 1, 2018 to December 31, 2018 at a cost of \$24,000. County cost is \$2,791.

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

RESOLUTION NO. 64-118

APPROVING AGREEMENT BETWEEN OFFICE FOR THE AGING AND EMBRACE HOME CARE AND AUTHORIZING TRANSFER OF FUNDS WITHIN THE OFFICE FOR THE AGING BUDGET

RESOLVED, that this Legislature approves an agreement between the Office for the Aging Department and Embrace Home Care, 6558 4th Section Road, Brockport, NY 134420 to provide housekeeping services from February 1, 2018 to December 31, 2018 at a cost of \$19.00/hour. County cost \$4.75/hour; and be it

RESOLVED, that the Treasurer is authorized to transfer monies within the Office for the Aging Department budget as result of a new contract with Embrace Home Care to provide housekeeping services as follows:

From:		
A6772.100	Personal Services	\$ 15,562
A6772.462	Mileage	3,500
A6772.810	Retirement	2,412
A6772.820	Medicare	226
A6772.830	Social Security	965
A6772.840	Workmans' Comp	625
A6772.850	Unemployment	80
A6772.880	Disability	65
To:		
A6772.474	Homemakers	\$23,435

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

RESOLUTION NO. 65-118

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

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

Orleans County Attorney, Medina, NY for the provision of 1.25 part-time attorneys assigned to Social Services; to be effective January 1, 2018 through December 31, 2018 at a cost of \$94,203. County cost is \$29,793.

Angels in Your Home, Hilton, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2018 through December 31, 2018 at rates set by NYS Department of Health. No County cost.

Angels in Your Home, Hilton, NY for the provision of Personal Care Aide services to eligible Medicaid clients; to be effective January 1, 2018 through December 31, 2018 at rates set by NYS Department of Health. No County cost.

Pathstone Corporation, Rochester, NY for the provision of housing at a safe dwelling to victims of domestic violence who are eligible for DSS payment

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of these services; to be effective January 1, 2018 through December 31, 2018. Rates are established by NYS Office of Children & Family Services

Building and Grounds, A Division of the Highway Department, Albion, NY for the provision of Messenger and Custodial Services; to be effective January 1, 2018 through December 31, 2018 at a cost of \$57,691. County cost is \$20,192.

Language Line Services, 1 Lower Ragsdale Road, Monterey, CA 93940; to provide telephone interpretation provider services following the term of the New York Office of General Services Contract PS65923 Dated October 25, 2017 through October 24, 2022 at a cost of \$0.75/minute of translation services.

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance, and consultation services; to be effective January 1, 2018 through December 31, 2018. County cost \$21,579.

Job Development Agency, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2018 through December 31, 2018 at a cost of \$334,782. County cost is \$128,616.

Hillside Children's Center, Rochester, NY for the provision of residential foster care services; to be effective July 1, 2017 through June 30, 2018 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.

Ontario County Department of Social Services, Canandaigua, NY for the provision of Youth Care Facility for detention of PINS and JD youth; to be effective January 1, 2018 through December 31, 2018. County Cost 51%

Villa of Hope Youth and Family Services, Rochester, NY for the provision of residential foster care services; to be effective March 13, 2018 through March 12, 2019 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.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 66-118

AUTHORIZING EXECUTION OF SECRETARIAL SERVICES AGREEMENT FOR ORLEANS COUNTY ATTORNEY

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, an agreement for Secretarial Services for the Orleans County Attorney, at an annual cost of \$19,620; said amount to be paid in equal monthly installments of \$1,635, upon the submission of a county voucher at the end of each month; agreement effective for the 2018 and 2019 calendar years.

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

RESOLUTION NO. 67-118

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$129,682.53	Wendel WD A/E/S/LA, PC.	Inv # 347545 COB Design, MH, Grant Assistance, Ads
\$139,323.58	Wendel WD A/E/S/LA, PC	Inv # 347904, COB Design, MH, Grant Assistance, Survey Stakeout, Labor, Ads

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

RESOLUTION NO. 68-118

APPROVING PAYMENT TO NEW YORK STATE ASSOCIATION OF COUNTIES (NYSAC) FOR GOVERNMENT CONSULTATION SERVICES

RESOLVED, that this Legislature hereby approves payment to NYSAC for Orleans County shared cost of government consultation in Albany, NY and Washington, D.C in the amount of \$6,312 for the 2018 calendar year for the provision of services to include: state budget advocacy, legislative advocacy, legal and technical assistance, training and educational programs, policy analysis, research, daily news clips, electronic newsletters, NYSAC news, and other programs and services of benefit to Orleans County.

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

RESOLUTION NO. 69-118

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

RESOLVED, that this Legislature approves the following appointments to the County of Orleans Industrial Development Agency:

Name:	Address:	Expiration
E. John DeFilipps	4419 South Holley Rd, Holley, NY	December 31, 2019
Kenneth DeRoller	2498 Kendall Rd, Kendall, NY	December 31, 2019

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

RESOLUTION NO. 70-118

APPROVING APPOINTMENTS TO THE LOCAL DEVELOPMENT
CORPORATION BOARD

RESOLVED, that this Legislature approves the following appointments to the Local Development Corporation Board:

Name:	Address:	Expiration
William Eick	10471 Freeman Rd, Medina NY	December 31, 2019
Fred Miller	5 Linwood Ave, Albion NY	December 31, 2019

Moved, Allport; second, Draper.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 71-118

APPOINTING MEMBERS TO SAFETY COMMITTEE

RESOLVED, that this Legislature appoints the following members to the Safety Committee for a two-year term beginning January 1, 2018 through December 31, 2019:

Ryan Woolston	CSEA Union Representative
Lynne M. Johnson	Legislature Chairman
William Eick	Chairman, Highway Committee
Mike Christopher	OCSEA Union Representative
Jeffrey Gifaldi	OCDSA Union Representative
Chuck Nesbitt	Chief Administrative Officer
Jim Noreck	Buildings and Grounds
Dale Banker	Director of Emergency Management
Jack Welch	Director of Personnel and Self-Insurance

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

RESOLUTION NO. 72-118

APPROVING APPOINTMENT TO THE ORLEANS COUNTY JURY BOARD

RESOLVED, that this Legislature approves the appointment of Fred Miller to a two-year term on the Orleans County Jury Board, effective January 1, 2018 through December 31, 2019.

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

RESOLUTION NO. 73-118

APPROVING APPOINTMENTS TO INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK

RESOLVED, that this Legislature appoints the following delegates and alternates to the InterCounty Association of Western New York to

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represent Orleans County effective January 1, 2018 through December 31, 2019:

<u>Name</u>	<u>Representation</u>
Lynne M. Johnson	Delegate
E. John DeFilipps	Delegate
Kenneth DeRoller	Delegate
William Eick	Alternate
Charles H. Nesbitt, Jr.	Alternate
Nadine P. Hanlon	Alternate

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

Legislator Allport presented statistics from the CDC, Central Disease Control, which last year there was 62,600 overdose deaths in the United States and in Orleans County, we had 39 overdoses and 7 deaths, this crisis is becoming an issue nationwide. Legislator Allport moved to set a public hearing on Local Law No. 2 Intro of 2018 declaring the Opioid Epidemic and its effects on Orleans County and to establish a cost recovery procedure for the County's expenditures incurred in providing services related to this epidemic; second by Legislator Draper. Legislator Allport commended the Sheriff's Department for their work and the danger that they put themselves in to helping with this devastating crisis. Legislator DeRoller also stated that our Mental Health and Public Health Departments are also helping us meet this challenge.

Chairman Johnson asked Attorney Schubel to provide an overview of the current litigation. Attorney Schubel said there is a concerted effort by the main pharmaceutical companies to promote opioid use way in access of what was medically necessary. The pharmaceutical company's defense is that they were just manufacturers and that the medical profession should stand as guardians of the publics' interest between the manufacturers and the patients. It has been developed by the two law firms that are representing the various companies that this is far from the case. That they had a concerted effort to ouster the use of these types of drugs that were involved in misleading the medical professional. The reason for our local law is that public services should be paid by traditional revenue generating measures – taxes or user fees – but in this instance, the conduct engaged by the pharmaceutical companies was so outrages that it was appropriate to overcome the municipal cost recovery doctorate and allow the counties to

go against the pharmaceutical companies. Chairman Johnson stated that it is an epidemic and Orleans County is taking an offensive approach. The following resolution was adopted:

RESOLUTION NO. 74-118

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 2-INTRO OF 2018 DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF ORLEANS A PUBLIC NUISANCE AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY'S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled "A Local Law Declaring The Opioid Epidemic And Its Effects On The County Of Orleans A Public Nuisance, And Establishing A Cost Recovery Procedure For The County's Expenditures Incurred In Providing Services Related To The Opioid Epidemic"; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now, therefore be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 28th day of February 2018 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Suite 2, Albion, New York.

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

RESOLUTION NO. 75-118

AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, 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 February 14, 2018:

Fund/Department	Check Number (s):	Amount:
General	11114-11312	\$585,192.34
Highway	1115-1127; 2620-2657	\$80,384.92
Job Development	2633-2654	\$31,844.36
Self Insurance	59147-59149; 1155	\$24,331.17

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 Superintendent of Highways, 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 February 28, 2018:

Fund/Department	Check Number (s):	Amount:
General	11314-11323; 11325-11444	\$321,810.23
Highway	1128-1132; 2658-2671	\$40,273.75
Job Development	2657-2663	\$13,716.21
Self Insurance	59211; 59215-59217	\$622.11

Moved, Allport; second, Draper.

Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 76-118

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds for purchase of Personal Protective Equipment Tactical G-FORCE LEVEL II Vest at a cost not to exceed \$700; and be it

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agreement between Orleans County and UGI Energy Services LLC, One Meridian Blvd, Suite 2C01, Wyomissing, PA 19610 for the purchase of natural gas for Orleans County per contract price of \$3.395 per DTH effective March 1, 2018, through February 28, 2020; and be it

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

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

Chairman Johnson called for unfinished business. With hearing none, Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:04 p.m.

LEGISLATURE MEETING

February 28, 2018

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Eick.

The Clerk presented the following communications: The Albion Strawberry Festival Committee requested a 5'x 12' banner to be hung on the lawn from May 30, 2018 through June 10, 2018. They are also requesting use of electric. Board approved these requests.

Town/Village resolutions that have been received

Town/Village	Resolution Title
T/Yates	Offshore Large Scale Industrial Wind Projects – Res No. 35-2/18
T/Yates	Reaffirming Formal Opposition to Lighthouse Wind Project – Res No. 38-2/18

Kimberly DeFrank, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$1,313.84, that has been reviewed and authorized by her office. The Orleans County Sheriff's Department Inmate and Commissary Accounts Report of Examination prepared by the Office of the New York State Comptroller Division of Local Government and School Accountability for the Period of January 1, 2015 – May 30, 2017 has been filed with the Clerk of the Legislature.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through January of 2018. Treasurer DeFrank reported that the cash balance looks good. Receipts are up about \$250,000 over January of last year. In calculating our current tax collection receipts of about \$10,000,000, we are right on target of last year's numbers.

Chairman Johnson called for open discussion as it related to the resolutions.

Legislator DeRoller stated that we are having some strong issues on our lake levels. He requested EMO Director Banker to provide an update. Director Banker stated that the four southern Lake Ontario counties - Niagara, Orleans, Monroe and Wayne, are participating in weekly conference calls. EMO Director from Monroe County working on getting other southern shore counties to participate in that call. In the next few weeks a kick off meeting will be scheduled in the Town of Carlton with

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elected officials, county officials, town officials from Yates, Carlton and Kendall along with DEC and Army Corp of Engineers as to what their permitting requirements are again this year. FEMA was in and working with our Highway Superintendents for reimbursement of funds used in the area flooding. Also will be visiting East Lakeshore Road and end of Rte. 237, which is three county owned properties of the fourteen or fifteen identified sites with issues. He will continue to communicate with our lakeshore neighbors during this lakeshore flooding issue.

Chairman Johnson opened the floor for the public to comment on the resolutions. With no comments made, Legislator DeFilipps moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 79-218

APPROVING AGREEMENT BETWEEN REAL PROPERTY AND SYSTEMS DEVELOPMENT GROUP, INC. (SDG)

RESOLVED, that this Legislature approves an agreement between Real Property Tax Services and Systems Development Group Inc. (SDG), 441 Trenton Avenue, Utica, New York 13502, for web-based delivery of the Orleans County Real Property Information for the period of March 1, 2018 through February 28, 2021, at a cost of \$3,300 for Software, support and hosting services.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 80-218

AUTHORIZING PARTICIPATION IN E-VERIFY

WHEREAS, E-Verify is an internet-based system that compares information from an employee's I-9, Employment Eligibility Verification, to U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility, and

WHEREAS, IRS Publication 1075 and NYS Office of Temporary and Disability Assistance 17-ADM-08 requires new employees whose jobs

require access to Federal Tax Information to be screened by E-Verify, now be it

RESOLVED, that this Legislature approves of the County to participate in E-Verify, and be it

FURTHER RESOLVED that the Program Administration shall have the authority to complete the enrollment process for E-Verify on behalf of the County, and be it

FURTHER RESOLVED the John C. Welch, Jr., Director of Personnel and Self Insurance is named Program Administrator for E-Verify.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 81-218

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE PERSONNEL BUDGET

WHEREAS, it is important to have access to current New York State Civil Service Laws with the appropriate case law references for each section of the law; be it

RESOLVED, that the County Treasurer is authorized to transfer funds, for the purposes described above, within the Personnel budget as follows:

From:		
A1430.100	Personal Services	\$1,043.00
To:		
A1430.458	Books & Periodicals	\$1,043.00

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 82-218

AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE ACCOUNT TO CENTRAL REPAIR ACCOUNT

WHEREAS, funds in the amount of \$30,247.59 from the 2017 Equipment Repair/Communications Repair Accounts have been reverted to the County's Reserve Account; and

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

RESOLVED, that the County Treasurer is hereby authorized to set up funds from the reserve account in the amount of \$25,088.91 to Equipment Repair Account A1615.443 – Central Repairs to Office Equipment, and the amount of \$5,158.68 to Account A1615.453 – Communications Repair Account.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 83-218

AUTHORIZING SETTING UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT

WHEREAS, the energy savings realized in 2017 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the Treasurer has made the Lease payment and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

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

From:		
Reserve for Debt		\$48,557
To:		
A9901.556	Transfer to Debt Service	\$48,557

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies in the Debt Service Fund, as follows:

Revenue:		
V5031	Revenue	\$48,557
Appropriation:		
V9710.601	Principal	\$30,000
V9710.701	Interest	\$18,557

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 84-218

**APPROVING AGREEMENT BETWEEN THE TREASURER’S OFFICE
AND ABSOLUTE AUCTIONS AND REALTY, INC**

RESOLVED, that this Legislature approves a three year agreement between the Treasurer’s Office and Absolute Auctions and Realty, Inc. for professional auction and licensed real estate broker services for the County In Rem Auction; for a their professional services rendered through December 31, 2020 for the County In Rem Auction; and be it

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

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 85-218

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

RESOLVED, that the following terms of auction for County-owned property for the auction to be held Wednesday, May 23, 2018 at 10:00 a.m. at the Albion Elk Lodge #1006, 428 West State Street, Albion, New York, be approved by this Legislature as follows:

**TERMS OF AUCTION
ORLEANS COUNTY TAX PROPERTY AUCTION**

ALBION ELK LODGE#1006
ALBION, NEW YORK
May 23, 2018
10:00 AM

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

TERMS AND CONDITIONS
OF THE
ORLEANS COUNTY AUCTION OF TAX FORECLOSED PROPERTY

1. Orleans County acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings; and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water assessments are the responsibility of the purchaser, whether they are received or not; (d) the levied 2018 Town and County tax bill including any relieved taxes, 2017/2018 village taxes, 2017/2018 school tax, any village or town water and sewer rents and assessments, in addition to any other applicable charges (including, but not limited to, omitted and pro rata taxes, demolition charges, interest and penalties); and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the public auction.
4. The purchaser shall be solely responsible for the payment of: the levied 2018 Town and County tax bill including any relieved taxes;

- any Village taxes levied after May 31, 2018, the 2018/2019 school taxes, the 2019 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.
5. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date of the auction. Upon delivery of the quitclaim deed by the County of Orleans to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
 6. No personal property is included in the sale of any of the parcels owned by Orleans County, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
 7. All informational tools, such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. THE COUNTY, THE AUCTIONEER, AND THE AUCTION SERVICE MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.
 8. The County of Orleans reserves the right, in its sole discretion, to withdraw from the auction any of the properties listed on the schedule of real property.
 9. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and sold subject to the provisions of law applicable thereto.
 10. All bidders are required to register and provide suitable personal identification prior to the auction. Auctioneer reserves the right to decline registration if identification is not sufficient.
 11. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.
 12. Bidder acknowledges receipt of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Bidder also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-

- based paint hazards, mold, asbestos or any other hazardous substances.
13. The former owner of the property, or his agent, shall not be deemed to be the successful bidder on the property or purchase same at the public auction, unless the bid amount exceeds the amount of the purchase price to affect the release of County's interest. If the former owner or his agent reacquires the property, all liens existing prior to the foreclosure, will be reinstated and the purchaser (former owner) must sign the deed to reinstate the liens.
 14. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for recording the deed in the Orleans County Clerk's Office. The purchaser executing the auction terms and conditions of sale may not assign or otherwise transfer his right to complete the bid, unless the County agrees in writing. The deed prepared will be in the name of the successful bidder (and spouse) only. No third party bidding will be accepted, unless the bidder identifies that he is bidding as an agent for a disclosed principal.
 15. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.
 16. The Purchaser will execute an Offer to Purchase form immediately upon being declared the high bidder. The approval of each bid by Resolution of the County Legislature *will not constitute a Contract of Sale* and the County reserves the right to reject any bid prior to the closing of title and the recording of the deed.
 17. The Purchaser shall be responsible for the payment of an eleven percent (11%) buyer's premium should buyer be paying by credit card or a ten percent (10%) buyer's premium should the buyer be paying by cash or by bank check in addition to the accepted purchase price and the closing fees/costs. The "buyer's premium" is the fee/commission earned by the auctioneer. An additional one and one half percent (1.5%) of the purchase price will be added to each parcel for advertising expenses. Accepted purchase price is the amount bid by a perspective bidder, which has been approved by the Orleans County Legislature.
 18. All required deposits must be paid in full for all successful bids immediately upon being declared the successful bidder. Any

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

19. 25% of the total contract price (total contract price is the combination of the high bid and the buyer's premium, as defined in section 17 of these terms and conditions), shall be paid as a down payment on the day of the auction upon execution of an Offer to Purchase Form. Total contract prices selling for \$250.00 or less must be paid in full at auction, including all closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax [\$4.00 for the first \$1,000; \$2.00 for each \$500 thereafter of the purchase/bid price]; (b) Filing Fee for the Real Property Transfer Report [\$125.00 if the parcels classification code is 100-199, 200-299 or 411-C; \$250.00 for all parcels otherwise classified]; (c) Filing Fee for combined Gains Transfer Tax Affidavit [\$5.00]; (d) all fees required by the Orleans County Clerk for recording of the deed [\$50.00 to record a one page deed; \$5.00 for each additional page] *Closing costs may be subjected to an increase in fees as required by law, without notice.* All deposits must be made in cash or guaranteed funds payable to the "Orleans County Treasurer" and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No exceptions.
20. All bids shall be subject to approval by the Orleans County Legislature, which shall have the right, in the Legislature's sole discretion, to reject any bid for any reason whatsoever.
21. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all deposits tendered, and you will not be permitted to close on any other parcels for which you are the successful bidder.
22. The entire balance of the accepted purchase price, the buyer's premium, as defined in section 17 of these terms and conditions, and all closing costs/fees must be paid by cash or guaranteed funds payable to received by the Orleans County Treasurer's Office on or

before June 29, 2018. The County is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the total contract price plus closing costs and fees as herein provided, the deposit shall be forfeited. The County reserves the right, in its sole discretion, to extend the time of payment upon such terms and conditions it deems appropriate.

23. If the successful bidder fails to tender such amount due by the close of business on June 29, 2018, then the County may, but is not obligated to offer any unsold property to the second highest bidder. All terms and conditions for the sale set forth herein above shall apply to the second highest bidder and/or any other purchaser.
24. All sales shall be final, absolute and without recourse, once title has closed and the deed has been recorded. In no event, shall Orleans County and/or Absolute Auctions & Realty, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, success or assigns, against Orleans County and/or Absolute Auctions & Realty, Inc. arising from this sale.
25. The County of Orleans will execute no warranties concerning the parcel or title thereto and will not deliver or be responsible for abstracts, title insurance, title searches, surveys, maps or other documents concerning a parcel whatsoever.
26. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the accepted purchase price, buyer's premium, and closing fees/costs. **POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE ORLEANS COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED.** It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording the deed.
27. A quitclaim deed issued as a result of the auction shall contain the following provisions: (a) "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the

acreage conveyed herein;" (b) Orleans County shall in no event be or become liable for any defect in the title so conveyed for any cause whatsoever, or for any encroachments or disputed boundaries; and that no claim or demand of any nature shall ever be made against said Orleans County arising from such sale or conveyance or any proceedings leading thereto.

28. Evictions, if necessary, are solely the responsibility of the successful purchaser after closing and recording of the deed.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 86-218

AMENDING RESOLUTION NO. 70-217 TO INCREASE THE SALE PRICE OF 106 BEAVER STREET (73.6-7-77) VILLAGE OF ALBION

WHEREAS, this Legislature's duly adopted Resolution No. 70-217 for the sale of 106 Beaver Street (73.6-7-77) in the village of Albion for resale price of \$12,501.05, and

WHEREAS, as a result of title issues the sale and transfer of the real property was delayed, and

WHEREAS, during such period of delay, unpaid taxes, interest, and penalties continue to accrue, and

WHEREAS, the County of Orleans as seller, and DePaul Acquisitions LLC as purchaser wish to proceed with the sale and purchase of the property with an upward modification in sale price now, therefore, be it,

RESOLVED, that this Legislature hereby amends resolution no. 70-217 for the sale of 106 Beaver Street (73.6-7-77) so as to provide for a sale price of \$14,337.89 together proration's of the 2018 County\Town real property tax bill; and be it

FURTHER RESOLVED, that the Orleans County Treasurer is authorized to execute any and all documents that pertain to the sale.

Moved, DeFilipps; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 87-218

APPROVING AGREEMENT BETWEEN DEPARTMENT OF PLANNING AND DEVELOPMENT AND VALUE PAYMENT SYSTEMS

RESOLVED, that this Legislature does hereby approve an agreement between The Department of Planning and Development and Value Payment Systems, LLC, 2207 Crestmoor Rd, Ste 200, Nashville, TN 37215 for a payment service provider specializing in hosted electronic payment products and services. This will enable the Orleans County Marine Park to use a full service, compliant, payment acceptance credit card terminal that meets slip renters needs. Contract to run for an initial term from March 1, 2018 through February 28, 2021, with up to two one-year renewals. No County Cost.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 88-218

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

RESOLVED, that this Legislature approve the following appointments to the Orleans County Planning Board:

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Tracy VanSkiver 4274 Oak Orchard Road Albion, New York 14411	Village of Albion	12-31-19
Matthew Hand 416 West State Street Albion, New York 14411	Village of Albion (Alternate)	12-31-19

Moved, DeRoller; second, DeFilipps.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 89-218

ADOPTING LOCAL LAW NO. 2 OF 2018, ENTITLED A LOCAL LAW ENACTING A REAL PROPERTY TAX EXEMPTION FOR HISTORIC PROPERTY FOR THE VILLAGE OF LYNDONVILLE

WHEREAS, Local Law No. 1-Intro of the year 2018 was introduced at a regular meeting of the Orleans County Legislature held on January 24, 2018 and a Public Hearing was held on February 28, 2018, at which time all interested persons wishing to speak were heard;

RESOLVED, that Local Law 1 Intro of the year 2018 be adopted and filed as Local Law 2 of the year 2018 by this Legislature and be it enacted as follows:

COUNTY OF ORLEANS
LOCAL LAW NO. 2 of 2018

A LOCAL LAW ENACTING A REAL PROPERTY TAX EXEMPTION FOR HISTORIC PROPERTY FOR THE VILLAGE OF LYNDONVILLE

SECTION 1. LEGISLATIVE INTENT

It is the intent of the within Local Law to enact a Local Law to provide an exemption for qualifying historic real property as set forth in Real Property Tax law Section 444-a. Real property altered or rehabilitated subsequent to the effective date of this Local Law shall be exempt from taxation as herein provided.

SECTION 2. EXEMPTION GRANTED

a.) Historic property shall be exempt from taxation to the extent of any increase in value attributable to such alteration or rehabilitation pursuant to the following schedule:

Year of Exemption	Percent of Exemption
1	100%
2	100%
3	100%
4	100%

5	100%
6	80%
7	60%
8	40%
9	20%
10	0%

b.) No such exemption shall be granted for such alterations or rehabilitation unless:

(i) Such property has been designated as a landmark, or is a property that contributes to the character of an historic district, created by a local law passed pursuant to section ninety-six-a or one hundred nineteen-dd of the general municipal law;

(ii) Alterations or rehabilitation must be made for means of historic preservation;

(iii) Such alterations or rehabilitation of historic property meet guidelines and review standards in the local preservation law.

(iv) Such alterations or rehabilitation of historic property are approved by the local preservation commission prior to commencement of work;

(v) Alterations or rehabilitation are commenced subsequent to the effective date of this Local Law.

SECTION 3. APPLICATION

Such exemption shall be granted only by application of the owner or owners of such historic real property in the Village of Lyndonville on a form prescribed by the state board. The application shall be filed with the Assessor of the town having power to assess property for taxation on or before the appropriate taxable status date of such town.

SECTION 4. GRANTING OF EXEMPTION

Such exemption shall be granted where the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this Local Law. The Assessor shall approve such application and such property shall thereafter be exempt from taxation from County real property taxes as herein provided

commencing with the assessment roll prepared on the basis of the taxable status date referred to in subdivision three of this section. The assessed value of any exemption granted pursuant to this section shall be entered by the Assessor on the assessment roll with the taxable property, with the amount of exemption shown in a separate column.

SECTION 5. EFFECTIVE DATE.

The within Local Law shall be effective immediately upon passage subject to the filing requirements of Real Property Tax Law Section 444-a and proper filing with the Office of the Secretary of State.

Moved, DeRoller; second, DeFilipps.

Roll Call: 6 ayes, Allport, DeFilipps, DeRoller, Draper, Johnson, Miller; 0 nays; 1 absent, Eick.
Adopted.

RESOLUTION NO. 90-218

**APPROVING AGREEMENT BETWEEN HEALTH DEPARTMENT
AND LYNDONVILLE CENTRAL SCHOOL DISTRICT**

RESOLVED, that this Legislature approves an agreement between the Health Department and Lyndonville Central School District at 25 Housel Ave, Lyndonville NY 14098 This contract 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 New York State Education Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. Contract period is February 1, 2018 through June 30, 2021; and be it

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

Moved, Draper; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 91-218

February 28, 2018
Resolutions 79-128

**AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH
SANITARIANS**

WHEREAS, the Orleans County Health Department received a grant from the Association of Food and Drug Officials, Voluntary National Retail Food Regulatory Program Standards Grant Program as approved in resolution #35-118;

RESOLVED, that the legislature does hereby approve Shannyn Sanger, Public Health Senior Sanitarian, and R. John Rich, Public Health Sanitarian, to travel as part of this grant to the 2018 FDA Northeast Annual Food Protection Seminar in South Portland, Maine, September 19, 2018 – September 21, 2018. All travel expenses are covered by the Association of Food and Drug Official grant. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 92-218

**APPROVING AGREEMENT BETWEEN THE MENTAL HEALTH AND
THE NEW YORK STATE DEPARTMENT OF HEALTH, OFFICE OF
HEALTH INSURANCE PROGRAMS**

RESOLVED, that this Legislature approves a Data Use Agreement with the New York State Department of Health, Office of Health Insurance Programs for the Department of Mental Health to access the State's MAPP (Medicaid Analytics Performance Portal) system for the period of February 28, 2018 to February 27, 2023 at no County cost; and be it

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

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 93-218

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND
GENESEE COUNTY FOR JOINT LEGAL FEASIBILITY ANALYSIS
OF BEHAVIORAL HEALTH INTERMUNICIPAL CONSORTIUM

RESOLVED, that this Legislature does hereby approve the counties of Orleans and Genesee for the Joint Legal Feasibility Analysis of Behavioral Health Intermunicipal Consortium for the sum not to exceed \$20,000 per county for the period retroactive from January 1, 2018 to December 31, 2018; and be it

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

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 94-218

AUTHORIZING ORLEANS COUNTY MENTAL HEALTH DIRECTOR
TO SIGN ATTESTATION FOR COLA ADJUSTMENT

RESOLVED, that this Legislature authorizes the Orleans County Department of Mental Health to sign an Attestation for a minimum wage and Cost of Living Adjustment (COLA) increase for the period of April 1, 2018 to March 31, 2019.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 95-218

AUTHORIZING PURCHASE AND INSTALLATION OF CARPETING
FOR THE MENTAL HEALTH DEPARTMENT, AUTHORIZING
TREASURER TO SET UP FROM RESERVE INTO MENTAL HEALTH
BUDGET; AND APPROVING AGREEMENT WITH GREENFIELD
FLOORING

RESOLVED, that this Legislature authorizes the purchase and installation of carpeting from Greenfield Flooring, LLC, P. O. Box 730, 235 Middle Road, Suite 100, Henrietta, NY 14467-9369 for the Mental Health

building out of the Mental Health Budget Account A4310.405 – Building Projects- as follows:

Part A – first floor (Bentley NYS Contract #PC67778) corridors and waiting room for a total of \$14,948.24.

Part B – first floor (Shaw NYS Contract #PC67778) offices and conference room, break room, and basement break room, corridors, offices, and conference room for a total of \$59,915.42.

Parts A and B combined for a total of \$74,863.66, (PO#58991) all to be paid from Federal Medicaid Salary Sharing monies. No County cost; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up funds from reserve into the Mental Health Department budget to pay for the above building project as follows:

From:		
Miscellaneous Reserve		\$74,863.66
To:		
A4310.405	Building Projects	\$74,863.66

and be it

FURTHER RESOLVED, that this Legislature approves an agreement between Buildings and Grounds for Mental Health and Greenfield Flooring LLC for the installation of carpeting per NYS Contract pricing; subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 96-218

AUTHORIZING PURCHASE OF FURNITURE FROM THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the purchase of furniture from the Mental Health Budget Account A4310.210 – Furniture and Furnishings from the following companies, as follows:

Krantz Furniture, 129 North Main Street, Albion, NY 14411, (PO #58990) in the amount of \$10,350.

Staples, 1910 Summit Tower Blvd, Orlando, Florida 32810, (PO #58992) in the amount of \$9,176.96.

Combined total is \$19,526.96, all to be paid from Finger Lakes Participating Provider System monies. No County cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 97-218

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for the set up of revenue and expense for Finger Lakes Performing Provider System money received and to set up revenue and expense for NY eHealth Collaborative money received as follows:

Revenue:		
A1625	Misc. Revenue	\$49,172
Appropriation:		
A4310.210	Furniture and Furnishings	\$38,172
A4310.418	Other Contractual	\$11,000

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Draper moved to approve OASAS and the Governor to provide state funding to support treatment and transitional services to residents with substance use disorders who are incarcerated in our jail; second by Legislator Allport. Legislator DeRoller requested Mental Health Director Mark O'Brien to explain this important issue. Director O'Brien stated this

resolution is calling on OASIS to fund treatment of SUD in the jail. There is already a limited amount that GCASA is providing services in our Jail. This is an opportunity to intervene and save lives when people are brought in and are detoxing. Several have met with Senator Ortt, Mark's counterpart from Niagara County and our County Sheriff's, who he is very much on board to help get this funding to treat these disorders in our jail. Legislator Allport thanked the Sheriff and Jail personnel, Mental Health and GCASA for the work they are doing in our jail with our inmates facing this issue. As we are aware, the issue is that once they are "dried out" in jail then are released, most likely they go back to the life they had before incarceration. Legislator Allport hopes more services could help them have a better chance when they get out. Sheriff Bower added that having recovery coaches, that Donald Snyder started, will help get them back into a more successful society for them with help. Sheriff Bower stated he will be in Albany rallying to help get this funding. Chairman Johnson indicated we have a great team to make this work. The following resolution was adopted:

RESOLUTION NO. 98-218

APPROVING THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE GOVERNOR OF THE STATE OF NEW YORK TO PROVIDE STATE FUNDING TO SUPPORT TREATMENT AND TRANSITION SERVICES TO RESIDENTS OF ORLEANS COUNTY WITH SUBSTANCE USE DISORDERS (SUD) WHO ARE INCARCERATED IN THE ORLEANS COUNTY JAIL

WHEREAS, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

WHEREAS, the state is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and

WHEREAS; there remains a significant gap in the treatment and support of continuum care being developed by the state and that in the local jail; and

WHEREAS, individuals who suffer from SUD's frequently come into contact with the criminal justice system; and

WHEREAS, the link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into New York State's jails. Alcohol and drugs are implicated in roughly 80 percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public order offenses; and

WHEREAS, according to a report conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors, County Sheriff's indicated that of the individuals detained in their jail on drug-related charges, 68 percent had been in their jail before; and

WHEREAS, jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and

WHEREAS, In New York State, counties bear the sole burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

WHEREAS, Fifty-one (51) percent of jails have no funding for substance use disorder treatment services despite strong evidence that these services reduce crime, save money, and save lives and fifty-three (53) percent of jails do not have the capacity to directly transition addicted inmates to community treatment programs upon re-entry; and

WHEREAS, a New England Journal of Medicine study found that in the first two weeks after release, former inmates with an opioid use disorder were 12.7 times more likely than other individuals to die of an overdose; and

WHEREAS, a comprehensive re-entry plan is critically important to minimizing the possibility of drug use, overdose and recidivism and for those jails that do have some treatment services, those services are far outpaced by the escalating need for them; and

WHEREAS, the benefits of providing effective SUD services in the jail setting have proven significant where they occur. A handful of localities in New York State have supported a level of service through local funding and are reaping significant benefits; and

WHEREAS, in Albany County the jail-based Sheriff's Heroin Addiction Recovery Program (SHARP) has seen the Albany County Sheriff's Heroin Addiction Recovery Program (SHARP) provide SUD treatment during incarceration and support services after release. The program has resulted in a 28% reduction in the recidivism rate; and

WHEREAS, New York State's own analysis of the costs and benefits of jail-based SUD treatment found that communities realize a savings of \$2,846 per person served and that there are thirteen (13) fewer victimizations per 100 people served; and

WHEREAS, a dedicated State funding stream to counties is desperately needed to provide SUD treatment services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and

WHEREAS, Counties are requesting funding of \$12.8 million annually to the LGU's to address the existing gap in the SUD treatment continuum and support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers, and reduce recidivism and victimization; now therefore, be it

RESOLVED, that the Orleans County Legislature calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails; and be it

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

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 99-218

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND EM SYSTEMS, INC.

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff's Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226 for Jail Management System (JMS) software support and maintenance, in the amount of \$5,250, and for on-site maintenance at \$125.00 per hour plus travel expenses, for period January 1, 2018 through December 31, 2018.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 100-218

AUTHORIZING THE JAIL SUPERINTENDENT TO APPLY FOR
BUREAU OF JUSTICE ASSISTANCE FY18 GRANT

RESOLVED, that this Legislature authorizes the Orleans County Jail Superintendent to apply for the State Criminal Alien Assistance Program (SCAAP) grant funding FY18 through the Bureau of Justice Assistance, 810 Seventh St. NW, Washington, DC 20531, to provide federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state and local law, and incarcerated for at least 4 consecutive days during the reporting period.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 101-218

AUTHORIZING THE FILLING OF VACANCIES IN THE SHERIFF'S
OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of vacancies within the Sheriff's Office for the following positions, effective February 28, 2018:

Public Safety Dispatcher, part-time	(3020.20)	\$14.48/hour
Work Experience Crew Leader, part-time	(3110.63)	\$13.55/hour
Animal Control Officer, part-time	(3510.02)	\$14.48/hour

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 102-218

APPROVING APPOINTMENTS TO THE STOP-DWI COMMITTEE

RESOLVED, that this Legislature approves the following appointments to the STOP-DWI Committee effective through December 31, 2019:

Randall Bower	Sheriff
Mike Mele	Chief Deputy
Chuck Nesbitt	Chief Administrative Officer
Donald Allport	County Legislator/Public Safety Chairman
Joseph Cardone	District Attorney
Luci Taylor-Welch	Director of Probation
Roland Nenni	Albion & Holley Police Chief
Chad Kenward	Medina Police Chief
Kathy Hodgins	GCASA
Jocelyn Sikorski	Genesee County Youth Bureau

and be it,

FURTHER RESOLVED, that this Legislature approves the appointment of Randall Bower as Chairman of the STOP-DWI Committee.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 103-218

AUTHORIZING PURCHASE FROM SHERIFF'S OFFICE STOP-DWI BUDGET

WHEREAS, Resolution #384-1017, accepted grant funding from the NYS Governor's Traffic Safety Committee and STOP-DWI, to be used for county special traffic options for driving while intoxicated programs, now be it

RESOLVED, that this Legislature approves the purchase of one Cockpit Driving Simulator from Simulator Systems International, 5358 South 125th East Avenue, Tulsa, OK, at a cost of \$11,000, to be paid from STOP-DWI budget line 3315.250-Other Equipment.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 104-218

APPROVING RENEWAL AGREEMENT FOR ASSIGNED COUNSEL ADMINISTRATOR WITH HEATH & MARTIN, ATTORNEYS

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a contract for the Assigned Counsel Administrator with Heath & Martin Law Firm for providing all services as Assigned Counsel Administrator, at an annual cost of \$25,000; and said amount to be paid in quarterly installments of \$6,250, upon submission of a county voucher at the end of each quarter; effective March 1, 2018 through February 28, 2021, all subject to the availability of state grant funds for the contract.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 105-218

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves a 48-month lease agreement between Orleans County and Toshiba Financial Services, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to provide one (1) Toshiba e-Studio 3008A March 1, 2018 through February 28, 2022 as follows:

Public Defender	e-Studio 3008	\$87.00 per month
Above is bill per copy B&W \$0.0075 per page, with an annual increase of 2.5%		

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 106-218

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY
DISTRICT ATTORNEY'S OFFICE AND THE U.S. DEPARTMENT OF
JUSTICE

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement between the District Attorney's Office and the U.S. Department of Justice effective January 1, 2018 through December 31, 2018 allowing receipt of seized funds on Federal forfeitures; and be it

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

Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Allport moved to support our Crime Victim's Coordinator to attend out of state training; second b Legislator Draper. Legislator Allport thanked the people who support our Crime Victim Program. He thinks it is critical and he doesn't know when in America the welfare of criminals and inmates took precedence over crime victims but it is time our society brings it back around, expressed Legislator Allport. We should care more about the people that were hurt – emotionally, physically, and mentally - including their families when the crimes were perpetrated against them. He strongly supports this program and all of society should as well. The following resolution was adopted:

RESOLUTION NO. 107-218

AUTHORIZING CRIME VICTIM PROGRAM COORDINATOR TO
ATTEND OUT OF STATE TRAINING.

RESOLVED, that this Legislature authorizes the Crime Victim Program Coordinator to attend the NorthEast Regional Children's Advocacy Center Team Facilitator Training to be held March 12th – 15th, 2018 in Philadelphia, PA. Cost of travel, lodging and training is covered by the NorthEast Regional Children's Advocacy Center. No County Cost.

Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 108-218

**AUTHORIZING CREATING AND FILLING OF POSITION IN THE
EMERGENCY MANAGEMENT OFFICE**

WHEREAS, to help keep the efficient operations of the Emergency Management Office, it is requested that a Permanent Part-Time Fire Investigator position be created: now be it

RESOLVED, that this Legislature does hereby authorize the creation of a Permanent Part-Time Fire Investigator position in the Emergency Management Office, at an annual salary of \$2,221 effective March 1, 2018 and,

FURTHER RESOLVED, that this Legislature authorizes the filling the newly created, vacant position, effective March 1, 2018.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 109-218

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$69,690.03	Keeler Construction	Culvert Road Bridge Replacement – Final Pymnt #4 – 10/14/17-2/12/18

FURTHER 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>
\$6,109.00	LaBella Associates	Professional Services for Culvert Road Culvert Repl. 12/30/17- 1/26/18 Inv# 87517

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 110-218

AUTHORIZING REPAIR SERVICES FROM THE HIGHWAY BUDGET

RESOLVED, that this Legislature approves a service repair bill from Southworth-Milton, Inc., P.O. Box 3851, Boston, MA 02241-3851 for the repair of the 2005 Peterbilt Dump Truck at a total cost not to exceed \$10,000; to be paid from the Highway Budget account #DM5130.444; and be it

FURTHER RESOLVED, that this Legislature approves a service repair bill from Southworth-Milton, Inc., P.O. Box 3851, Boston, MA 02241-3851 for the repair of the 2013 CAT Paver at a total cost not to exceed \$20,000.00 to be paid from the Highway Budget account #DM5130.444.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 111-218

APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND KEY POWER SYSTEMS, INC.

RESOLVED that this Legislature approves an agreement between Buildings and Grounds and Key Power Systems, Inc. of 953 Creek Road RT 98, Attica, NY 14011, for Energy Generator Preventative maintenance for Mental Health, EMO, COB, PSB, Jail, Fuel Farm; a portable generator; and three (3) towers/generators at Shelby, Clarendon and Albion effective February 1, 2018 through January 31, 2019 for the amount of \$5,200 per year.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 112-218

AUTHORIZING SETTING UP NEW MONEY IN THE BUILDINGS
AND GROUNDS BUDGET

RESOLVED, that the Treasurer is authorized to set up new money in the Buildings and Grounds Budget for a donation for a new hanging ceiling gas heater for our Animal Control Shelter as follows:

Revenue:		
A2705	Gifts and Donations	\$1,500
Appropriation:		
A1620.403	Maintenance Projects	\$1,500

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 113-218

AUTHORIZING THE CHAIRMAN OF THE ORLEANS COUNTY
LEGISLATURE TO SIGN THE NEW YORK STATE LOCAL
WORKFORCE DEVELOPMENT AREA INFRASTRUCTURE
FUNDING MEMORANDUM OF UNDERSTANDING FOR THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT IN THE
GLOW WORKFORCE DEVELOPMENT AREA

WHEREAS, The Chief Elected Officials (CEOs) of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act (WIOA) of 2014, and

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create Memoranda of Understanding (MOU) regarding the operation of the local one-stop delivery system, including the roles and responsibilities of all GLOW WIOA system partners, and

WHEREAS, WIOA requires mandated system partners to share in the funding of the infrastructure costs of Career Centers, based on Federal allocation principles of proportionate use and relative benefit received (20 CFR 678.700 and 678.715) and therefore to enter into a GLOW

Infrastructure Funding MOU with the GLOW Workforce Development Board (WDB) and the four County CEOs, and

WHEREAS, The Orleans County Legislature has designated the Orleans County Job Development Agency (OCJDA) as the provider of WIOA Title I Adult, Dislocated Worker, and Youth program services in Orleans County as part of the GLOW WDA system. Now, Therefore, be it

RESOLVED, That the Orleans County Legislature does hereby authorize the Orleans County Legislature Chair to sign the GLOW Infrastructure Funding MOU as the CEO of Orleans County, and be it further

RESOLVED, That the GLOW Infrastructure Funding MOU will be effective July 1, 2017 and will be reviewed, reconciled and updated periodically by the GLOW WDB.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Miller moved to approve the GLOW Workforce Development Board at Large member; second by Legislator DeFilipps. Legislator DeRoller called upon Job Development Director Kelly Kiebala to give more information about this appointment. Ms. Kiebala stated Mr. Molisani is the Superintendent of the Caledonia Mumford school district. He has been attending the board meetings for a while now and will be a very important asset to the board representing education. Legislator DeRoller added that they are getting board members that are more active. Legislator DeRoller further expressed that they have some very important agenda items as they move forward with investment for workforce development. The following resolution was adopted:

RESOLUTION NO. 114-218

**APPROVING GLOW WORKFORCE DEVELOPMENT BOARD AT
LARGE MEMBER NOMINATION**

RESOLVED, that this Legislature does hereby approve the nomination of Robert Molisani as an at Large Member of the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Board, for the purpose of organizing and implementing activities pursuant to the

Workforce Innovation and Opportunity Act (herein referred to as 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. County Cost \$0.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 115-218

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR THE MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA) FUNDING

RESOLVED, that this Legislature authorizes Office for the Aging to apply for the MIPPA grant in the amount of \$13,262 to educate and assist Medicare beneficiaries with limited incomes, outreach and assistance with Medicare Part D for beneficiaries in rural areas, and assist with Low Income Subsidy and Medicare Savings Applications effective September 30, 2017 through September 29, 2018 at No County Cost; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Office for the Aging Budget as a result of an increased final allocation as follows:

Revenue:		
A4772	Federal Grants	\$3,345
Appropriation:		
A6772.411	Office Supplies	\$1,000
A6772.461	Postage	\$345
A6772.462	Mileage In	\$650
A6772.463	Mileage Out	\$350
A6772.486	Special Grant	\$1,000

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 116-218

APPROVING WITH THE DEPARTMENT OF SOCIAL SERVICES AND DANA GRABER

RESOLVED, that this Legislature does hereby approve the following agreements between the Orleans County Department of Social Services and Dana Graber, Medina, NY for the provision of legal services relating to child support matters to be effective March 1, 2018 through March 1, 2019 at a cost of \$75 per hour. No County cost.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 117-218

APPROVING AMENDMENT TO ORLEANS YOUTH BOARD BY-LAWS

WHEREAS, The Orleans County Youth Board conducted a review of the current constitution and by-laws, and

WHEREAS, The Orleans County Youth Board has recommended revisions to this document pertaining to membership, organization, officers, committees and meetings/quorums, and

WHEREAS, the Committee of Economic Assistance and Opportunity did review the amendments and does recommend the changes be made at this time; now therefore be it

RESOLVED, that the Orleans County Legislature does hereby approve the changes to the Orleans Youth Board By-Laws, as recommended by the Youth Board.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 118-218

APPROVING APPOINTMENTS TO ORLEANS COUNTY YOUTH BOARD

WHEREAS, the Orleans County Youth Board does recommend the appointments to said Orleans County Youth Board at this time; now, be it

RESOLVED, that this Legislature approves the following re-appointments to serve on the Orleans County Youth Board beginning March 1, 2018 through February 28, 2021:

Scott Green, 11425 Harrison Rd., Medina, NY 14103
Cynthia Lonnen, 14023 West Bacon Rd., Albion, NY 14411
Barbara Flow, 2584 Norway Rd., Holley, NY 14470

Moved, Miller; second, DeFilippis.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 119-218

AUTHORIZING PAYMENT FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$99,321.12	Wendel WD A/E/S/LA, PC.	Inv # 34838 COB Design, MH, Grant Assistance, Ads

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 120-218

APPROVING AGREEMENT WITH MERCY FLIGHT

RESOLVED, that this Legislature approves an agreement with Mercy Flight, Inc. for the provision of necessary air medical transfers; Orleans County to pay \$5,000 for the 2018 calendar year; no increase from 2017.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeRoller moved to support the Town of Yates resolution opposing offshore large scale industrial wind projects especially in our Lake Ontario and pointed out that it is for our full length of our shoreline which

also includes Kendall and Carlton; seconded by Legislator DeFilipps. Legislator Allport stated he finds it interesting that back in 2003 it was stipulated that the state could mandate where anything over 80 megawatts could go. After the Towns across the state started passing laws for setbacks and other requirements, the state then realized they are never going to get wind farms located in the places they thought they would. He recalled when the state came out to meet with them ten years ago and they presented a plan to put wind turbines in the water, they said they were trying to get all of the lakeshore counties on board because of it being a great program. Legislator Allport suggested that if all of this is so good, then all of the large buildings in the larger cities (Rochester and New York City) should be lined with solar panels; and small wind turbines could also be placed on top of those buildings as well to generate the energy there rather than take from Niagara Falls to those areas and away from us to where we could use it for economic development. Legislator DeRoller stated that we are sitting on the cheapest greenest hydropower in our area, so point was well taken expressed Legislator DeRoller. Legislator Allport affirmed fourth largest in the country. The following resolution was adopted:

RESOLUTION NO. 121-218

**SUPPORTING TOWN OF YATES RESOLUTION NO. 35-2/18
CONCERNING OFFSHORE LARGE-SCALE INDUSTRIAL WIND
PROJECTS AND OPPOSING OFFSHORE LARGE SCALE
INDUSTRIAL WIND TURBINE PROJECTS IN LAKE ONTARIO**

RESOLVED, that this Legislature supports Town of Yates Resolution No. 35-2/18 entitled “Resolution Regarding Offshore Lake Ontario Large-Scale Industrial Wind Turbine Project Development in the Town of Yates and Orleans County; and be it

FURTHER RESOLVED, that the Orleans County Legislature does hereby oppose offshore large-scale industrial wind turbine project developments in Lake Ontario for the full shoreline length of Orleans County; and be it

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

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Allport moved to support Assemblyman Hawley's opposition to offering free tablets to prisoners; seconded by Legislator Draper. Legislator Allport commended Assemblyman Hawley for fighting this program. He feels it is like a salt in a womb, when victims of crimes taxes go for paying for tablets and possibly our victims do not own tablets themselves. The following resolution was adopted:

RESOLUTION NO. 122-218

**SUPPORTING ASSEMBLYMAN HAWLEY'S OPPOSITION TO THE
FREE TABLET PROGRAM FOR PRISONERS**

WHEREAS, as a result of the decision by the New York State Department of Corrections and Community Supervision (DOCCS) to allow over 51,000 inmates statewide to use electronic tablets free of charge, Assemblyman Hawley has written a letter to Governor Cuomo and DOCCS demanding that the program be shut down immediately and to reconsider the misguided policy and urge JayP Inc. to work with our school system, libraries and veterans organizations to furnish tablets to law abiding citizens; now be it

RESOLVED, that this Legislature supports Assemblyman Hawley's position in opposing the free tablet program to statewide inmates housed in our New York State Correctional facilities; and be it

FURTHER RESOLVED, that this Orleans County Legislature also demands that this program be shut down immediately and the laptops be used for law abiding citizens, students in our schools, provided to our library systems, or veterans organizations and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Robert Ort, Assemblyman Steve Hawley, Assemblyman Michael Norris, New York State Department of Corrections and Community Supervision and all others deemed necessary and proper.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 123-218

APPROVING UPDATES TO THE ORLEANS COUNTY CODE OF ETHICS

WHEREAS, the Policy Review Committee has organized to review and update the Orleans County Policies and Procedures and Employee Handbook; now be it

RESOLVED, that this Legislature approves the below update to Section 3. Standards of Conduct, (a) Gifts in the Orleans County Code of Ethics located in our Employee Handbook, that has been recommended below by the Policy Review Committee and adheres to General Municipal Law §805-a:

SECTION 3. STANDARDS OF CONDUCT

Every Officer or Employee of the County of Orleans shall be subject to and abide by the following standards of conduct:

- (a) Gifts. He/she shall not directly or indirectly, solicit any gifts; or accept or receive any gift having a value of *seventy-five dollars* or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing, or promise, or any other form, under circumstances in which it could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any official action on his part.

Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 124-218

ADOPTING LOCAL LAW NO. 3 OF 2018, ENTITLED A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF ORLEANS A PUBLIC NUISANCE, AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY'S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC

WHEREAS, Local Law No. 2-Intro of the year 2018 was introduced at a regular meeting of the Orleans County Legislature held on January 24,

2018 and a Public Hearing was held on February 28, 2018, at which time all interested persons wishing to speak were heard;

RESOLVED, that Local Law 2 Intro of the year 2018 be adopted and filed as Local Law 3 of the year 2018 by this Legislature and be it enacted as follows:

SECTION 1. TITLE

This Local Law shall be known as “A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF ORLEANS A PUBLIC NUISANCE, AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY’S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC”.

SECTION 2. PURPOSE AND INTENT

The opioid epidemic is sweeping the country. Indeed, addiction to and abuse of opioids is one of the greatest challenges facing the County of Orleans, New York (the “County”). A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioids were sold, distributed, and prescribed in the County over the past several years, a practice that continues today. The selling, distributing, and prescribing of large amounts of opioids in our community has created a public health and safety hazard affecting the residents of the County. This crisis has devastated families, wreaked havoc on our economy, and produced a generation of narcotic dependence. As a result of the opioid epidemic, costs related to healthcare, family and social services, criminal justice, addiction and rehabilitation, and many other areas have significantly increased. Many of these costs are paid by the County.

The purpose and intent of this Local Law is to allow the County to recover these costs, despite the existence of the common-law municipal cost recovery rule (a.k.a. free public services doctrine) and declare the opioid epidemic and its effects on the County a public nuisance. Specifically, the County provides services related to the opioid epidemic, which are funded by tax revenues. This statute clarifies that reimbursement may be sought for the costs of providing such services, whenever practicable, from the responsible party. To accomplish this, the County establishes this cost recovery procedure and declares the opioid epidemic and its effects on the County a public nuisance.

SECTION 3. DEFINITIONS

“Costs” means all expenditures related to the opioid epidemic that directly or indirectly arise from the County’s response to a responsible party’s action or inaction.

“Responsible party” means any person or corporation whose negligent, intentional, or otherwise wrongful conduct causes the incident resulting in the County incurring costs or who is found liable or made responsible by a court for the costs incurred by the County in the form of damages, regardless of the cause of action.

SECTION 4. GOVERNMENTAL FUNCTION COST RECOVERY

The County may recover the costs of governmental functions related to opioids marketed, sold, manufactured, dispensed, prescribed, and/or distributed by the responsible party. If a responsible party fails to pay the costs demanded, the County may initiate and recover costs through administrative, civil, and/or criminal action against the responsible party. In that case, the County may also recover attorney’s fees, interest, and any other payment or type of damages the court deems proper.

SECTION 5. EFFECT OF CRIMINAL OR CIVIL PROCEEDINGS ON GOVERNMENTAL FUNCTION COST RECOVERY

The initiation of administrative or civil proceedings for governmental function cost recovery does not bar the criminal prosecution of a responsible party for any associated violation. Similarly, criminal prosecution does not bar civil collection of costs for the violation giving rise to the criminal prosecution.

SECTION 6. PUBLIC NUISANCE

The County hereby finds and declares the following:

- 1) That addiction to and abuse of opioids is one of the greatest challenges facing the County;
- 2) A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in the County over the past several years which practice continues today;
- 3) There is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;
- 4) The selling, distributing, and prescribing of large amounts of opioid pain pills in the County has created a public health and

safety hazard affecting the residents of the County, resulting in devastation to County families, a negative effect on the County economy, wasted public resources, and a generation of narcotic dependence;

- 5) That selling, distributing, and prescribing of prescription opioid pain pills is a hazard to public health and safety, which has created a public nuisance to the citizens of the County, and said nuisance remains unabated;
- 6) That, in addition to all other powers and duties now conferred by law upon the County, the County is authorized to enact ordinances, issue orders, and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the Orleans County Legislature determines to be a public nuisance;
- 7) That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege of selling and/or providing medication to our residents and must be held accountable; and
- 8) That it is the duty of the County to vindicate the rights of the citizens of the County and take action to abate this public nuisance.

SECTION 7. RETROACTIVE APPLICATION

This Local Law shall apply retroactively.

SECTION 8. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its specific application.

SECTION 9. EFFECTIVE DATE

This Local Law shall become effective as provided in Municipal Home Rule Law §27.

Moved, Allport; second, Draper.

Roll Call: 6 ayes, Allport, DeFilipps, DeRoller, Draper, Johnson, Miller; 0 nays; 1 absent, Eick.

Adopted.

RESOLUTION NO. 125-218

AUTHORIZING RESCHEDULING MAY LEGISLATURE MEETING

WHEREAS, Resolution No. 16-118 set the Legislature Meeting schedule for 2018; now be it

RESOLVED, that this Legislature authorizes rescheduling the scheduled Wednesday, May 23, 2018 Legislature Meeting to Wednesday, May 30, 2018 at 4:30 p.m. and adjust that schedule accordingly.

Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 126-218

AUTHORIZING PAYMENT OF CLAIMS FOR MARCH AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 14, 2018:

Fund/Department	Check Number (s):	Amount:
General	11446-11451; 11453-11611	\$326,705.61
Highway	1133-1138; 2672-2698	\$92,326.98
Job Development	2666-2670	\$19,242.50
Self Insurance	59270-59272; 1156-1159	\$48,085.88

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 28, 2018:

Fund/Department	Check Number (s):	Amount:
General	11612-11753	\$301,898.15
Highway	1139-1144; 2699-2713	\$71,946.69
Job Development	2673-2687	\$3,349.73
Self Insurance	59325-59326; 59400-59401; 1160-1162	\$1,224.40

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 127-218

AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO ADD CELL PHONES TO THE VERIZON ACCOUNT

RESOLVED, that this Legislature does hereby authorize the Orleans County Department of Social Services to add 2 cell phones to the Verizon account, to be paid per month from 6010.421; and be it

FURTHER RESOLVED, that this Legislature does hereby approve the Cellular Phone Use Agreements for position 6010.0228 in the Child Protective program and for position 6010.2014, Professional Registered Nurse that will be using a Verizon cell phone for work related activities.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 128-218

RESOLUTION APPROVING OFFICIAL UNDERTAKINGS

WHEREAS, section 403 of the County Law requires that the county clerk, the county treasurer, the district attorney, the sheriff, and such county officers as shall be specifically required by law, to execute an official undertaking as provided in section 11 of the Public Officers Law, and

WHEREAS, subdivision (2) of section 11 of the Public Officers Law authorizes a county to procure a blanket bond covering officials, officers, clerks and employees from any duly authorized corporate surety in lieu of an official undertaking, and

WHEREAS, the County has secured a blanket bond undertaking from the New York Municipal Insurance Reciprocal as surety covering the county clerk, the county treasurer, the district attorney, the sheriff and all other officers and officials of the County as required by law, and

WHEREAS, this Legislature wishes to hereby approve the blanket bond as to the county clerk, the county treasurer, the district attorney, the sheriff and all other officers and officials as to form, manner of execution and sufficiency of the surety, now therefore be it

RESOLVED, that this Legislature hereby approves such New York Municipal Insurance Reciprocal blanket bond as the official undertaking of elected officers and all of the other officers and officials as required pursuant to County Law section 403 and be it further

RESOLVED, that a certified copy of this resolution be filed in the Office of the Orleans County Clerk, and be it further

RESOLVED, that declarations of coverage issued by the New York Municipal Insurance Reciprocal be filed in the office of the Orleans County Clerk.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeFilipps moved to enter into executive session at 5:04 p.m. per Open Meetings Law §105 (f) to discuss employment history of particular personnel, second by Legislator DeRoller. Motion Carried.

Chairman Johnson announced that no further business would take place upon the conclusion of the executive session.

Legislator Draper moved to exit out of executive session and reconvene the regular meeting at 5:30; second by Legislator Allport. Motion Carried.

February 28, 2018
Resolutions 79-128

Legislator DeFilipps moved to adjourn; second by Legislator Miller.
Meeting adjourned at 5:30 p.m.

LEGISLATURE MEETING

March 28, 2018

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Orleans County Youth Board is calling for nominations for Youth Recognition Awards, the Helen R. Brinsmaid Award, and the Eileen Heye Adult Volunteer Recognition Award. Nominations are due to the Youth Bureau by March 30th. These will be awarded at the 36th Annual Youth Recognition Banquet on Thursday, May 10th. Nominations forms can be located on the Orleans County Website. Letters have been received from the Town of Gaines and the Kendall Central School Board of Education who both support Assemblyman Hawley's opposition to the Free Tablet program for prisoners.

Legislator Draper presented a Special Recognition award to Dr. Madejski for his appointment as President of the Medical Society of the State of New York and recognizing his professionalism for providing medical services to Orleans County. Dr. Madejski said he was honored to be recognized and could not do it without the help and affection of the citizens of Orleans County.

Legislator DeRoller presented a Special Recognition award to Michael Waterhouse who has retired after thirteen years as Orleans County's Sportsfishing Coordinator, and our past Tourism Coordinator. Mr. Waterhouse thanked the Legislature for the privilege and humbling honor of spreading the recognition of what Orleans County has to offer in fishing and tourism.

Legislator Draper presented a proclamation for Public Health Month to Paul Pettit, Director of Orleans County Public Health. Mr. Pettit stated that he appreciates the recognition for the work that Public Health does and our community are the recipients of this good work by having safe, clean water and food that are consumed to keep people healthy.

Legislator DeFilipps and Legislator DeRoller introduced Olivia Krenning, an Albion Middle School Student and FFA member. Ms. Krenning recited the FFA creed to the Legislature. She was also presented a special

recognition award for her presentation at today's meeting and wished her well as she continues her membership with the Albion FFA.

Kim DeFrank, Treasurer, distributed an Analysis of Monthly Cash Receipts and Disbursements through February 2018. She reported that cash receipts at the end of February were up \$650,000 from a year ago which ½ million of that is from the collection of County/Town property taxes and \$100,000 more from state aid. In February, there was an increase of \$40,000 in sales tax. To date the towns have collected 13 million dollars in property taxes. Treasurer DeFrank indicated that cash flow looks good.

Chairman Johnson called for open discussion as it related to the resolutions. Veteran David Kusmierczak thanked Legislators for coming to the cannon loading for its refurbishment from the State Street Park.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 129-318

AUTHORIZING THE PURCHASE OF SOFTWARE LICENSING FEES FROM THE COMPUTER SERVICES BUDGET

WHEREAS, the Legislature understands the need for quality backup software for our Virtual Environment to provide Fault Tolerance and User Accessibility as well as Disaster Recovery and Business Continuity capabilities, now be it;

RESOLVED, that this Legislature approves the purchase of Veeam Backup software License renewal for a three year protection program from ePlus Technologies, Inc, 1250 Pittsford-Victor Road, Suite # 120, Pittsford, NY 14534, at a cost of \$3,855.93 to be paid from Computer Services account A1680.418 — Other Contractual.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 130-318

APPOINTING DIRECTOR OF PERSONNEL AND SELF INSURANCE

RESOLVED, that this Legislature does hereby reappoint John C. Welch, Jr. to the position of Director of Personnel and Self Insurance; said appointment shall become effective August 21, 2018 at a Grade 11 Step 9 of the Management Salary Schedule and shall continue for six years.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Chief Administrative Officer Chuck Nesbitt indicated to the board that he appreciates having Mr. Welch reappointed and Mr. Welch was thanked for his service.

RESOLUTION NO. 131-318

ADOPTION OF POLICY GUIDELINES FOR IMPLEMENTATION OF CANCER SCREENING LEAVE TIME

WHEREAS, the Governor has signed into law a bill mandating that all counties provide four (4) hours of leave time per year to public employees for the purposes of cancer screening (New York State Civil Service Law §159-b) effective March 18, 2018 and

WHEREAS, this same bill repeal breast cancer screening (New York State Civil Service Law §159-b) and prostate cancer screening (New York State Civil Service Law §159-c) effective March 18, 2018, therefore, be it

RESOLVED, that the Orleans County Legislature hereby repeals Resolution 419-1006, Policy for Breast Cancer Screening Leave Time and Resolution 299-707, Policy for Prostate Cancer Screening Leave Time effective March 18, 2018, and be it

FURTHER RESOLVED, that the Orleans County Legislature does hereby adopt the following Policy for implementation of New York State Civil Service Law §159-b effective March 18, 2018:

Cancer Screening Leave Time Policy Guidelines

- Each January 1, any county employee is eligible for up to four (4) hours of Cancer Screening Leave time, which shall be paid. The

leave time is not accumulative and cannot be carried forward to the next year if unused.

- This paid time off is in addition to existing negotiated paid leave provisions.
- The time allotted for the employee's cancer screening leave includes travel time to and from the appointment and any subsequent follow-up consultation visits.
- This time may be used in increments of one-quarter (1/4) hour with a maximum of four (4) hours per calendar year.
- Any time taken for this purpose in excess of four (4) hours is chargeable to other leave credits.
- Time off shall be granted within regular working hours.
- An employee should follow their departmental procedure for requesting time off.
- Department Heads shall direct an employee to report to Department of Personnel and Self Insurance with a healthcare provider's statement or receipt issued by the clinic stating cancer screening or Cancer Screening Statement, as proof that screening has occurred.
- Failure to provide the Department of Personnel and Self Insurance with a healthcare provider's statement or receipt issued by the clinic stating cancer screening or Cancer Screening Statement as proof that screening has occurred, then the requested time will be charged to the employee's available leave credits.
- Time off shall be reported on time cards as "Other Hours". Department Heads will be responsible for ensuring time off is within the four (4) hour limit.
- Any medical documentation filed with the Department of Personnel and Self Insurance shall be kept confidential.

FURTHER RESOLVED, that this policy shall be placed in the Orleans County Employee Handbook.

Moved DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 132-318

**AUTHORIZING VOLUNTARY COLLECTION AGREEMENT
BETWEEN AIRBNB, INC AND THE COUNTY OF ORLEANS**

WHEREAS, Airbnb provides an Internet-based platform through

which third parties offering accommodations and third parties booking such accommodations may communicate, negotiate and consummate a direct booking transaction for accommodations to which Airbnb is not a party, and

WHEREAS, the County of Orleans and Airbnb enter into this Voluntary Collection Agreement voluntarily in order to facilitate the reporting, collection and remittance of applicable transient occupancy taxes imposed under applicable Orleans County Hotel and Motel Room Occupancy Tax Law for booking transactions completed by hosts and guests on the Airbnb Platform for accommodations located in Orleans County, now therefore be it

RESOLVED that execution of the Voluntary Collection Agreement between Airbnb, Inc. and the County of Orleans is hereby authorized.

Moved DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 133-318

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

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Ronald Bierstine, 2038 Peter Smith Road, Kent, NY 14477, to provide dock worker and custodial services at Orleans County Marine Park from April 15, 2018 to October 31, 2018 at a cost not to exceed \$16,187 to be paid from Marine Park Account A7180.432-Misc. Contracts/Agreements.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 134-318

APPROVING AGREEMENT WITH THE ORLEANS COUNTY FEDERATION OF SNOWMOBILE CLUBS

RESOLVED, that this Legislature approves an agreement with the Orleans County Federation of Snowmobile Clubs, whereby the County will administer the snowmobile trail program, including the disbursement of funds to snowmobile organizations to create and maintain trails, the

development of documents required of participants in the program by NYSOPRHP and the performance of other administrative duties consistent with the program, agreement effective April 1, 2018 through March 31, 2023; and be it

FURTHER RESOLVED, that the Orleans County Federation of Snowmobile Clubs agree to hold the County harmless in this program; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature is authorized to submit any necessary applications for funding and to enter into agreements with NYSOPRHP and the Orleans County Federation of Snowmobile Clubs to implement the snowmobile trail program in Orleans County.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 135-318

APPROVING AGREEMENT WITH VICK'S PLOWING,
LANDSCAPING AND REMOVAL FOR MOWING AT ORLEANS
COUNTY PARKS

RESOLVED, that this Legislature hereby approves an agreement with Vick's Plowing, Landscaping, and Removal, 2910 Lattin Road, Albion, NY 14411 for mowing and trimming at the Orleans County Marine Park, Point Breeze site, boat dock rental site, and Rte. 98/18 site at a cost of \$250 per mowing at all sites, to be paid from Marine Park Account A7180.432-Misc. Contracts/Agreements; 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, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 136-318

AWARDING BID FOR PRINTING 2018 COUNTY TRAVEL GUIDE
AND APPROVING AGREEMENT WITH VAN GUARD PRINTING

WHEREAS, advertisement for printing bids occurred and three bids were received and opened on March 22, 2018; now, be it

FURTHER RESOLVED, that this Legislature approves an agreement with Van Guard Printing, 17 Hall Woods Rd, Ithaca, NY 14850 in the amount of \$9,399.36 for 40,000 Travel Guides to be printed which are to be paid from Account A6410.468 I Love New York Matching Funds; and be it

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

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 137-318

APPROVING APPOINTMENTS TO THE FISH AND WILDLIFE
MANAGEMENT BOARD

RESOLVED, that this Legislature appoints the following Orleans County resident to the Fish and Wildlife Management Act Board, with a term ending December 31, 2019:

Neil Valentine Landowner Representative

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 138-318

APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES

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

Monroe County Public Health- Medical Examiner at 111 Westfall Road
Room 962C, Rochester, NY 14620 to provide "14" full autopsy

examinations and 5 blood description autopsy exams. All autopsy's over the approved 14 full autopsy's and the approved 5 blood description autopsy's for 2017 will be charged at a rate as approved by the Monroe County Legislature in the 2017 budget as listed in the Public Health Medical Examiner Fees and Charges Schedule. If the county does not utilize all autopsy serviced, they may use the balance on other services. 2018 fees and charges attached. Full cost to county.

Intermunicipal Agreement between Monroe & Orleans Counties Tuberculosis Control Program at 39 West Main Street, Rochester, NY 14614 to provide a Tuberculosis Control Program with consulting pulmonary and critical care physicians and certified infection control practitioners for providing comprehensive medical and nursing / case management consultative services under the statutory jurisdiction of the Department of Public Health. A flat fee of \$4,714.76 is paid for electronic health record access, VNP services, IT consultations and continuing Ed, telemedicine access, and ongoing clinical support. A fee of \$200.00 an hour for physician consults, and \$50.00 an hour for RN consults. 100%/36% reimbursement from State Aid. Term of Contract is August 1, 2017 through July 31, 2018.

United Memorial Medical Center at 127 North Street, Batavia, NY 14020 to provide Rabies Post Exposure Treatment to eligible residents of Orleans County. Contract to Provide: post exposure treatment at the Urgent Care Center or the UMMC Emergency Department. Term of contract is 8/1/2018 through 7/31/2020. 100%/36% reimbursement from State Aid.

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

RESOLUTION NO. 139-318

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND LINDA TANTALO, NPP

RESOLVED, that this Legislature approves an agreement between Mental Health and Linda Tantalo NPP, 140 Bronze Leaf Trail, Rochester, NY 14612, providing services as a Psychiatric Nurse Practitioner from April 1, 2018 to December 31, 2018 for up to 378 hours at an hourly rate of \$99.89. County cost is \$2,643.

Moved, Draper; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 140-318

**AUTHORIZING CREATING AND FILLING POSITIONS IN THE
MENTAL HEALTH DEPARTMENT**

WHEREAS, the permanent position of Coordinator of Case Management Services (Position No 4310.05) will become vacant on April 20, 2018; and

WHEREAS, the creation of a Temporary Coordinator of Case Management Services position is needed to ensure a smooth transition for Care Management staff and the Department; be it

RESOLVED, that this Legislature authorizes the creation of a Temporary Coordinator of Case Management Services position in the Mental Health Department at Grade 7, Step 7 for the period of April 16, 2018 through April 19, 2018; be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the permanent Coordinator of Case Management Services (Position No. 4310.05) effective April 20, 2018 at Grade 7 and Step 7 of the Management Compensation Plan.

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

RESOLUTION NO. 141-318

**APPROVING RE-APPOINTMENTS TO THE COMMUNITY SERVICES
BOARD**

RESOLVED, that this Legislature approves the re-appointments to the Community Services Board as follows:

Jan Albanese, waiver to serve a sixth term effective May 1, 2018 and ending April 30, 2022.

Carol D'Agostino, waiver to serve a third term effective May 1, 2018 and ending April 30, 2022.

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

RESOLUTION NO. 142-318

APPROVING INTERMUNICIPAL AGREEMENT BETWEEN
GENESEE COUNTY AND ORLEANS COUNTY FOR PROVISION OF
SIGNAGE SERVICES

RESOLVED, that this Legislature approves a five-year Intermunicipal Agreement between County of Genesee, Old County Courthouse, 7 Main Street, Batavia, NY, 14020 and County of Orleans, 3 South Main Street, Courthouse Square, Albion, NY 14411, allowing Genesee County to provide signage and graphic arts services to Orleans County and for Orleans County to reimburse Genesee County for cost of labor and material, for a term of five years (2017-2021) and shall be reviewed prior to year-end of 2021 for the continuation of this agreement.

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

RESOLUTION NO. 143-318

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY
SHERIFF'S OFFICE/JAIL AND WYOMING COUNTY SHERIFF/JAIL

RESOLVED, that this Legislature approves a cooperative agreement between the Orleans County Sheriff's Office/Jail and Wyoming County Sheriff/Jail in Warsaw, NY, for the housing of Orleans County prisoners in the Wyoming County Jail at a cost of \$90 per prisoner per day, effective for term January 1, 2018 through December 31, 2020.

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

RESOLUTION NO. 144-318

AUTHORIZATION TO ACCEPT GRANT FUNDING FROM NYS
DIVISION OF HOMELAND SECURITY AND EMERGENCY
SERVICES FOR THE SHERIFF'S OFFICE

March 28, 2018
Resolutions 129-172

WHEREAS, the NYS Division of Homeland Security and Emergency Services has informed Orleans County/Orleans County Sheriff's Office that they have been awarded \$122,218 under the New York State 2017-2018 Public Safety Answering Points Operations Grant Program (2017-18 PSAP Grant), as authorized to apply under Resolution No. 436-1117; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant PS17-1025-D00; contract# C198281 in the amount of \$122,218 for reimbursement of costs related to public safety call-taking and dispatching expenses for year January 1, 2018 through December 31, 2018.

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

RESOLUTION NO. 145-318

AUTHORIZING THE SHERIFF'S OFFICE TO CONTINUE WITH THE ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING APPOINTMENTS TO THE ALTERNATIVES TO INCARCERATION BOARD, AND APPROVING THE CONTINUED APPLICATION FOR GRANT FUNDING FOR THIS PROGRAM

RESOLVED, that this Legislature authorizes the Sheriff's Office to continue with the Alternatives to Incarceration Program and also authorizes its continued application to NYS Division of Criminal Justice Services (DCJS) for grant funding available for Article 13-A Classification Alternatives to Incarceration (ATI) Programs, at a reimbursable cost to the county of \$10,762, effective for the grant period July 1, 2018 through June 30, 2019; and be it

FURTHER RESOLVED, that upon approval by NYS DCJS, the Chairman is hereby authorized to execute grant agreement CL-17-1032-D01, Contract #C523944, and all related documents associated with this grant; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the county's Alternatives to Incarceration Board, term expiring June 30, 2019.

<u>NAME</u>	<u>REPRESENTATION</u>
Lynne Johnson	Chairwoman, County Legislature
Sanford Church	County & Supreme Court Judge
Joseph Cardone	District Attorney
Joanne Best	Public Defender
Dawn Keppler	Magistrates
Lucille Welch	Probation Director
Charles Nesbitt, Jr.	Chief Administrative Officer
Randall Bower	County Sheriff
Donald Allport	County Legislator/Public Safety Committee Chairman
Merle Draper	County Legislator/Public Safety Committee Co- Chair
Michael Mele	Chief Deputy/ATI Coordinator
Bonnie Ruhlen	Crime Victim
Mark O'Brien	Director of Mental Health
Kathy Hodgins	GCASA

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

RESOLUTION NO. 146-318

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

RESOLVED, that the Sheriff is authorized to apply for the 2019 New York State Governor's Traffic Safety Committee's Child Passenger Safety Incentive Grant (CPS) in the amount of \$9,000 for funding period of October 1, 2018 through September 30, 2019 to support educational activities for child passenger safety programs through initiatives including fitting stations, training and education programs, child passenger safety check events and car seat distribution programs for low-income families; and be it

FURTHER RESOLVED, that the Sheriff is authorized to apply for the 2019 New York State Governor's Traffic Safety Committee's Police Traffic Services Grant (PTS) in the amount of \$9,300 for funding period of October 1, 2018 through September 30, 2019 to provide funding to conduct traffic safety initiatives and enforcement, including participation in the

national Click it or Ticket seat belt enforcement mobilization, in an effort to improve motorist behavior and traffic safety within local communities.

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

RESOLUTION NO. 147-318

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF’S OFFICE BUDGET AND AUTHORIZING THE PURCHASE OF MOBILE DATA TERMINALS

RESOLVED, that this Legislature authorizes the Treasurer to set up grant funding from the Division of Homeland Security and Emergency Services for SLETPP (LE17) grant as follows:

Revenue:		
A4308.5317	Homeland Security SLETPP FY2017	\$25,570
Appropriation:		
A3110.486.5317	Special Grants/SLETPP FY2017	\$25,570

FURTHER RESOLVES to authorize the purchase of five mobile data terminals and accessories from Island Tech Services, 980 S. 2nd Street, Ronkonkoma, NY 11779, at a cost of \$25,570 (PO#59646) to be paid from Sheriff Budget account A3110.486.5317- Special Grants (SLETPP FY2017).

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

Legislator Allport moved to authorize the acceptance of donation given to the Sheriff’s Office; second by Legislator Draper. Sheriff Bower reported that they have been out in the community doing programs. The Sheriff’s Office did a yellow dot program for the Busy Buddies which if a yellow dot is located on a vehicle window officers will know that medical information is located in their glove department. The Sheriff’s Office also made a presentation for one of our local Amish schools and they made a donation. These donations will go toward various literature to be obtained for future presentations by the Sheriff’s Office. The following resolution was adopted:

RESOLUTION NO. 148-318

**AUTHORIZING ACCEPTANCE OF DONATIONS AND SETTING UP
NEW MONEY IN THE SHERIFF’S OFFICE BUDGET**

WHEREAS, the Orleans County Sheriff’s Office wishes to extend its sincere thank you to those who have generously donated to our department, be it

RESOLVED, that this Legislature accepts these recent donations and that this County Treasurer is authorized to set up new money in the Sheriff’s Office budget, as follows:

Revenue:		
A2705	Gifts & Donation	\$225
Appropriation:		
A3110.458	Books and Periodicals	\$225

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

RESOLUTION NO. 149-318

**AUTHORIZING PURCHASE OF PATROL VEHICLE FOR THE
SHERIFF’S OFFICE**

RESOLVED, that this Legislature authorizes the Orleans County Sheriff’s Office to purchase one (1) 2018 Chevrolet Tahoe 4WD, 4-door at a purchase price of \$49,510.00 (PO#59607) from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY 14043, to be paid from Sheriff’s account A3110.270 Capital Equipment.

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

RESOLUTION NO. 150-318

**AUTHORIZING CREATING AND FILLING A POSITION IN THE
PUBLIC DEFENDERS OFFICE**

WHEREAS, the Public Defender is reorganizing the department; therefore be it

RESOLVED, that this Legislature approves the creation of a part time Assistant Public Defender in the Public Defender's Office at Grade 3, step 9 of the Management Compensation Plan effective April 2, 2018; and be it

FURTHER RESOLVED, that this Legislature approves the filling of the newly created part time position of Assistant Public Defender (1170.12) at the Public Defender's Office at a rate of 10.5 hours per week, effective April 2, 2018; and be it

FURTHER RESOLVED, that this Legislature approves changing the hours of the First Assistant Public Defender (1170.4) from 21 hours per week to 10.5 hours per week, effective April 2, 2018.

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

RESOLUTION NO. 151-318

APPROVING AGREEMENT BETWEEN EMERGENCY MANAGEMENT AND NEW YORK STATE DIVISION OF HOMELAND SECURITY

WHEREAS, Resolution No.443-1117 authorized the Emergency Management Office to apply for the 2017 Statewide Interoperable Communication's Grant (SICG) in the amount of \$420,587; be it

RESOLVED, that this Legislature approves the SICG grant acceptance agreement between the Office of Emergency Management and the New York State Division of Homeland Security and Emergency Services (DHSES) for a contract period of January 1, 2018 to December 31, 2019; and be it

FURTHER RESOLVED, that the Chairman is authorized to electronically sign e-grant SII7-1050-D00, Contract #198220 for the amount of \$420,587 which will be used for reimbursement of costs for the sustainment of our radio system and any necessary improvements, training, equipment and other items deemed necessary and is authorized through this

grant.

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

RESOLUTION NO. 152-318

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY
MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW
MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of
Emergency Management to expend DHSES SICG FY 2017 Formula Grant
Funds in the amount not to exceed \$183,487 as follows:

- \$110,531.10 for Harris P25 LMR System for 4 (four) Symphony
Console upgrades; and the purchase of 2 (two) Symphony Consoles
with professional services and training (per NYS OGS contract)
- \$72,955.90 to Castner Communications for 15 (fifteen) Pyramid P25
Vehicle repeaters (764-870MHZ) with programming and complete
installation and accessories; and be it

FURTHER RESOLVED, that this Legislature authorizes the County
Treasurer to set up FY 2017 SICG funds as follows:

Revenue:				
4309.1774	Statewide	Interop	Communications	\$183,487
	Grant			

Appropriation:				
A3640.486.1774	Special Grants -	DHSES SICG	FY 2017	\$183,487

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

RESOLUTION NO. 153-318

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY
MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of
Emergency Management to expend SHSP FY 2015 [EM15-1040-D00]

Grant Funds in the amount of \$9,100 which includes \$8,000 for medical supplies for the SWAT Medic Team and \$1,100 for refreshments and supplies for the ICS 200 class to be held April 9 and 10, 2018.

Revenue:

A4309.2015	State Homeland Security Grant Program FY15	\$9,100
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Appropriation:

A3640.486.2015	Special Grants- DHSES SHSP FY2017	\$9,100
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 154-318

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2017 Grant Funds in the amount of \$13,107 for Personal Protective Equipment and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up FY 2017 Security Funds as follows:

Revenue:

A4309.2017	State Homeland Security Grant Program	\$13,107
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Appropriation:

A3640.486.2017	Special Grants- SHSP FY17	\$13,107
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport withdrew Resolution No. 155-318. Clerk's Note: Grant numbers need to be confirmed with NYS Division of Homeland Security so the amounts are calculated appropriately.

RESOLUTION NO. 155-318 - WITHDRAWN

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend EMPG FY2017 (EM17-1040-D00) Grant Funds in the amount of \$20,958 as follows:

- \$2,271.50 for 1 (one) 14 foot Felling trailer per NYSOGS Felling Award# PGB-227792/PC67423 (\$2,271.50 in County matching funds);
- \$5,000 upgrade to 2004 20 foot trailer to Lyons Collision (\$6,048 in County matching funds);
- \$1,000 to Genesee County Highway Sign Shop for trailer lettering (\$1,000 in County matching funds);
- \$7,500 to Castner Communications for 3 (three) vehicle repeaters (\$7,500 in County matching funds),
- \$687.50 to Castner Communications for 2 Harris Radio Bank Chargers (\$687.50 in matching funds),
- \$2,500 for a consultant to redo the County Continuity of Operations Plan [COOP] (\$2,500 in County matching funds),
- \$1,475.10 for Copier expenses (\$1,475.10 in County matching funds),
- \$1,047.90 for Grant Management and Administration.

RESOLUTION NO. 156-318

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$10,690.00	Labella Associates, P.C.	Prof. Services Culvert Road Bridge Replacement 12/30/17-1/26/17 Inv #87586
\$66,513.08	Keeler Construction	Construction Services -Marshall Road Bridge Replacement –

12/9/18-3/7/18 – Pymnt #6 -Final
Pay Estimate

FURTHER 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>
\$5,029.00	Labella Associates, P.C.	Prof Services Culvert Road Culvert Replacement – 1/27/18-2/23/18 Inv #88360

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

Legislator Eick moved to approve the eligible costs for the four-bridge Preventative Maintenance Project for the Federal Aid and State Marchiselli Program Aid; second by Legislator Miller. CAO Nesbitt stated that we are authorizing the four-bridge maintenance project, which Highway Superintendent Jerry Gray added that we applied for about a year ago. Mr. Gray stated that the State makes you sign a contract initially without federal or state funding. Then when funding is in place, we have to do an amendment which then cuts the cost down by 15% for the county. The following resolution was adopted:

RESOLUTION NO. 157-318

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Four-bridge Preventative Maintenance Project, Contract #D035655, P.I.N. 4OR0.00 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$15,400.00 for Preliminary “Engineering” and “Design” and ROW Incidentals.

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$77,000.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$77,000.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the County of Orleans Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Supplemental Agreement #1 to

March 28, 2018
Resolutions 129-172

amend previous resolution #171-517 to add Marchiselli Funding for a total cost of \$77,000; Federal reimbursement \$61,600.00; State Marchiselli Funding \$11,550.00 and Local Share \$3,850.00; effective through March 21, 2027. Resolution shall take effect immediately.

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

RESOLUTION NO. 158-318

AUTHORIZING REPAIR SERVICE FROM THE HIGHWAY BUDGET

RESOLVED, that this Legislature approves a service repair bill from Southworth-Milton, Inc., P.O. Box 3851, Boston, MA 02241-3851 for the repair of a 2013 CAT Hauling Tractor at total cost of \$8,000.36. No county cost due to insurance recovery monies received; to be paid from the Highway Budget account #DM5130.444 – Repairs to Equipment & Property.

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

Legislator Eick moved to approve the bids for highway materials and commodities, which were open in the Legislative Chambers on March 22nd. Legislator Miller second the motion and the following resolution was adopted:

RESOLUTION NO. 159-318

AWARDING BIDS FOR VARIOUS MATERIALS AND COMMODITIES FOR HIGHWAY DEPARTMENT:

WHEREAS, the Orleans County Highway Department sought bids for various materials and commodities for the years 2018-2019; and

WHEREAS, such bids have been received, opened and reviewed to determine the lowest responsible bidder for each material and commodity; be it

RESOLVED, that the bids for the various materials and commodities be awarded to the low bidders named on schedules for the

dollar amounts per unit shown on such schedules, subject to the approval of the County Attorney.

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

RESOLUTION NO. 160-318

**APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS
AND SPIDERMAN PEST CONTROL SERVICES**

RESOLVED, that this Legislature approves agreements between the Buildings and Grounds and Spiderman Pest Control Service, P.O. Box 26379, Rochester, NY 14626, for pest control services for county buildings at a cost of \$3,900 per year, agreement effective January 1, 2018 through December 31, 2022.

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

RESOLUTION NO. 161-318

**APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS
AND CUSTOM CARPET CENTERS AND PETE MADAFFERI FOR
CAPITAL PLAN PROJECT AT THE PROBATION DEPARTMENT**

RESOLVED, that this Legislature approves an agreement between Custom Carpet Centers, 2847 Southwestern Blvd, Orchard Park, NY 14127, for purchasing and installing flooring in the Probation Office at the Public Safety Building in the amount not to exceed \$27,609.25 with such work to be completed and paid from Probation Department account A3140.470 – Capital Plan; and be it

FURTHER RESOLVED, that this Legislature approves an agreement with Pete Madafferi, 306 Amy Lane, Brockport, NY 14420 to paint the interior of the Probation Department in the Public Safety Building in the amount of \$10,825 to be paid from Probation Department account A3140.470 – Capital Plan; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign these agreements for capital plan improvements approved in the 2018

budget subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 162-318

**APPROVING AGREEMENT BETWEEN BUILDINGS & GROUNDS
AND TRANE**

RESOLVED, that this Legislature approves the agreement between the Buildings & Grounds Department and Trane, 45 Earhart Drive, #103, Amherst, NY 14221 to provide VAV repairs (control boxes) to Mental Health at a cost of \$9,792.20 per proposal ID #22742 dated March 13, 2018 to be paid from Buildings and Grounds account A1620.403 – Maintenance Projects; and be it

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

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

RESOLUTION NO. 163-318

**APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR
THE AGING AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Office for the Aging and various agencies:

Independent Living Services (ILS)-iCircle, 521 Fifth Avenue, 3rd Floor, New York, NY 10175 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2018 to April 30, 2019 to clients needing services, iCircle will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term

of one year with up to four additional one-year renewals, to be reviewed in 2020. No County cost – Revenue Source.

Fidelis Care, 95-25 Queens Boulevard, Rego Park, NY 11374 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2018 to April 30, 2019 to clients needing services, Fidelis will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one-year renewals, to be reviewed in 2020. No County cost– Revenue Source.

ErieNiagara MLTCP, Inc., 2424 Niagara Falls Blvd, Niagara Falls, NY 14304 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from April 1, 2018 to March 31, 2019 to clients needing services, ErieNiagara, MLTCP, Inc. will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one-year renewals, to be reviewed in 2021. No County cost – Revenue Source.

VNA HOMECARE OPTIONS, LLC, 1050 W. Genesee Street, Syracuse, NY - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2018 to April 30, 2019 to clients needing services, VNA Homecare Options, LLC., will reimburse Orleans County Office for the Aging. The county is approving an agreement for an initial term of one-year renewals, to be reviewed in 2022. No County cost - Revenue source.

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

RESOLUTION NO. 164-318

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Children's Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services; to be effective May 1, 2018 through April 30, 2019 at per diem rates 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.

ARC of Orleans County, Albion, NY for the provision of Consumer Directed Personal Care Assisted Program; to be effective May 1, 2018 through April 30, 2019 at rates established by the NYS Department of Health. County cost is \$0

Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective May 6, 2018 through May 5, 2019 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.

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

RESOLUTION NO. 165-318

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

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

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

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

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

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

RESOLUTION NO. 166-318

AMENDING RESOLUTION NO. 296-817 TO EXTEND FULL TIME TEMPORARY POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Resolution No. 296-817 authorized full-time Temporary Social Welfare Examiner position (6010.0406), which was originally approved for the time period of October 16, 2017 through March 31, 2018; now be it

RESOLVED, that this Legislature authorizes to amend Resolution 296-817 to extend the full-time Temporary Social Welfare Examiner position (6010.0406) through April 30, 2018 which this time frame will be extended if federal funds are provided to cover the costs of this entire extension period of thirty (30) days.

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

RESOLUTION NO. 167-318

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

RESOLVED, that this Legislature approves the Appendix X agreement extensions between the Orleans County Board of Elections and the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2018 through March 31, 2019 that funds are available to the local board of elections for the following:

Contract #C003236 — HAVA Operations Expenses Shoebox Program — Original Funding amount of \$179,599.49 (Res. No. 160-412); current balance \$90,893.83.

Contract #T002560 — Voter Education and Poll Worker Training Program — Original Funding amount of \$23,131 (Res. No. 123-307); current balance \$4,159.07.

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

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

RESOLUTION NO. 168-318

AUTHORIZING FILLING OF A PART TIME POSITION IN THE BOARD OF ELECTIONS

RESOLVED, that this Legislature authorizes the filling of a part-time Clerk position in the Board of Elections at an hourly rate of \$10.54 effective March 29, 2018.

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

Legislator Allport moved a resolution to call upon the State to fund a School Resource Officer for every Elementary and Secondary School in New York State; second by Legislator Draper. Legislator Allport stated that according to the National Association of Security Resource Officers, there are roughly 20,000 officers in American Schools right now, which is about 20% of the schools. During 2018, there has been roughly eighteen guns fired on school grounds, which include five during school hours, one was an accidental discharge during a class training students how to be police officers and another was an accidental discharge of a Resource Officer in a gym. Three we know about due to media reports. The one in Florida where the Resource Officer was on site and was told to stand down. The one in Colorado, who shot two students, was confronted by the Resource Officer and did not comply with the officer's orders, therefore was shot. Finally in Indiana there was a Resource Officer who intercepted a student before walking the halls of the school based on tips from students. Legislator Allport expressed that this resolution today is in support of Assemblyman Hawley's efforts showing that having trained

resource officers in our schools protects our children. The following resolution was adopted:

RESOLUTION NO. 169-318

CALLING FOR STATE FUNDING OF A SCHOOL RESOURCE OFFICER FOR EVERY ELEMENTARY AND SECONDARY SCHOOL IN NEW YORK STATE

WHEREAS, our children are deserving of the best protection possible when they are away from their homes and in the care and custody of our educational institutions; and

WHEREAS, we are, unfortunately, in an era where children in schools have too often become a target for evil persons wishing to cause mayhem and terror; and

WHEREAS, among the things that can be done quickly to increase the safety of our children and their schools is to provide an armed police presence in the schools; and

WHEREAS, due to budget constraints, tax caps and limited sources of revenue, it is beyond the fiscal capability of many school districts and other local government entities to fund the placing of an armed police officer in every school; and

WHEREAS, the New York State Sheriff Association has called upon the New York State Legislature to include sufficient funding in the 2018 state budget to provide at least one armed School Resource Officer in every school in New York State and

WHEREAS, the current threat to the safety of our children in their schools is a public safety emergency requiring a statewide response by our state government, with its multiple revenue sources, to address this emergency, now, therefore, be it

RESOLVED, that the Orleans County Legislature does hereby support the New York State Sheriffs' Association in its call for the state funding of an armed school resource officer in every elementary and secondary school in New York State, and does hereby call upon the New York State Legislature and the Governor to include in the 2018 Annual State Budget funding for that purpose; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo, Commissioner of New York State Education MaryEllen Elina, Senate Temporary President and Majority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Joseph D. Morelle; Assembly Minority Leader Brian M. Kolb; Member of the Assembly Steve Hawley and Member of the Assembly Michael J. Norris; and all others deemed necessary and proper.

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

RESOLUTION NO. 170-318

AWARDING CONSTRUCTION BIDS AND APPROVING CONTRACTS FOR DESIGN, CONSTRUCTION MANAGEMENT AND ADMINISTRATION OF AN ADDITION TO THE COUNTY OFFICE COMPLEX IN AND FOR THE COUNTY OF ORLEANS, NEW YORK

WHEREAS, RESOLUTION NO. 351-917 authorized the construction of an addition to the county office complex in and for the County of Orleans, New York; and

WHEREAS, Wendel has reviewed the bids submitted on March 21, 2018 for the addition to the County Office Complex Project (hereinafter, the "Project"); and

WHEREAS, Wendel is recommending the bids of Holdsworth Klomowski, Michael Ferraulo Plumbing & Heating, Suburban Electric, MKS and All State Fire & Security be awarded as hereinafter more particularly set forth, be it

RESOLVED that this Legislature does hereby award the following contracts including acceptance of alternates 1 through 5 as follows:

CONTRACT	CONTRACTOR	BASE BID	ALTERNATES	TOTAL
(GC) No.01	Holdsworth Klomowski	\$4,557,000	\$202,600	\$4,759,600
(HV) No.02	Michael Ferraulo Plumbing & Heating	\$1,034,000	\$ 83,700	\$1,117,700
(EL) No.03	Suburban Electric	\$1,057,000	\$209,600	\$1,266,600
(PC) No.04	MKS	\$273,000		\$273,000
(FP) No.05	All State Fire & Security	\$85,600		\$85,600
TOTAL		\$7,006,600	\$ 495,900	\$7,502,500

and be it

FURTHER RESOLVED that this Legislature does hereby authorize the Chairman to execute the awarded contracts subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED that this Legislature does hereby approve an agreement with Wendel for Construction Administration, Project Coordination, Additional Design Services, Commissioning Services and Grant Administration for \$900,000 subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED that the Chief Administrative Officer shall be appointed to the position of Capital Project Owner's Representative; and be it

FURTHER RESOLVED, that a stipend of \$500 per month from April 1, 2018 to July 31, 2019, shall be paid from the Capital Project for said position.

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

RESOLUTION NO. 171-318

AUTHORIZING PAYMENT OF CLAIMS FOR APRIL AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 11, 2018:

Fund/Department	Check Number (s):	Amount:
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General	11754-11947	\$450,718.61
Highway	1145-1155;2714-2738	\$281,276.67
Job Development	2690-2700	\$3,511.92
Self Insurance	1163-1165; 59399; 59473; 59476	\$20,325.83

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 25, 2018:

Fund/Department	Check Number (s):	Amount:
General	11948-12098	\$454,627.33
Highway	1156-1166; 2739-2754	\$90,784.22
Job Development	2703-2712	\$16,735.45
Self Insurance	59474-59475; 59477-59478; 1166	\$1,215.06

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolution was presented for adoption:

RESOLUTION NO. 172-318

AUTHORIZING PROCESS TO EXECUTE ANY NECESSARY CHANGE ORDERS CONCERNING CAPITAL PROJECT - ADDITION TO THE COUNTY OFFICE COMPLEX

WHEREAS, RESOLUTION NO. 351-917 Authorized the construction of an addition to the county office complex in and for the County of Orleans, New York, and

WHEREAS, this project may require changes due to unforeseen circumstances as progression is made through each project; now be it

RESOLVED, that this Legislature does hereby authorize the following individuals to serve as the Project Oversight Committee:

Legislator William Eick, Legislator E. John DeFilipps and Chief Administrative Officer Charles Nesbitt, Jr., and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the Chief Administrative Officer to review and execute change orders not to exceed \$25,000, and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the Project Oversight Committee to review and execute change orders not to exceed \$50,000.

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

Chairman Johnson called for any unfinished business from any of the Legislators and she received no offerings.

Legislator Eick moved to enter into executive session at 5:10 per Open Meetings Law §105 (f) to discuss the employment of a particular corporation second by Legislator Allport. Motion Carried.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 5:55 p.m.; second by Legislator Eick. Motion carried.

With there being no further business conducted, Legislator Allport moved to adjourn; second by Legislator Draper. Meeting adjourned at 5:56 p.m.

LEGISLATURE MEETING

April 25, 2018

Chairman Johnson called the meeting to order at 4:39 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

Treasurer DeFrank submitted her Analysis of Monthly Cash Receipts and Disbursements through March of 2018. Clerk Hanlon reported for Treasurer DeFrank that the cash balance is up approximately \$300,000 over what we had last year at this time. On April 2nd her office paid out \$2,789,424 in school and village relevies and the first quarter apportioned sales tax to the towns/villages.

The Clerk presented the following communications: Drug Take Back Day is scheduled for Saturday, April 28, from 10 a.m. – 2 p.m. at three Orleans County drop off locations, which include Holley Fire Department; Medina Fire Department and Orleans County Public Safety Building. ABATE of New York Inc, Orleans County Chapter is requesting use of the Courthouse Steps to conduct their Motorcycle Safety and Awareness Rally on Sunday May 6, 2018 from Noon till 3 p.m. They are also requesting use of power. This is their annual promotion event for motorcycle safety, awareness, and rider education along with alerting the public to the renewed presence of motorcycles on the highway. The Board approved this request. Orleans County Office for the Aging and The ARC of Orleans presents their Spring Jubilee celebrating Older Americans Month on Friday, May 11th at the Trolley Building at the 4-H Fairgrounds. Doors open at 10:30 a.m.; entertainment begins at 11:15 a.m.; recognition program starts at Noon and lunch will begin to be served at 12:30 p.m. at a cost of \$3 for anyone 60 or older and \$8 for anyone under 60 accompanying a Senior. The Town of Clarendon forwarded their adopted resolution supporting Assemblyman Hawley's opposition to the free tablets program for prisoners.

Legislator Draper presented a proclamation for Mental Health Month for the month May to Mental Health Director Mark O'Brien.

Legislator Miller presented Melissa Blonar, Director of Office for the Aging, the Older American Month proclamation for the month of May in Orleans County.

Legislator Allport called upon Matt Tracey, Orleans County ABATE Chapter Vice President, to accept a Proclamation for the month of May designating Motorcycle Safety and Awareness in Orleans County by Public Safety Chairman Legislator Allport. Legislator Allport praised ABATE for making our citizens aware of motorcyclists being back on the roads and educating all of motorcycle safety and awareness.

Legislator Miller called upon Veterans Service Agency Director Earl Schmidt and Nancy Traxler, Veterans Service Officer for Orleans County to accept an eight county proclamation for the week of May 6th through May 12th as Western New York Armed Forces Week. Mr. Schmidt thanked the Legislature for hiring a new service officer, Nancy Traxler, so Orleans County has two accredited veteran's service officers to support our veterans.

Legislator DeRoller presented recognition to Cate Banks, Executive Director of the Niagara Wine Trail and Bryan DeGraw, President of the Niagara Wine Trail and Owner of 810 Meadworks in Medina for April being wine month in Orleans County.

Chairman Johnson called for open discussion as it related to the resolutions. Legislator DeRoller, stated that based on today's presentation at conference session regarding our bridges and culverts, our Planning Department put together a new view of all of our bridges and culverts, which is nearly \$30 plus million in infrastructure through 2019. A revised map was distributed by Legislator DeRoller, which includes a segment of the Lake Ontario State Parkway, which is about \$2.5 million in reconstruction and paving in Orleans County. In addition, the Knowlesville canal bridge is also now on this map. This map illustrates when bridges/culverts will start to be reconstructed and when they anticipate to be completed and the total value of this infrastructure. Legislator DeRoller stated with today's conference session presentation we are saving more dollars using our remarkable highway crew. He encouraged everyone when they are out and about to let everyone know we are in this together.

Chairman Johnson welcomed comments from the public on today's resolutions. Allen Lofthouse, Kendall, as it pertains to Resolution No. 215, requested an explanation of the benefits with Park Strategies and questioned why we are increasing the cost of the contract. Legislator DeRoller stated that their influence has helped get important players in the room with us for important issues. Legislator DeRoller further explained that some important issues that are dear to all of us include lake levels, dredging,

broadband and our infrastructure that needs to be addressed now on the Federal level. We are twelve million dollars short in state funding for our private landowners along the south shore. This Legislature has all agreed to make positive change by getting people in the room with us. Mr. Lofthouse questioned how it works, according to the state constitution, that you are not supposed to use taxpayers money on private jobs and Assemblyman Hawley is taking a lot of credit when he should not take any. Legislator DeRoller indicated that Assemblyman Hawley, Senator Ortt and Congressman Collins are all in fight. Three towns, Kendall, Carlton, and Yates have 1/3 of their property value that sits on that shore line and we cannot sit here with that resource and our people and not do everything we can to influence change.

Allen Lofthouse referred to resolutions 213 and 214 stating, “back when tractor pulls were prevalent there was a sign on an old Oliver 77’ that said – never enough – you will have to work weekends”

Legislator Eick moved to add five resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 173-418

AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL MASTER LEASE

WHEREAS, this Legislature approved a Dell Master Lease #810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 35 desktop computers to be added to the Dell Master Lease as #810-6457612-010 throughout the County effective June 1, 2018 through May 31, 2022, four (4) annual payments of \$5,665.64 with a \$1 buyout option at the end, priced and purchased under Contract # 70137 – NCPA 01-42 contract Award; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 174-418

**AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE
LAYER 3 SWITCH UPGRADE PROJECT**

WHEREAS, that this Legislature is aware of the evolution of the network and the need for greater file transfer speed and backup capabilities, and that the Legislature is aware of the age of current backbone equipment at the heart of our network, now be it

RESOLVED, that this Legislature authorizes the purchase of assorted equipment from CDW-G, 75 Remittance Drive, STE 1515; Chicago, IL 60675-1515 for the Computer Services Capital Project Layer 3 Switch Upgrade project in the amount of \$19,968.27 (PO# 59659) to be paid from Computer Services Account A1680.270 – Capital Equipment which will increase network speeds, maximize the architecture to minimize data loss, provide backup and failover tolerances and provide a greater fault tolerance and user accessibility. Purchase Order and pricing under NJPA Contract Award # 100614-CDW.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 175-418

**AUTHORIZING TREASURER TO LOAN FUNDS TO THE ROAD,
MACHINE AND SPECIAL GRANT FUNDS**

WHEREAS, there is a need for the General Fund to make loans to the Road Fund, Machine Fund and/or Special Grant Fund when the county is awaiting payment from either State or Federal funding; now be it

RESOLVED, that this Legislature authorizes the Treasurer to loan funds, as necessary from the General Fund to Road, Machine or Special Grant Fund and a listing of said loans will be forwarded monthly to this Legislature by the Treasurer; and be it

FURTHER RESOLVED, that said loans from General Fund will be made in accordance with rules per the New York State Comptroller.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 176-418

AUTHORIZING THE TREASURER TO SET UP FROM MISCELLANEOUS RESERVE TO OTHER CONTRACTUAL EXPENSES

RESOLVED, that the Treasurer is authorized to set up monies from the Miscellaneous Reserve to Other Contractual Expenses, to renew an annual maintenance and license fee from P&NP Computer Services, Inc, 66 N. Main Street, Brockport, NY 14420 for the Villages of Orleans audit purposes:

From:		
Miscellaneous Reserve		\$3,000
To:		
6030.418	Other Contractual Expenses	\$3,000

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

RESOLUTION NO. 177-418

APPROVING HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENT

WHEREAS, this Legislature desires to conduct a Household Hazardous Waste Collection on August 18, 2018 to provide County residents safe and convenient disposal of household hazardous wastes, and

WHEREAS, the County cost is dependent upon the amount of waste collected according to the following formula as identified in the vendor's proposal:

Aerosol Cans	\$.75 per pound
Anti-Freeze	\$.16 per pound
Chemicals (labpacks)	\$1.00 per pound

Corrosive Acids	\$1.00 per pound
Corrosive Bases	\$1.00 per pound
Fluorescent Tubes	\$.75 per pound
Household Cleaners	\$1.00 per pound
Miscellaneous Chemicals	\$1.00 per pound
Oil Base Paints (liquids)	\$.20 per pound
Oil Base Paints & Varnishes (sludges)	\$.19 per pound
Oil Filters	\$.09 per pound
Organic Liquids	\$.19 per pound
Oxidizers	\$1.00 per pound
Pesticides/Insecticides	\$1.05 per pound
Pesticides/Insecticide (dioxin precursors)	\$1.05 per pound
Poisons	\$1.00 per pound
Reactives	\$2.95 per pound
Resins & Adhesives	\$.35 per pound
Waste Oil	\$.09 per pound

RESOLVED, that this Legislature approves an agreement with Environmental Enterprises, Inc, 4650 Spring Grove Road, Cincinnati, Ohio 45232 for the 2018 Orleans County Household Hazardous Waste Collection Program.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 178-418

AUTHORIZING COMPUTER SERVICES TO INITIATE A NEW SPECTRUM CIRCUIT TO THE MARINE PARK LOCATION

WHEREAS, the Legislature is aware that the existing circuit at the Marine Park is overburdened due to the increase in the number of boat slip renters and has received numerous complaints regarding the Internet Access availability for the boating public – a tourism draw; and

WHEREAS, the Legislature is also aware that the current overburdened bandwidth is causing some fault tolerance and user accessibility issues with Orleans County employees at this location, creating an unsafe condition for security personnel on station and the general public at large; now be it

RESOLVED, that this Legislature authorizes an agreement for the initiation of one Spectrum Business Class circuit at the Marine Park, 1110 Point Breeze Road, Kent, NY 14477, to be managed by the Computer Services Department as the connective tissue for the governmental production environment, and paid for by the Marine Park Budget from budget account A7180.421 – Telephone and Internet Services.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 179-418

AUTHORIZING TREASURER TO SET UP NEW MONEY IN DEPARTMENT OF PLANNING AND DEVELOPMENT BUDGET

WHEREAS, Resolution No. 252-715 authorized a grant application by the Department of Planning and Development to the New York State Department of State to update the Kendall-Yates-Carlton Local Waterfront Revitalization Program (KYC LWRP); and

WHEREAS, Resolution No. 329-916 approved an Agreement with New York State Department of State for funding of said update of the KYC LWRP; be it

RESOLVED, that that the County Treasurer is authorized to set up new money in the Department of Planning and Development budget to accept such funds as follows:

Revenue:		
A3903	State LWRP Grant Program	\$40,000
Appropriation:		
A8020.486	Special Grants	\$40,000

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson recognized Legislator DeRoller for all of his work on this. Chairman DeRoller commended the Planning and Development staff for all of their hard work on the KYC LWRP.

RESOLUTION NO. 180-418

**AUTHORIZING PAYMENT OF TOURISM MATCHING FUNDS TO
GREATER NIAGARA REGION**

WHEREAS, Resolution No. 375-1017 authorized application for, and receipt of, State I Love New York Matching Funds, which, in part, are committed to regional tourism promotion; now be it

RESOLVED, that this Legislature hereby authorizes payment of \$32,942 to the Greater Niagara Region, c/o Orleans County Tourism, 14016 Rte. 31 W, Albion, NY 14411, to be paid from Tourism Account 6410.468 - I Love New York Matching Funds, as it becomes available, with said amount to be expended for regional tourism promotion programs which may include the following:

- 4-County Country Byways
- 5-County Greater Niagara Region
- Lake Ontario Sportfishing Promotion
- Canal New York Business Alliance
- Haunted History Trail
- Seaway Trail National Scenic Byway
- Cross Border Showcase

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 181-418

**APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES**

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

NYS Department of Health, Bureau of Immunization at Room 649, Corning Tower, ESP-Albany NY 12237-0627 to provide immunizations, services, and supplies through the Public Health Department agreement. The agreement is for \$155,250 for a five-year term at \$31,050 for each year to begin April 1, 2018 through March 31, 2023. No County cost.

Daemen College at 4380 Main St., Amherst NY 14226 to provide for students of professional practicum placements for Daemen College Master of Public Health students with Genesee and Orleans County Public Health Departments to intern during summer semesters, the term of this agreement is for five years to begin March 1, 2018 through February 28, 2023. No County Cost.

NYS DOH Bureau of Early Intervention at ESP, Corning Tower, Room 287 Albany, NY 12237-0660 which will set forth the terms and conditions for participation in the Early Intervention Program (EIP) and to establish the obligations, expectations and relationship between the Department, municipalities within the State and the Provider. The term of this agreement is for five years to begin January 1, 2018 through December 31, 2022. No County Cost.

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

RESOLUTION NO. 182-418

AUTHORIZING FILLING POSITION IN THE HEALTH DEPARTMENT

WHEREAS a Senior Account Clerk Typist has submitted notice of retirement effective April 28, 2018, now be it

RESOLVED, that this Legislature does hereby authorize the filling of this full-time Senior Account Clerk Typist position (4010.14) in the Public Health Department at Grade 10 of the CSEA Salary Schedule effective April 30, 2018.

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

RESOLUTION NO. 183-418

APPROVING AGREEMENT BETWEEN THE MENTAL HEALTH DEPARTMENT AND THE COUNTY OF NIAGARA

RESOLVED, that this Legislature approves an agreement between the Mental Health Department and the County of Niagara, 175 Hawley Street, 3rd floor, Lockport, NY 14094 for the period of April 1, 2018 thru

December 31, 2022 for the purpose of providing the Care & Crisis Helpline of Genesee and Orleans Counties at a prorated cost of \$11,250 in 2018 and a cost of \$15,000 for each calendar year of the remaining agreement with a total contract cost of \$71,250, County cost of \$4,987.50.

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

RESOLUTION NO. 184-418

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

RESOLVED, that this Legislature authorizes the creation of two full time Medicaid Records Technician positions at grade 13 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant positions, effective April 26, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishing of two full time Account Clerk Typist positions, effective April 26, 2018.

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

RESOLUTION NO. 185-418

**APPROVING APPOINTMENT TO THE COMMUNITY SERVICES
BOARD**

RESOLVED, that this Legislature does hereby appoint Karen Krieger to the Community Services Board, to serve a four-year term to begin April 26, 2018 and ending April 25, 2022.

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

RESOLUTION NO. 186-418

**APPROVING AGREEMENT BETWEEN PROBATION DEPARTMENT
AND AUTOMON CORPORATION**

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 6621 N. Scottsdale Rd. Scottsdale, AZ 85250, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2018 through June 20, 2019 at a cost of \$7,404.18.

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

RESOLUTION NO. 187-418

**APPROVING AGREEMENTS BETWEEN SHERIFF'S OFFICE AND
VARIOUS AGENCIES**

RESOLVED, that this Legislature approves various agreements between the Sheriff's Office and the following agencies

Law Enforcement Psychological Associates, 448 White Spruce Blvd, Rochester, NY 14623 for pre-employment psychological screenings and fitness for duty psychological evaluations for the Orleans County Sheriff's Office at rates set forth in fee schedule, term effective January 1, 2018 through December 31, 2019.

Frontier Communications of America, Inc. to provide maintenance and repair services for equipment and associated products of the 911 Plan for term March 26, 2018 through March 25, 2019, at a cost of \$8,722.05, to be paid from Public Safety Communications budget.

Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, NY for the purchase of fuel for marine vessels in conducting 2018 marine, waterways and border security patrols, to be paid from Sheriff's budget, with partial reimbursement through available grant funding.

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

RESOLUTION NO. 188-418

AUTHORIZING THE SHERIFF TO APPLY FOR GRANT FUNDING THROUGH THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, the Orleans County Sheriff's Office wishes to participate in the Critical Infrastructure Grant Program available through New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Division of Homeland Security and Emergency Services' Critical Infrastructure FY2017 grant, up to \$50,000, to reduce overall risk and provide protection crucial to local critical infrastructure as part of the Homeland Security Program.

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

RESOLUTION NO. 189-418

AUTHORIZING PURCHASE FROM SHERIFF'S OFFICE STOP-DWI BUDGET

WHEREAS, Resolution #384-1017, accepted grant funding from the NYS Department of Motor Vehicles, Governor's Traffic Safety Committee and STOP-DWI, to be used for services related to county traffic options for STOP-DWI programs; now be it

RESOLVED, that this Legislature approves the purchase of one Round Top Aluminum Enclosed Cargo Trailer and generator from JPR Trailer Sales, 16761 Ridge Road, Holley, NY at a cost of \$10,662, to be paid from STOP-DWI budget line 3315.250-Other Equipment.

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

RESOLUTION NO. 190-418

AUTHORIZING TREASURER TO SET UP NEW MONEY IN SHERIFF'S OFFICE BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money in the Sheriff's Office budget for SLETPP FY 15 grant funds (Contract No. T972452), as follows:

Revenue:		
A4308.5315	Homeland Security	\$3,092.44
Appropriation:		
A3110.486.5315	Special Grants	\$3,092.44

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

RESOLUTION NO. 191-418

AUTHORIZING TREASURER TO SET UP NEW MONEY IN AND PURCHASES FROM STONEGARDEN FY15 GRANT FROM THE SHERIFF'S OFFICE BUDGET

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

Revenue:		
A4308.7415	Homeland Security	\$9,073
Appropriation:		
A3110.486.7415	Special Grants	\$9,073

FURTHER RESOLVED, that due to grant deadline, purchase of a L3 Protect Marine Automatic Identification System from L-3 Henschel Systems, 90 Nemco Way, Ayer, MA, in the amount of \$9,073, is subject to pre-approval by New York State Division of Homeland Security and Emergency Services; and be it

FURTHER RESOLVED, that this Legislature authorizes the purchase of Night Vision Goggles from ANVS, Inc., 801 West Robinson Drive #500, North Salt Lake, Utah, at a cost of \$7,114.36, plus shipping, to be paid from A3110.486.7415-Special Grants.

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

RESOLUTION NO. 192-418

AUTHORIZING THE SHERIFF TO APPLY FOR ARMORED VEHICLE DONATION PROGRAM

RESOLVED, that this Legislature authorizes the Sheriff to submit an application to New York Tactical Officers Association for Armored Vehicle Program to obtain a donated, used Brinks armored vehicle, at no cost to the county, to be used by the county's multi-agency SWAT team; and be it

FURTHER RESOLVED, that acquisition of such vehicle, if approved, will require the approval of the Chief Administrative Officer.

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

RESOLUTION NO. 193-418

AUTHORIZING FILLING OF VACANCY IN THE SHERIFF'S OFFICE/JAIL

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Correction Officer position (3150.26) in the Sheriff's Office/Jail, at an hourly rate of \$14.48, effective April 26, 2018.

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

RESOLUTION NO. 194-418

AUTHORIZING CREATION AND FILLING OF TEMPORARY POSITIONS IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the creation of two full-time temporary Deputy Sheriff positions in the Sheriff's Office at Grade 1 of the Orleans County Deputy Sheriff's Association (OCDSA) contract; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these two newly created vacant full-time temporary positions from April 26, 2018 through September 30, 2018.

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

RESOLUTION NO. 195-418

APPROVING AGREEMENT BETWEEN CRIME VICTIMS ASSISTANCE PROGRAM IN THE DISTRICT ATTORNEY'S OFFICE AND SARAH WOODIN

RESOLVED, that this Legislature does hereby approve an agreement between the Orleans County Crime Victim's Assistance Program in the District Attorney's Office and Sarah Woodin of 1114 Beadle Rd, Brockport, NY to provide night court advocate services on a per diem basis at a rate of \$20.00 per hour, not to exceed \$6,000 a year effective October 1, 2017 through September 30, 2018 unless sooner terminated as hereinafter; and be it

FURTHER RESOLVED, that this agreement will terminate when no further grant funds are available to maintain no county cost for these services.

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

RESOLUTION NO. 196-418

MODIFICATION OF SALARY IN DISTRICT ATTORNEY'S OFFICE

WHEREAS, Resolution No. 403-1116 made a modification in the District Attorney's salary adjustment based upon the Commission of Legislative, Judicial and Executive Compensation Commission report issued December 2015 with future increases based upon the New York State Supreme Court Judge's salary; and

WHEREAS, the Commission of Legislative, Judicial and Executive Compensation report issued December 2015 made modifications to future New York State Supreme Court Judge's salary based upon Federal District Court Judges' salary; and

WHEREAS, NYSAC has provided a comprehensive analysis of the changes in the District Attorney's salary for each county based upon the Commission of Legislative, Judicial and Executive Compensation Commission report issued December 2015; and

WHEREAS, the passed Governor's Budget for each year since 2016 has not included the incremental funding from the State of New York for this increase in the District Attorney's salary; and

WHEREAS, State Judicial Law §183-a states that the District Attorney's salary shall be equivalent to that of the County Judge in that County; now be it

RESOLVED, that this Legislature authorizes this adjustment in the District Attorney's compensation effective April 1st of each year beginning in 2016 as is required by state law; and be it

FURTHER RESOLVED, that this and future increase shall be confirmed with the calculations performed by NYSAC prior to adjustment.

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

RESOLUTION NO. 197-418

**APPROVING TRANSFER OF OWNERSHIP OF HARRIS P25 XG 25
MOBILE RADIOS**

WHEREAS, Orleans County and the Radio System Advisory Board updated all Law Enforcement radios from DES to AES Encryption using FY 2016 SICG Funds; now be it

RESOLVED, that Orleans County will transfer ownership of Harris P25 XG 25 Mobile radio equipment to all Police agencies in the County; and be it

FURTHER RESOLVED, to facilitate this transfer of ownership, all agencies will turn in one (1) EF Johnson Mobile radio and its accessories in exchange for one (1) new P25 XG25 Mobile radio with its accessories, no later than May 15, 2018.

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

RESOLUTION NO. 198-418

APPOINTING MEMBERS TO FIRE ADVISORY BOARD

RESOLVED, that this Legislature appoints the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2018 with all terms expiring December 31, 2018:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
Albion Fire Department	Jeremy Graham
Barre Fire Department	James Neal
Carlton Fire Company	Justin Niederhofer
Clarendon Fire Company	Johnathan DeYoung
East Shelby Fire Department	Allen Turner
Fancher-Hulberton-Murray Fire Company	David Smith
Holley Fire Company	Kevin Dann
Kendall Fire Company	Michael Schultz
Lyndonville Fire Company	Ben Bane
Medina Fire Department	Jonathan Higgins
H-W-M Fire District	Michael Robb
Ridgeway Fire Company	Francis Woodward
Shelby Fire Company	Andrew Benz

and be it

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

Orleans County Emergency Management	Dale Banker
Orleans #2 Deputy Coordinator	Francis Gaylord
Orleans #3 Deputy Coordinator	Gerald Bentley
Orleans #4 Deputy Coordinator	David J. Hydock
Orleans #5 Fire Investigator	David Clary
Orleans #6 Fire Investigator	Justin Niederhofer
Orleans #7 Fire Investigator	David Knapp
Orleans #8 Fire Investigator	Steven Cooley
Radio Systems	Kevin Doherty
Legislature Chairman	Lynne M. Johnson

Legislature Vice Chairwoman	Donald Allport
Orleans County Sheriff	Randy Bower
Office of Fire Prevention and Control	Kathleen Way

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

RESOLUTION NO. 199-418

APPOINTING MEMBERS TO EMERGENCY MEDICAL SERVICES COUNCIL

RESOLVED, that this Legislature appoints the following members to the Emergency Medical Services Council, all terms expiring December 31, 2018:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
<u>VOTING MEMBERS:</u>	
Albion Fire Department	Fred Piano
Barre Fire Department	Andrew Faskel
Carlton Fire Company	Justin Niederhofer
Clarendon Fire Company	Donald Mosier
East Shelby Fire Department	
Fancher-Hulberton-Murray Fire Company	Debbie Fiorito
Holley Fire Company	Patricia Knapp
Kendall Fire Company	Shelby Reis
Lyndonville Fire Company	Scott Buffin
Medina Fire Department	Matthew Jackson
Ridgeway Fire Company	Kristin McAdoo
Shelby Fire Company	
COVA	
Orleans County Health Dept	Al Cheverie
Mutual Aid / EMS Coordinator	H. Dale Banker
Medina Memorial Hospital Care Delegate/Adm	McKenzie Smith
Orleans County Sheriff	Randy Bower
Orleans County Dispatch	Allen Turner
<u>NON-VOTING MEMBERS</u>	
County Legislature Chair	Lynne Johnson
Public Safety Chairman	Donald Allport

NYS Department of Health

James M. Mihalko

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

RESOLUTION NO. 200-418

APPOINTING MEMBERS TO THE RADIO SYSTEM ADVISORY BOARD

WHEREAS, the Orleans County Radio System Advisory Board, per grant guidelines, must organize one time per year, now be it

RESOLVED, that this Legislature appoints the following members to the Radio System Advisory Board for a one year term beginning January 1, 2018 through December 1, 2018:

Lynne M. Johnson	Legislative Chairman
Donald Allport	Legislative Vice Chairman
Skip Draper	Chair/Vice Chair, Public Safety Committee
Chuck Nesbitt	Chief Administrative Officer
Randy Bower	Sheriff
Dale Banker	Director of Emergency Management
Gerald R. Gray	Highway Superintendent
Allen Turner	Dispatch
Roland D. Nenni	Chief of Police – Albion/Holley
Kevin Doherty	Radio System Manager
Gerald Bentley	Fire Advisory Board
Mike Schultz	Fire Chief's Association
Chad Kenward	Chief of Police - Medina

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

RESOLUTION NO. 201-418

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$15,919	Labella Associates, P.C.	Prof. Services Culvert Road Bridge Replacement 1/27/18-3/23/18 Inv #89389

FURTHER 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>
\$2,790	Labella Associates, P.C.	Prof. Services Culvert Road Culvert Replacement 2/24/18-3/23/18 Inv #89075

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

RESOLUTION NO. 202-418

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND CP WARD INC.

RESOLVED, this Legislature awards and accepts the low bid submitted by C.P. Ward Inc. General Contractor, 100 West River Road, Scottsville, New York 14546 and authorizes an agreement with C.P. Ward Inc. for the Six-Bridge Preventative Maintenance Project in Orleans County at a bid cost of \$484,929; agreement effective as soon as County gives notice to proceed; and be it

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

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

RESOLUTION NO. 203-418

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A SINGLE LANE CLOSURE LIGHT

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) Single Lane Closure Light from J.C.Smith Inc., 345 Peat Street, Syracuse, New York 13210 for \$46,250; to be purchased under the NYS Thruway Authority, Contract Award #17007 and to be paid from account #D5112.436 reimbursable through the Consolidated Highway Improvement Program. No County Cost.

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

Legislator Miller moved to approve a nominee to the GLOW Workforce Development Board to represent private sector in Orleans County; second by Legislator Eick. Legislator DeRoller invited Job Development Director Kelly Kiebala to provide an update on this. Ms. Kiebala stated that this was the one seat that needed to be filled concerning the private sector for Orleans County. Ms. Everett will represent our County well. Legislator DeRoller indicated that this will also help fulfill quorum issues when the board meets. The following resolution was adopted:

RESOLUTION NO. 204-418

APPROVING NOMINATION TO GLOW WORKFORCE DEVELOPMENT BOARD FOR ORLEANS COUNTY PRIVATE SECTOR MEMBER

RESOLVED, that this Legislature does hereby approve the nomination of Staci Everetts, Vice President of Human Resources for Claims Recovery Financial Systems, to represent Orleans County as a Private Sector Member on the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Board for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Miller presented a resolution to authorize the Office for the Aging to apply and accept funding for the Aging Mastery program grant as presented by Melissa Blanar, Director for the Office of the Aging at today's conference session; seconded by Legislator Eick. The following resolution was adopted:

RESOLUTION NO. 205-418

AUTHORIZING ORLEANS COUNTY OFFICE FOR THE AGING TO APPLY AND ACCEPT FUNDING FOR THE AGING MASTERY PROGRAM (AMP) GRANT

WHEREAS, the Aging Mastery Program (AMP) is an evidence-based intervention developed by the National Council on Aging. Though a 10-week program it addresses several ways to mitigate triggers of decline in older adults and promote healthy living; now be it

RESOLVED, that this Legislature authorizes Orleans County Office for the Aging to apply for a grant in the amount of up to \$30,000 from the P2 Collaborative of WNY, 355 Harlem Road, Building C, 2nd Floor, West Seneca, NY 14224, from May 15, 2018 to May 15, 2020. No County cost.

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

Legislator Miller presented a resolution to authorize the Office for the Aging to apply for the Aging by Design Implementation Grant, which was also presented by Melissa Blanar, Director for the Office of the Aging at today's conference session and will be making a formal presentation on this grant in Buffalo on Friday; seconded by Legislator Eick. The following resolution was adopted:

RESOLUTION NO. 206-418

AUTHORIZING ORLEANS COUNTY OFFICE FOR THE AGING TO APPLY FOR THE AGING BY DESIGN IMPLEMENTATION GRANT

WHEREAS, that Aging by Design is a multiyear program to improve the health of older adults. Design Thinking is an approach to problem solving that begins with the people you're designing for and ends with new solutions that are tailor made to suit their needs. Aging by Design will create an environment in which older adults, informal caregivers, and

community-based providers work together to apply principles of design thinking to develop, test and implement effective interventions, processes or programs that can address triggers of decline among older adults; now be it

RESOLVED, that this Legislature authorizes Orleans County Office for the Aging to apply for a grant in the amount of up to \$107,579 between two projects, one focusing on Outreach and Socialization and one focusing on Transportation for older adults from the HEALTH FOUNDATION OF WESTERN AND CENTRAL NY, 726 Exchange Street, Buffalo, NY 14210, from July 1, 2018 to October 31, 2019. No County cost.

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

RESOLUTION NO. 207-418

AUTHORIZING ABOLISHING, CREATING AND FILLING
POSITIONS IN OFFICE FOR THE AGING

WHEREAS, the following position changes presented herewith will be contingent upon the availability of receiving additional Office for the Aging funding; now, therefore, be it

RESOLVED, that this Legislature authorizes the abolishing of the part-time Aging Services Specialist position (6772.18) in the Office for the Aging effective April 30, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Aging Services Account Clerk Specialist in the Office for the Aging at grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant full-time Aging Services Specialist position in the Office for the Aging, effective May 1, 2018.

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

RESOLUTION NO. 208-418

APPROVING APPOINTMENTS TO THE AGING ADVISORY COUNCIL

RESOLVED, that this Legislature approves the following appointments to the Office for the Aging Advisory Council for a three year term, effective April 1, 2018 through March 31, 2021. (*denotes final term)

*Bill Newsome 13356 Ridge Road, Albion, NY 14411
*David Gaudio 2287 Petersmith Road, Kent, NY 14477

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

RESOLUTION NO. 209-418

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agency:

Berkshire Farm Center, Canaan, NY for the provision of residential foster care services; to be effective July 1, 2018 through June 30, 2019 at per diem rates as established by the State, not to exceed \$500,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2018 through June 30, 2019 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.

Baker Victory Services, Lackawanna, NY for the provision of residential foster care services; to be effective July 1, 2018 through June 30, 2019 at per diem rates as established by the State, not to exceed \$500,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed

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

RESOLUTION NO. 210-418

AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as the result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Caseworker position (6010.0226) at the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective April 30, 2018.

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

RESOLUTION NO. 211-418

AUTHORIZING CONTINUANCE OF TEMPORARY POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Resolution No. 296-817 authorized the creation of a temporary full-time Social Welfare Examiner effective September 1, 2017 through April 30, 2018; now be it

RESOLVED, that this Legislature authorizes the continuance of a part-time temporary Social Welfare Examiner position (6010.0405) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule from May 1, 2018 through August 31, 2018 for implementation of the Home Energy Assistance Program (HEAP Cooling Season) to be reimbursed with 100% federal funds.

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

RESOLUTION NO. 212-418

APPROVING THE 2018 YOUTH BUREAU RESOURCE ALLOCATION PLAN

WHEREAS, The Orleans County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid from

the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines; and

WHEREAS, The Orleans County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county comprehensive youth services planning efforts during 2018 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Orleans County appropriation; and

WHEREAS, Guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Orleans County Youth Bureau and the Committee on Economic Assistance and Opportunity does recommend approval at this time; now be it

RESOLVED, That the Orleans County Legislature does hereby authorize the Chairman to execute such documents as are deemed necessary to effect the 2018 Orleans County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

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

RESOLUTION NO. 213 -418

AMENDING RESOLUTION NO. 170-318 CONCERNING STIPEND PAYMENT OF CAPITAL PROJECT OWNER'S REPRESENTATIVE

WHEREAS, Resolution No. 170-318 approved that the Chief Administrative Officer shall be appointed to the position of Capital Project Owner's Representative at a stipend of \$500 per month from April 1, 2018 through July 31, 2019 which will be paid from the Capital Project; now be it

RESOLVED, that Resolution No. 170-318 shall be amended by striking that a stipend will be paid from the Capital Project for said position.

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

RESOLUTION NO. 214-418

INCREASING COMPENSATION OF CHIEF ADMINISTRATIVE OFFICER

RESOLVED, that this Legislature authorizes the Chief Administrative Officer to be paid \$500 additional salary per month through payroll from the Chief Administrative Officer's budget from April 1, 2018 through July 31, 2019.

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

Legislator Allport moved to amend Resolution No. 202-517 concerning a renewal agreement with Park Strategies and extending the agreement through May of 2019; second by Legislator Draper. Legislator DeRoller asked if a roll call vote could be conducted. He felt it was important for the record with all of our discussions. He stated that Chairman Johnson wrote a letter to Governor Cuomo listing our top three priorities of the County of Orleans. This contract influences change on the federal level as it pertains to infrastructure, broadband and lake levels, as our noted top three priorities. He wanted everyone on the record how important it is to work together to show our needs. CAO Nesbitt, after conferring with Attorney Schubel, stated that we cannot call for a roll call vote on this issue but could ask for a unanimous second. Chairman Johnson asked Legislator Draper to withdraw his motion to second to get a unanimous second. Chairman Johnson requested show of hands for a unanimous second, however not all hands were shown. Legislator Draper seconded the original motion, the following resolution was adopted:

RESOLUTION NO. 215-418

AMENDING RESOLUTION NO. 202-517 CONCERNING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC, EXTENDING AGREEMENT AND AUTHORIZING TREASURER TO TRANSFER FUNDS

WHEREAS, Resolution No. 202-517 amended a renewed agreement between Orleans County and Park Strategies, LLC to provide Government Affairs Services to be effective through May 31, 2018 at a cost of \$5,000 per month; now be it

RESOLVED, that this Legislature approves an amendment to the renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide Government Affairs Services for Orleans County, in the amount of \$7,500 for the month of May of 2018; and be it

FURTHER RESOLVED, that this Legislature wishes to extend an agreement with Park Strategies to provide Government Affairs Services for Orleans County through May 31, 2019 at a cost of \$7,500 per month to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement extension with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Legislature Budget to cover the cost for these services through December 31, 2018 as follows:

From:		
A1990.435	Contingency Fund	\$57,450
To:		
A1010.418	Other Contractual Expenses	\$57,450

Moved, Allport; second, Draper.
Adopted. 6 ayes; 1 nay; Miller; 0 absent.

RESOLUTION NO. 216-418

SETTING DATE OF SPECIAL MEETING TO APPROVE THE SALE OF COUNTY OWNED PROPERTY

RESOLVED, that this Legislature will call a special meeting on Wednesday, May 23, 2018 at 4:30 p.m. at the Orleans County Legislative Chambers to approve the sale of County-Owned Property resulting from the scheduled public auction held at 10 a.m. on Wednesday, May 23, 2018.

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

RESOLUTION NO. 217-418

AUTHORIZING PAYMENT OF CLAIMS FOR MAY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 May 9, 2018:

Fund/Department	Check Number (s):	Amount:
General	12102-1211412115-12262	\$1,080,931.15
Highway	1167-1179; 2755-2777	\$157,301.66
Job Development	2715-2721	\$18,637.88
Self Insurance	59546-59547; 1167-1169	\$21,658.41

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 Superintendent of Highways, 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 May 23, 2018:

Fund/Department	Check Number (s):	Amount:
General	12263-12415	\$382,333.88
Highway	1180-1192; 2778-2791	\$112,031.76
Job Development	2724-2735	\$14,013.91
Self Insurance	59593-59597	\$651.72

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

The following add on resolutions were presented for adoption:

RESOLUTION NO. 218-418

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend EMPG FY2017 (EM17-1040-D00) Grant Funds in an amount not to exceed \$20,959 with matching funds not to exceed \$20,959:

- One 14 ft. Felling trailer per NYSOGS Felling Award # PGB-227792/PC67423 at a total cost of \$4,543; with \$2,271.50 paid by county matching funds;
- Upgrade to 2004 20 ft. trailer by Lyons Collision at a total cost of \$10,000; with \$5,000 paid by county matching funds;
- Trailer lettering by Genesee County Sign Shop at a total cost of \$2,000; with \$1,000 paid by county matching funds;
- Three (3) Pyramid vehicle repeaters from Castner Communications at a total cost of \$15,000; with \$7,500 paid by county matching funds;
- Two Harris Radio Bank Chargers from Castner Communications at a total cost of \$1,375 with \$687.50 paid by county matching funds;
- Payment to consultant to redo Orleans County Continuity of Operations Plan (COOP) at a total cost of \$5,000; with \$2,500 to paid by county matching funds;
- Copier Expenses at a total cost of \$2,950.20; with \$1,475.10 to be paid by county matching funds;
- Grant Management and Administration Costs at a total cost of \$1,047.90; with \$523.95 to be paid by county matching funds

and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up FY 2017 EMPG funds into the Emergency Management budget as follows:

Revenue:		
4305.0017	Emergency Management Program Grant	\$20,958.05

Appropriation:		
A3640.486.0017	Special EMP Grants (FY17)	\$20,958.05

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

RESOLUTION NO. 219-418

**AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF
SOCIAL SERVICES**

RESOLVED, as the result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Caseworker position (6010.0215) at the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective May 9, 2018.

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

RESOLUTION NO. 220-418

**AUTHORIZING SOFTWARE TO BE PURCHASED FROM CDWG
AND PAID FROM THE DEPARTMENT OF SOCIAL SERVICES
BUDGET**

WHEREAS, the Orleans County Legislature is aware of the changes taking place in Albany in regards to the operational schema of the Human Services Enterprise Network which directly affects the day to day operations of the local Department of Social Services, and have been notified of the possible issues with continuing operations in the State-run schema, and

WHEREAS, the Department of Social Services change to the county run network requires that they have legal software licensing for continuing operations, now be it

RESOLVED, that this Legislature approves the purchase of 90 copies and licenses of Microsoft Office Professional Plus 2016 software CDW-G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 from quote number JRMM148 for \$34,113.60 to be paid from Department of Social Services budget A6010.222.

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

RESOLUTION NO. 221-418

AUTHORIZING COMPUTER SERVICES TO INITIATE A SERVICE CONTRACT WITH DOCUMO FOR INTERNET FAXING CAPABILITIES FOR ORLEANS COUNTY

WHEREAS, the Legislature is aware that faxing capabilities, albeit an older and outmoded style of communications, still play a vital role in interoffice communications and external communications with other federal, state and local entities; and

WHEREAS, the Legislature is also aware that the recent change to the telephone capabilities of the county caused this vital technology to become encumbered to the point of non-operational capacity; now be it

RESOLVED, that this Legislature authorizes Computer Services to initiate an ongoing contract with Documo, 848 N. Rainbow Blvd. Suite # 8077, Las Vegas, NV 89107 to provide Internet faxing capabilities to Orleans County via the FaxBridge system, to be paid for by apportionment per department per fax machine from the department's budget line XXXX.421 – Telephone and Internet Services.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to authorize the six bridge prevention maintenance project which is now the supplemental #1 agreement add construction, construction support and the construction Inspection phase, second by Legislator Miller. County Highway Superintendent Jerry Gray was asked by Legislator Eick to provide information regarding this. Mr. Gray indicated that when we get a grant through GTC, we have to enter into multiple agreements. The first one with the State was last year for engineering and now this one is for the construction phase to get reimbursed. Chairman Johnson commented that the County saved this much money by constructing the culverts in house. Mr. Gray stated yes and that is an important message to get out to our taxpayers. The following resolution was adopted:

RESOLUTION NO. 222-418

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE

FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Six-Bridge Preventative Maintenance Project, Contract #D035278, P.I.N. 4760.68 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$109,084.00.

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$545,422.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$545,422.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the County of Orleans Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Supplemental Agreement #1 to add Construction, Construction Support and Construction Inspection phase, Contract #D035278 for a total cost of \$545,422.00; Federal reimbursement of \$436,338.00, State Marchiselli Funding of \$80,463.00 and Local Share \$28,621.00; effective through January 29, 2026. Resolution shall take effect immediately.

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

Chairman Johnson called for any unfinished business. Attorney Schubel, in reference to the resolution approving the agreement between Orleans County and Niagara County, he complimented Director O'Brien and his Niagara County counterpart, along with the Niagara County Attorney for pulling together quickly this arrangement to help those in distress. With the quick termination of this program through Genesee County, a quick response occurred with Niagara County to get another option available, without a lapses in time, and we did not have any unfortunate situation during this quick transition. Chairman Johnson commended Attorney Schubela and Director O'Brien for a job well done.

Legislator DeRoller moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 5:25 p.m.

SPECIAL LEGISLATURE MEETING

May 23, 2018

Vice Chairman Allport called the meeting to order at 4:30 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present with the exception of Chairman Johnson.

The following resolutions were presented for adoption:

Legislator DeFilipps moved to approve the sale of county owned property that was auctioned at today's In Rem auction; second by Legislator Draper. Legislator DeRoller asked Treasurer DeFrank to provide a little of the financial impact from the results of today's auction. Treasurer DeFrank reported that principal and penalty was \$391,888.08 in taxes due. Today the sale price was \$461,300 therefore the net from today's sale was \$69,411.92. CAO Nesbitt asked how far back it has been since we made that much money. Treasurer DeFrank stated she went back to 2015 and there has been losses every year since that time. Treasurer DeFrank reviewed the past few year's losses, which included \$7,894.00 in 2017; \$173,714 in 2016; and \$104,360 in 2015. (Clerk's Note: Last profit from In Rem Auction was \$32,026.02 in 2013.) The Legislature commended the Treasurer and staff for a good profitable year. The following resolution was adopted:

RESOLUTION NO. 223-518

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 May 23, 2018; 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
May 23, 2018

		Sold To:	Amount
ALBION – VILLAGE			
62.18-3-32	Croft Ronald L	Matthew R Corbett	650
PC – 311	McClelland St; 2.0 acres	64 Woodsmoke Ln	
1	Land Total – 9,100	Rochester, NY 14612	
62.20-2-47			
	Dugan Dewain S. Jr, & Dugan Crystal	Jeffrey R. Colonna	25,500
PC - 210	127 North Joseph St; 66.00 x 133.65	130 West Ave	
2	Land – 7,700 Total - 51,500	Albion, NY 14411	
73.5-2-61			
	Chadsey Michael	Scott McMurray	10,000
PC – 210	11 West State St; 66.00 x 132.00	302 W. Academy St	
4	Land Total – 7,700 Total - ,500	Albion, NY 14411	
73.6-5-29			
	Thering Gail S	Anthony Patronski	5,100
PC - 210	246 Chamberlain St; 148.00 x 82.40	2185 Gns-Wltprrt Rd, Bx 483	
5	Land - 9,600 Total - 39,300	Albion, NY 14411	
73.9-2-11			
	Vanderlaan Richard	William Wittman	250
PC - 311	120 Washington St; 49.50 x 78.00	14030 Albion Eagle Hrbr Rd	
7	Land Total - 5,200	Albion, NY 14411	
73.10-2-17			
	Ames Steven & Sharon	Shelcy L Plueckhahn	14,500
PC - 210	232 East Ave; 66.00 x 165.00	328 W. State St	
9	Land - 11,800 Total - 51,200	Albion, NY 14411	
ALBION			
85.1-23	Hess Edwin & Hess, Ann	Gary Saj	34,500
PC - 270	15071 East Lee Rd; 4.50 acres	1023 West Ave	
10	Land – 17,000 Total - 44,600	Medina, NY 14103	
BARRE			
93.-1-41	County of Orleans (formerly Deskins Robert & Ann)	John E Baron Jr	1,000
PC – 210	4492 Eagle Harbor Rd; 200.00 x 138.00	222 W Park St	
11	Land – 14,000 Total - 17,000	Albion, NY 14411	
CARLTON			
8.-1-10	Defazio Deborah	Hillsboro Inlet LLC	1,100
PC - 314	E Shore Dr; 75.00 x 140.00	301 Thelma Drive #505	
12	Land Total - 5,000	Casper, WY 82609	
18.1-2-17.11			
	Wilson John	Catherine Usselman	18,500
PC - 210	14549 Erway Sub Ln; 1.06 acres	141 Hamilton St	
13	Land - 24,400 Total - 38,100	Albion, NY 14411	
27.-1-60.1			
	Hooker Earl	Lee G. Plummer	39,000
PC - 105	Ashwood Rd; 50.50 acres	1683 Yates Carlton TI Rd	

May 23, 2018
Resolutions 223-224

14	Land Total - 53,800	Lyndonville, NY 14098	
CLARENDON			
97.-1-25	Fitzgerald Charles	Stephen D. Barry	14,000
PC - 311	Hindsburg Rd; 17.70 acres	2084 Edgemere Dr	
18	Land Total - 38,700	Rochester, NY 14612	
97.-2-3.2			
97.-2-3.2	Kingdollar Jr. Roger A	Whitney Keppler	12,000
PC - 210	15957 East Lee Rd; 1.60 Acres	13359 W. Lee Rd	
19	Land - 15,500; Total - 43,100	Albion, NY 14411	
98.-1-15			
98.-1-15	Dunn Peter	Hillsboro Inlet LLC	1,000
PC - 311	Fourth Section Rd; .92 acres	301 Thelma Drive #505	
20	Land Total - 6,400	Casper, WY 82609	
98.13-1-18			
98.13-1-18	Alkins James M & Bonnie E	Bilal M. Huzair	\$15,000
PC - 210	16323 Church St; .49 acres	1500 Fuller Rd	
21	Land - 11,100; Total - 87,000	Waterport, NY 14571	
109.-1-13.223			
109.-1-13.223	Furdey Ivan	Hillsboro Inlet LLC	2,250
PC - 314	Holley Byron Rd; 2.20 acres	301 Thelma Drive #505	
22	Land Total - 2,000	Casper, WY 82609	
KENDALL			
20.-1-10.2			
20.-1-10.2	MH Bella Terra	Spencer Pilon	8,000
PC - 105	Petersmith Rd; 22.96 acres	12693 Ridge Rd W	
25	Land Total - 32,000	Albion, NY 14411	
20.-1-10.12			
20.-1-10.12	Mathai Kurian	Spencer Pilon	8,000
PC - 105	Petersmith Rd; 5.6 acres	12693 Ridge Rd W	
26	Land Total - 18,300	Albion, NY 14411	
20.-1-11.2			
20.-1-11.2	MH Bella Terra	Spencer Pilon	8,000
PC - 105	Petersmith Rd; 11.50 acres	12693 Ridge Rd W	
27	Land Total - 21,300	Albion, NY 14411	
32.12-1-10			
32.12-1-10	Craver Associates, Inc.	Jodi-Ann C. Lawrence-Richard	10,000
PC - 210	1776 Kendall Rd; 239.20 x 297.00	1805 Crandall Ave	
29	Land - 11,600; 84,600	Kendall, NY 14476	
42.-1-16			
42.-1-16	Baker Alice M	Jodi-Ann C. Lawrence-Richard	6,000
PC - 210	2160 W Kendall Rd; 120.00 x 186.00	1805 Crandall Ave	
30	Land - 8,600 Total 66,000	Kendall, NY 14476	
MURRAY - VILLAGE			
88.21-1-50			
88.21-1-50	RODRIGUEZ SALVADOR JR LAVENDAR LISA L	Jodi-Ann C. Lawrence-Richard	1,250
PC - 210	23 Thomas St; 66.58 x 98.00	1805 Crandall Ave	
32	Land - 9,000 Total - 71,900	Kendall, NY 14476	
MURRAY			
64.-1-17.12			
64.-1-17.12	Wellington, Lisa	Carola Boza-Meade	600
PC - 314	Telegraph Rd; 175.10 x 104.02	15919 Telegraph Rd	
34	Land Total - 800	Holley, NY 14470	
64.-2-50.111			
64.-2-50.111	Combs, Kenneth J	Richard Gaines	30,500
PC - 210	15968 Creek Rd; 7.71 acres	15984 Creek Rd	
35	Land - 19,900 Total - 95,900	Albion, NY 14411	

64.4-1-4	Pitt David Gerald	Shut The Front Door, LLC	12,500
PC - 210	15845 W Brockville Rd; 66.00x239.25	37 S. Main St	
36	Land – 9,000 Total 35,000	Holley, NY 14470	
66.-1-14.2	Gustke, David	Brandon Foster	27,000
PC – 220	2605 Mon/Ori Co Line Rd; 9.90 acres	5256 South Holley Rd	
37	Land – 23,400 Total 139,500	Holley, NY 14470	
66.-1-14.122	Gustke David	Anthony M Cutaia	1,000
PC – 314	Mon/Ori Co Line Rd; 2.65 acres	1162 County Line Rd	
38	Land Total - 4,300	Hamlin, NY 14464	
RIDGEWAY-VILLAGE			
80.30-1-4	Miller, Gabriella	Jonathan Joseph	100
PC – 210	112 Ensign Ave; 50.00 x 83.64	113 Roseland Ave	
39	Land – 5,000 Total – 54,500	Medina, NY 14103	
80.45-1-13	Holloman Walsh	Richard D. Colonna	750
PC – 311	123 Starr St; 34.60 x 98.00	130 West Avenue	
41	Land Total – 2,400	Albion, NY 14411	
RIDGEWAY			
56.3-1-14	County of Orleans (formerly Lovely Maria L	Matthew R Corbett	6,750
PC – 210	10286 Ridge Rd; 81.00 x 150.00	64 Woodsmoke Ln	
42	Land – 7,100 Total - 61,900	Rochester, NY 14612	
56.3-1-15	County of Orleans (formerly Maynard T Lovely Maria L	Gretchen Ott	8,000
PC - 210	10282 Ridge Rd; 70.00 x 148.50	2813 Marshall Rd	
43	Land – 6,100 Total - 46,400	Medina, NY 14103	
67.-1-29	Seals, Clayton and Beverly	Jason W. Cramer	7,000
PC – 210	3655 County Line Rd; 1.00 acres	2956 S. Lyndonville Rd	
44	Land – 9,500 Total – 59,200	Medina, NY 14103	
69.-1-3	Brendlinger John A Jr.	Gloria A Brent	4,000
PC – 210	3493 Horan Rd; 198.00 x 173.35	3662 Culvert Rd	
45	Land – 11,500 Total – 35,500	Medina, NY 14103	
70.2-3-12	Gyorfi Gary	Patrick McCauley	4,500
PC - 210	3602 Knowlesville Rd; 52.00 x 108.67	3605 W. Ave	
46	Land – 4,400 Total – 20,400	Knowlesville, NY 14479	
SHELBY – VILLAGE			
80.13-1-71	Tarjoman Mike	Duane Feor	46,500
PC - 210	1011 West Ave; 102.00 x 260.33	4763 Bennetts Cr	
49	Land – 13,700 Total – 122,400	Holley, NY 14470	
80.13-1-74	Stewart Ronald	Michael Armstrong	27,000
PC – 220	915 West Ave; 94.50 x 104.50	182 N. Gravel Rd	
50	Land – 9,700 Total – 20,000	Medina, NY 14103	
80.13-3-21	Dudek Thomas	Gretchen Ott	3,000
PC – 210	1023 Elm St; 68.26 x 175.00	2813 Marshall Rd	
52	Land – 9,500 Total – 52,100	Medina, NY 14103	
80.45-3-37	Barnes Darryl	Jacob Vick	3,500
PC – 210	739 Church St; 42.00 x 132.00	1997 Main St	
53	Land – 3,900 Total – 17,700	Waterport, NY 14571	

May 23, 2018
Resolutions 223-224

SHELBY			
100.-1-1.111	County of Orleans (formerly Boyer William C)	Eric LeVan	10,000
PC - 270	4591 County Line Rd; 2.00 acres	708 Orient St	
57	Land - 11,200 Total - 30,400	Medina, NY 14103	
YATES – VILLAGE			
25.9-1-21	Prahler John C & Joan E	Jodi-Ann C. Lawrence-Richard	7,500
PC - 210	262 N Main St; 82.50 x 243.00	1805 Crandall Ave	
58	Land - 11,600 Total - 42,400	Kendall, NY 14476	
YATES			
4.-1-20	Marshall Raymond & Kathyleen M	Elliott R. Parfitt	5,500
PC – 270	1125 Morrison Rd; 125.00 x 323.73	11320 Slade Rd	
60	Land – 10,800 Total - 16,500	Medina, NY 14103	
34.-1-15.2	R.H.E. Investments, LLC	Michael Pavlock	\$4,000
PC – 314	County Line Rd; 3.10 acres	2163 County Line Rd	
61	Land Total – 14,700	Barker, NY 14012	
34.-1-18.211	Munn Byron G	Salbador Cabrera	13,000
PC – 270	2125 County Line Rd; 2.75 acres	10276 Roosevelt Hwy	
62	Land – 14,000 Total - 40,100	Lyndonville, NY 14098	
TOTAL:			458,300

Moved, DeFilipps; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator DeFilipps moved to approve the sale of two additional properties in the Town of Shelby; second by Legislator Draper. Legislator Draper explained the intention of the Town of Shelby. To sum it up, they wanted to help the County by pulling it off the auction list, help level it and try to stop the blight by improving it for future sale. They never wanted to own the property explained Legislator Draper. Legislator Draper suggested sharing the auction list earlier with the Towns and Villages to look at the parcels to help stop the blight in our municipalities. The following resolution was adopted:

RESOLUTION NO. 224-518

APPROVING SALE OF ADDITIONAL COUNTY-OWNED PROPERTY IN THE TOWN OF SHELBY

WHEREAS, a public auction of two parcels in the Town of Shelby owned by the County under the In Rem Foreclosure was held May 23, 2018; 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 the two 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.

SHELBY		Sold to:	Amount:
90.16-1-22	Dewitt Larry	Rodney M. Newman	1,250
PC - 210	4542 Baby Ln; 96.36 x 118.00	2640 Gaines Waterport Rd	
55	Land – 5,000 Total - 17,400	Albion, NY 14411	
90.16-1-23	McCracken Lauren	Rodney M. Newman	
PC - 210	4540 Baby Ln; .19 acres	2640 Gaines Waterport Rd	1,750
56	Land – 5,100 Total - 31,000	Albion, NY 14411	
		TOTAL:	3,000

Moved, DeFilipps; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Johnson.

Legislator Miller moved to adjourn; second by Legislator DeRoller.
Meeting adjourned at 4:35 p.m.

LEGISLATURE MEETING

May 30, 2018

Chairman Johnson called the meeting to order at 4:33 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Orleans County Treasurer Kimberly DeFrank has filed the following in the Clerk of the Legislature Office:

- Annual Financial Report Update Document for the County of Orleans for the Fiscal Year ending December 31, 2017.
- A list of Inter Fund loans issued to date as directed in Resolution No. 175-418.
- Capital Project Year ending December 31, 2017 Financials for the following Capital Projects: Reconstruction of County Bridges; Public Safety Building; County Office Building Addition and Renovations; 911/Radio; Infrastructure; Energy Performance.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through April, 2018. Treasurer DeFrank reported that cash flow is up \$1.1 million over last year due to tax collection. The 2017 books were closed in April and the annual update document was filed on time with the State Comptroller. She was able to add about a half a million dollars to the fund balance and Sales Tax is up about \$100,000 from last year at this time. Treasurer DeFrank had an intensive conversation with Moody's Investors and was able to maintain an A1 credit rating for Orleans County.

Chairman Johnson asked the Legislators if they would like to provide a report. Legislator DeRoller announced that the Canal Corporation would be coming to Albion on June 6th to discuss the embankment maintenance program along the 24 miles of the canal corridor. The public is welcome to attend at the Hoag Library from 6 to 8 p.m.

Legislator Johnson called on the public to comment on any resolutions. Tinker Young, Lyndonville, requested the Board to support the efforts on today's agenda of Earl Schmidt, Director of our Veterans Service Agency and also stated that Mr. Schmidt has been a wonderful asset to Orleans County and does great things for our Veterans.

Legislator Draper recognized Danielle Figura, Clinic Coordinator for Orleans County Mental Health. She received a Special Recognition award at the May 24th Annual Mental Health Association meeting acknowledging her acceptance of the 2018 Constance E. Miller Commitment to Excellence awarded by the Mental Health Association of Genesee & Orleans Counties. She was awarded this great honor for her commitment to implementing numerous support programs throughout Orleans County including but not limited to: the Orleans County Jail, the five School Districts in Orleans County, GCASA and Oak Orchard Community Health.

Legislators Allport and Draper presented a Special Recognition Award to Jonathan Doherty acknowledging his recent acceptance of the Chris Burke Award for Excellence in disABILITY Advocacy. Johnathon is truly dedicated to advocate for the needs of those with disabilities. Legislator Allport added that the appreciation also goes beyond for his commitment to the various organizations and events that he volunteers for in Orleans County.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 225-518

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2018; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment
October 1, 2017 through March 30, 2018**

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	221,712,135	443,424,270	122,876,290	27.71%	21,197.63	5,874.03	15,323.60
Barre	99,631,504				10,002.14		10,002.14

Carlton	205,122,207				15,806.64		15,806.64
Clarendon	160,408,925				16,306.76		16,306.76
Gaines	124,616,074	247,232,148	23,357,825	9.33%	6,583.49	614.36	5,969.13
Kendall	157,973,439				21,409.43		21,409.43
Murray	183,247,740	366,495,480	54,053,895	14.75%	24,320.05	3,586.93	20,733.12
Ridgeway	221,086,173	442,172,346	91,332,735	20.66%	19,822.25	4,094.38	15,727.87
Shelby	183,151,862	366,303,724	73,388,378	20.03%	16,986.85	3,403.29	13,583.56
Yates	<u>152,707,777</u>	305,415,554	<u>29,213,014</u>	9.57%	19,949.40	1,908.16	18,041.24
Total	1,709,657,836				172,384.64	19,481.15	152,903.49

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO.

APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

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

<u>NAME</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Paul Schwenk 1456 Bills Rd Kent, New York 14477	Town of Carlton	12-31-20

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 227-518

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

National Medical Services, Inc, (NMS Labs) at 3701 Welsh Road, Willow Grove PA to provide for a medical examiner program and services (forensic laboratory tests) to Orleans County Health Department under the provisions of NYS Public Health and County Law governing this service. Term of

Contract is April 1, 2018 through April 30, 2020. 100% cost to county under Budget 1185-Coroner/Medical Examiners.

SUNY Potsdam at University Plaza Albany NY 12246 to provide for Students of professional practicum placements for SUNY Potsdam of Public Health Students with Orleans County Public Health Departments to intern during summer semesters. Term of contract is August 13, 2018 through September 1, 2023. No county cost.

New York State Department of Health, Center for Environmental Health, ESP, Corning Tower, Room 1619, Albany, NY 12237. This Contract is for enforcement of ATUPA (Adolescent Tobacco Use Prevention Act) and CIAA (Clean Indoor Air Act) per Public Health Law, Article 13-F and Article 13-E. Terms of Contract is April 1, 2018 through March 31, 2023. Total reimbursement of \$130,390 paid \$26,078 per year for each year of contract. No County Cost.

University of Rochester, 601 Elmwood Ave., Box 709, Rochester, NY 14623. This Agreement is for the Orleans County Health Department, as a designated Western Region Coalition Partner, to become a Placement Agency to accept, store and utilize equipment and supplies for use in emergency preparedness training and preparedness activities. No County Cost.

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

RESOLUTION NO. 228-518

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

WHEREAS the Orleans County Health Department has improved chronic disease prevention activities and began the process of submitting documentation for full PHAB accreditation; now be it

RESOLVED the Orleans County Health Department will accept an award of \$30,500 to support costs associated with Article 6 programs;

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department as a result of the award from the New York State Department of Health:

Revenue:		
A3401	State Aid	\$30,500
Appropriations:		
4010.250	Other Equipment	\$27,500
4010.452	Personal Service Contracts	\$ 2,000
4010.487	Environmental Health Supplies	\$1,000

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

RESOLUTION NO. 229-518

AUTHORIZING HEALTH DEPARTMENT TO APPLY FOR GRANT THROUGH THE PUBLIC HEALTH SERVICES COMMISSIONED OFFICERS FOUNDATION 2018 SEED GRANT FUNDING

RESOLVED, that the Orleans County Health Department is authorized to apply for 2018 Seed Grant Funding in the amount of \$5,000 through the Public Health Services Commissioned Officers Foundation to be used in both Genesee and Orleans counties to educate and vaccinate grocery store managers and their produce handlers on hepatitis A. No County cost.

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

RESOLUTION NO. 230-518

AMENDING RESOLUTION 479-1217 WHICH ADOPTED THE SCHEDULE OF FEES FOR WEIGHTS AND MEASURES

WHEREAS, The Orleans County Legislature adopted the schedule of fees for Weights and Measures by passage of Resolution No. 479-1217 on December 20, 2017; and

WHEREAS, Article 16 of Ag and Markets Law prohibits the collection of fees and due to the uncertainty of the State challenging a local fee, the Orleans County Attorney recommends removing the Witnessing fee and working through the legislative process to clarify the ability to adopt witnessing fees and/or adjust amounts of the current fees; now be it

RESOLVED; this Legislature does hereby amend Resolution No. 479-1217 by removing the Witnessing Fees section of the Weights and Measures fee schedule, and all others adopted remain in effect.

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

RESOLUTION NO. 231-518

AUTHORIZING A PURCHASE FROM PUBLIC HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department to purchase a 2017 Ford Escape from Orleans Ford Inc., 1405 South Main Street, Medina, New York in the amount of \$19,122 to be paid from Public Health Department budget account A4010.250-Other Equipment. No County Cost.

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

RESOLUTION NO. 232-518

AMENDING RESOLUTION NO 182-418 CONCERNING FILLING VACANCY IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby amend Resolution 182-418 to authorize changing the filling of a full-time Senior Account Clerk Typist position to a full-time Senior Account Clerk in the Health Department at the same Grade 10 of the CSEA Salary Schedule effective immediately.

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

RESOLUTION NO. 233-518

AUTHORIZING FILLING POSITION IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, due to a resignation, that this Legislature authorizes the filling of a vacant full time Keyboard Specialist position (Position #4310.35) in the Mental Health Department at Grade 7 of the CSEA salary schedule, effective May 31, 2018.

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

Legislator Draper moved the resolution to establish the PFC Joseph Dwyer Peer to Peer Support Program for Orleans County; second by Legislator Allport. Legislator DeRoller commented that he was pleased with the all-volunteer program approach to get this off the ground and should be commended. Thanks for today's presentation and the tenacity to bring these people together. The following resolution was adopted:

RESOLUTION NO. 234-518

APPROVING THE ESTABLISHMENT OF THE PFC JOSEPH DWYER PEER-TO-PEER SUPPORT PROGRAM FOR ORLEANS COUNTY AND REQUESTING ORLEANS COUNTY DEPARTMENT OF MENTAL HEALTH TO PROVIDE STATE AID PASS-THROUGH MONIES TO BE EXECUTED BY THE ORLEANS COUNTY VETERANS DEPARTMENT

WHEREAS, the Dwyer Program brings returning veterans together with other veterans in establishing a secure, anonymous setting in order to help one another to cope with the effects of Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI); and

WHEREAS, the purpose of the Program is to design and implement a peer-based program with the following goals: (1) Pursue outreach and education; (2) Provide peer support; (3) Build resiliency among peers; (4) Encourage a connection among family, friends, and community; (5) Provide access to suicide prevention/intervention initiatives; (6) Foster hope; and

WHEREAS, the PFC Joseph Dwyer Peer-to-Peer program is funded through New York State and administered on the County level through the

local Office of Mental Health and implemented by the County Veterans Services Organization; and

WHEREAS, this County Legislature recognizes the honorable services and sacrifices rendered by the Veterans and families in Orleans County; now be it

RESOLVED, that this Legislature authorizes the Orleans County Veterans Department and the Orleans County Department of Mental Health to establish the PFC Joseph Dwyer Peer-to-Peer Support Program in Orleans County; and be it

FURTHER RESOLVED, that the funding that is being provided by New York State be accepted by the Orleans County Department of Mental Health in the amount of \$52,500; and be it

FURTHER RESOLVED, that the Orleans County Department of Mental Health hereby requests that New York State pass-through monies for the PFC Joseph Dwyer Peer-to-Peer program be placed in the 2018 budget of the Orleans County Department of Mental Health in the amount of \$52,500 at no County cost.

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

RESOLUTION NO. 235-518

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT

RESOLVED, that this Legislature approves the Orleans County Probation Director to accept aid in the amount of \$16,000 effective January 1, 2018 to December 31, 2019 to offset cost of providing Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant.

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

RESOLUTION NO. 236-518

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND EM SYSTEMS, INC.

RESOLVED, that this Legislature approves a renewal agreement between the Sheriff's Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226, for the 2018/2019 software support and maintenance agreement covering CAD, AVL and Mobile Data Systems for Public Safety Communications division, effective July 1, 2018 through June 30, 2019, at a cost of \$16,500, to be paid from the Public Safety Communication budget.

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

Legislator Allport moved to accept a protective vest for our four-legged K-9 Officer; second by Legislator Draper. Legislator DeRoller invited Otto to an upcoming meeting to showcase his new vest. Undersheriff Bourke stated he could make that happen. The following resolution was approved:

RESOLUTION NO. 237-518

AUTHORIZING SHERIFF'S OFFICE TO APPLY AND ACCEPT K-9
AWARD THROUGH VESTED INTEREST IN K-9s, INC.

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to Vested Interest in K9s, Inc., East Taunton, MA, to be a recipient of a ballistic and stab protective vest for the protection of the department's canine, at no cost, and be it

FURTHER RESOLVED, that this Legislature shall accept this vest award for the Orleans County Sheriff's Office canine.

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

RESOLUTION NO. 238-518

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

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

RESOLVED, that this Legislature authorizes the Sheriff to apply for grant funding through the Bullet Proof Vest Partnership Initiative, administered through the Bureau of Justice Assistance, allowing for reimbursement up to 50% of the total cost of body armor vests purchased for law enforcement officers.

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

Legislator Allport withdrew the below resolution:

RESOLUTION NO. 239-518 - WITHDRAWN

AUTHORIZING CREATION AND FILLING OF POSITIONS IN THE SHERIFF'S DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the creation of two permanent full-time Deputy Sheriff positions in the Sheriff's Department at Grade 1 of the Orleans County Deputy Sheriff's Association (OCDSA) contract; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these two newly created vacant full-time positions effective May 31, 2018.

RESOLUTION NO. 240-518

AMENDING RESOLUTION NO. 199-418 TO APPROVE ADDITIONAL APPOINTMENTS TO THE EMERGENCY MEDICAL SERVICES COUNCIL

WHEREAS, Resolution No. 199-418 approved appointments to the Emergency Medical Services Council; now be it

RESOLVED, that the following members be appointed to the Emergency Medical Services Council as indicated below:

AGENCY

NAME OF VOTING MEMBER

May 30, 2018
Resolutions 225-253

East Shelby Fire Company
Shelby Fire Company
COVA

Michael Fuller
John Miller
Jason Spencer

FURTHER RESOLVED, that these appointments are effective from this date through December 31, 2018.

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

RESOLUTION NO. 241-518

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>
\$1,739.00	Labella Associates, P.C.	Prof. Services Culvert Road Culvert Replacement 3/24/18-4/20/18 – Inv #89935

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

RESOLUTION NO. 242-518

AWARDING BID AND APPROVING AN AGREEMENT BETWEEN
THE HIGHWAY DEPARTMENT AND KEELER CONSTRUCTION

RESOLVED, this Legislature awards and accepts the low bid submitted by Keeler Construction, 13519 West Lee Road, Albion, New York 14411 and authorizes the Chairman to execute an agreement with Keeler Construction for the Portage Road Bridge Replacement Project in Orleans County at a bid cost of \$588,821; agreement effective as soon as County gives notice to proceed; and be it

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

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

RESOLUTION NO. 243-518

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT
AND MONROE TRACTOR**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Monroe Tractor, 1001 Lehigh Station Road, Henrietta, NY 14467 for a rental agreement for a 2015 mini excavator at \$1,700.00/month from May 1, 2018 through October 1, 2018.

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

RESOLUTION NO. 244-518

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT
AND VANTAGE EQUIPMENT**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Vantage Equipment, 5985 Court Street Road, Syracuse, New York 13206 for a Roller Rental from May 1, 2018 through October 1, 2018 at \$3,600 a month; and be it

FURTHER RESOLVED, there will be a partial reimbursement through the Consolidated Highway Improvement funds and town payments.

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

RESOLUTION NO. 245-518

**AUTHORIZING AGREEMENT FOR MOTOR FUEL PURCHASES
BETWEEN THE COUNTY OF ORLEANS AND QUALIFYING
ORGANIZATIONS**

RESOLVED, that this Legislature hereby approves the execution of an agreement for Motor Fuel Purchases between the County of Orleans and organizations that are exempt from the payment of New York State sales and use taxes effective February 1, 2018 through January 31, 2019; and may automatically renew yearly, through January 31, 2023 unless either party wishes to renegotiate the terms of the agreement.

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

RESOLUTION NO. 246-518

AUTHORIZING THE DIRECTOR OF JOB DEVELOPMENT TO APPLY FOR GRANT FUNDING WITH THE WORKFORCE DEVELOPMENT INSTITUTE

RESOLVED, that the Director of Job Development is authorized to apply for the Workforce Development Institute's 2018 Workforce Intelligence/Education & Training Grant in an amount, not to exceed, \$10,000 for a funding period of July 1, 2018 through December 1, 2018. This is a 50% matching grant that the Computer Services Department has already received budget approval for \$5,000 in the 2018 Budget. (Acct.# A1680.270 – Capital Equipment). The primary purpose of the Grant is to support Cyber Security awareness and educational training for all Orleans County Employees to strengthen their understanding of current and historical trends of negative cyber security activities and methods of mitigation in today's networking environment on the Orleans County Network.

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

RESOLUTION NO. 247-518

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

Orleans County Office for the Aging, Albion, NY for the provision of outreach activities for Low Income Home Energy Assistance Program (HEAP) recipients; to be effective August 28, 2018 through August 27, 2019 at a cost of \$17,500. County cost is \$0.

Greater Rochester Collaborative MSW Program, Rochester, NY for an intern agreement among Nazareth College, Brockport College, and Orleans County Department of Social Services; to be effective June 12, 2018 through June 11, 2019. County cost will be \$0.

New Directions Youth & Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2018 through June 30, 2019 at per diem rates as established by the State, not to exceed \$500,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

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

Legislator Miller moved to support legislation for the State to increase financial resources to county veteran agencies for operations. Legislator Miller requested Veterans Service Agency Director Earl Schmidt to update the board on this. Mr. Schmidt advised that in 1946 by NYS Law 357 (b), it was mandated to navigate benefits to veterans and their families. In 1949, the New York State Division of Veterans Affairs put in place a reimbursement rate of 50% of said income for operation and maintenance, which was \$8,529 for Orleans County. The Legislation is asking for the removal of the percentage rate and asking for a minimal of \$20,000 for each county because services has changed since 1949. Legislator Eick seconded the motion and the following resolution was adopted:

RESOLUTION NO. 248-518

SUPPORTING LEGISLATION FOR THE STATE TO INCREASE FINANCIAL RESOURCES TO COUNTY VETERAN SERVICE AGENCIES FOR OPERATIONS

WHEREAS, our local veterans are very important and we must provide them the services that they have earned and deserve; and

WHEREAS, New York State Statute mandates that every County must have a Veteran Service Agency to help our veterans get the benefits and resources they have earned; and

WHEREAS, the amount of funding provided to these local service agencies are minimal therefore cannot provide veterans the best services due to funding restrictions; now be it

RESOLVED, that the Orleans County Legislature supports Senate Bill No. S8210 and Assembly Bill No. A10714 to amend the executive law, in the relation to the cost of maintenance and operation of veterans' service agencies; and be it

FURTHER RESOLVED, that the Orleans County Legislature supports the amendment to the executive law to remove the fifty percent cap on total expenditures for maintenance and operation that can be reimbursed by the state while increasing the maximum reimbursement to twenty thousand and from five thousand to ten thousand the amount in excess of certain population figures; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to Governor Cuomo, Senator Ortt, Assemblyman Hawley, Assemblyman Norris and all others deemed necessary and proper.

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

Legislator Allport moved to call upon residents and business owners to adopt the "Think Differently" initiative to assist individuals with special needs and their families; second by Legislator Draper. Legislator Allport reported that Assemblyman Hawley hosted a public forum several weeks ago at the Genesee County ARC, which several employees from ARC and elected officials from neighboring counties attended. He said since the 1960's we have made great strides in mental health in public awareness and education. This "Think Differently" campaign is just one more step in the right direction of public awareness and acceptance of this in our society. The following resolution was adopted:

RESOLUTION NO. 249-518

CALLING ON ORLEANS COUNTY RESIDENTS AND BUSINESS OWNERS TO ADOPT THE “THINK DIFFERENTLY” INITIATIVE TO ASSIST INDIVIDUALS WITH SPECIAL NEEDS AND THEIR FAMILIES

WHEREAS, the “Think Differently” initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the “Think Differently” initiative is an important statement that our County officials, business owners and residents can make to show their support for the differently abled children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the County of Orleans adopts and urges residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with,

provide for, and support those living on the Autism Spectrum and with special needs.

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

Legislator Allport moved to approve an agreement between Orleans County and Charter Communications; second by Legislator Draper. Legislator DeRoller stated he was concerned with this arrangement. He said it is not strategic in value and it is based on Charter's convenience to actually have non-disclosure. He said that our Chairman has been working on this for four or five years. We are underserved and we will continue to be underserved and he wanted to go on record that he does not see it being a strategic advantage to get into this agreement. Once we get the information, we know we are underserved. Legislator Miller agreed with Legislator DeRoller. He said we are here to serve our constituents and to inform them of what we know. For us to be updated on this and then we cannot communicate that with our constituents, which is what our job is supposed to be, he too is not in favor of this agreement. The following resolution was adopted:

RESOLUTION NO. 250-518

APPROVING AGREEMENT BETWEEN THE COUNTY OF ORLEANS
AND CHARTER COMMUNICATIONS INC.

RESOLVED, that this Legislature does hereby authorize execution of an Agreement between the County of Orleans and Charter Communications Inc., whereby Charter Communications will provide certain information to identify unserved or underserved broadband services, such information subject to restrictive covenants as more particularly set forth in the Agreement, in connection with the approval by the New York Public Service Commission and as agreed to in the matter of the merger with Time Warner Cable.

Moved, Allport; second, Draper.
Adopted. 4 ayes, Allport, DeFilipps, Eick, Johnson; 3 nays, DeRoller, Draper, Miller; 0 absent.

RESOLUTION NO. 251-518

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT.

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$213,654.33	Wendel WD A/E/S/LA, PC.	Inv #348620 Final Design, Bidding, Mental Health Design, FF&E, Alternates, DOH Grant Assist, Fire Prot, Haz Mat, Reimbursable Expenses – services through 2/28/2018
\$20,225.09	Wendel WD A/E/S/LA, PC.	Inv #348898, Mental Health Design, FF&E Design, Alternates-Phase II Bid Package, DOH Grant Admin Assistance, Haz Mat Testing, Reimbursable Expenses – services through 3/31/2018
\$1,187.16	County Line Stone Co., Inc.	Inv#118743 – Sidewalk to COB Temporary Entrance
\$352.40	Daily News	Publication - Notice of Bond Sale
\$1,160.00	Source Media	Publication – Notice of Bond Sale
\$15,000.00	Moody’s Investors Service	Professional Services – Credit Rating

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

RESOLUTION NO. 252-518

AUTHORIZING PAYMENT OF CLAIMS FOR JUNE AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 June 13, 2018:

Fund/Department	Check Number (s):	Amount:
General	12416-12621	\$552,254.42
Highway	1193-1211; 2792-2828	\$1,293,510.96
Job Development	2741-2747	\$22,666.86
Self Insurance	1170-1172; 59655-59656	\$12,326.15

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 Superintendent of Highways, 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 June 27, 2018:

Fund/Department	Check Number (s):	Amount:
General	12622-12779	\$475,929.63
Highway	1212-1224; 2829-2837	\$649,372.76
Job Development	2757-2763	\$11,553.69
Self Insurance	59721, 59725, 59764-59765; 59767-59770; 2273-1175	\$57,153.27

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

The following add on resolution was presented for adoption:

RESOLUTION NO. 253-518

**APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND
LIVINGSTON COUNTY FOR GLOW WORKFORCE DEVELOPMENT
BOARD**

RESOLVED, that this Legislature approves the agreement between the Job Development Department and Livingston County on behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Room 303,

Geneseo, NY, 14454, to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) for Youth from July 1, 2018 to June 30, 2019 at a cost of \$97,095. Contract# PY2018-3. County cost \$0.

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

Chairman Johnson called for an unfinished business. With hearing none, Chairman Johnson called upon the public for comment. Tinker Young expressed a concern of a hidden stop sign. This is located at the north side of Route 104 at Eagle Harbor Waterport Road. He feels there should be a warning sign before that. Superintendent Gray indicated that this is a state highway. He said that the Town of Gaines would have to petition the state to have a study performed to add any additional signage at that location.

Legislator Eick moved to enter into executive session at 5:00 p.m. per Open Meetings Law §105 (f) to discuss a personnel item, second by Legislator Allport. Motion Carried.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 5:42; second by Legislator DeRoller. Motion Carried.

Legislator DeRoller moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:42 p.m.

LEGISLATURE MEETING

June 27, 2018

Chairman Johnson called the meeting to order at 4:35 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll.

The Clerk presented the following communications: Orleans County Treasurer Kimberly DeFrank has filed an Inter Fund loan issued to date as directed in Resolution No. 175-418 in the Clerk of the Legislature Office. The Department of Social Services is asking to place a banner on the Courthouse square for Child Support Awareness Month from August 6th through August 17, 2018. The Board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through May, 2018. She indicated that cash balance looks good and she has invested in a few CDs due to the increased interest rates; which we have not done in over ten years due to the poor rates. Therefore, you will most likely see an increase in our interest revenue.

Chairman Johnson called Sheriff Randall Bower to come forward and was recognized for receiving the Magnus Leadership Award in recognition of his tireless work implementing bold initiatives that have created synergy and trust between the citizens of his community and the Orleans County Sheriff's Office. Sheriff Bower received this while attending the National Sheriff's Association Conference in New Orleans last week. Chairman Johnson stated there are many reasons listed in receiving this award, which included Sheriff's CARE Program; expanded substance abuse and mental health services for the inmates at the Orleans County Jail. The Sheriff has also led a number of outreach and public safety events in the county, including several at local schools. Chairman Johnson said how wonderful it is to receive the highest award through your National Association with being only sheriff for three years.

Legislator DeRoller announced that he has been appointed by the Governor, through Senator Ortt, to serve on the Canal Recreation Commission. He indicated that he has passion around pro-activeness and a vision for the future. He feels the canal is an asset we need to take advantage of. This appointed is from the Governor, recommended by the senate and supported by this Legislative board. He highlighted a couple key points regarding the commission duties, which include preserving the best of the past; enhancing

the recreation opportunities and fostering appropriate and substantial economic development. He stated that they were instrumental through our Planning Department to secure a grant to look at plans for the canal. State contribution on that grant is \$67,500 with the county to match funds, and the Village of Medina has also stepped up in this process. He is appreciative of the support and looks forward to getting into the arena to work with other colleagues that have the same passion for the canal.

Legislator Allport announced the Barre Bicentennial Celebration. He stated with the help of Keeler Construction and the Daniels Family, a veteran memorial will be dedicated at the Town of Barre Town Hall this Saturday at 10 a.m., with a parade to follow at 11 a.m. and an abundant amount of afternoon activities to enjoy.

Chairman Johnson called for open discussion as it related to the resolutions. No comments from public therefore the following resolutions were presented for adoption:

RESOLUTION NO. 254-618

**AUTHORIZING AGREEMENT BETWEEN COMPUTER SERVICES
AND FRED NUDD CORPORATION FOR PROFESSIONAL SERVICES
FOR THE WIRELESS CAPITAL PROJECT**

WHEREAS, that this Legislature is aware of the ongoing issues of network connectivity and redundancy regarding Animal Control, Highway and Mental Health as well as the quality of service issues at both Animal Control and Highway, now be it

RESOLVED, that this Legislature authorizes professional tower climber services from Fred A. Nudd Corporation, 1743 Route 104, Box #577, Ontario, NY 14519 for the Computer Services Capital Project Wireless Point to Point Service in the amount of \$6,900 (PO# 59682) to be paid from Computer Services Account A1680.270 – Capital Equipment which will increase network speed and robustness, provide redundancy for fault tolerance and user accessibility, defray ongoing costs associated with third party network and internet access and maximize connectivity for three Orleans County departments.

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

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 255-618

APPROVING AGREEMENT BETWEEN COUNTY TREASURER AND
EFPR GROUP, CPAS FOR INDEPENDENT AUDIT OF DEFERRED
COMPENSATION PLAN

WHEREAS, it is the recommendation of the County Treasurer to
approve the Deferred Compensation Plan auditing contract with EFPR
Groups, CPAs for one year; and be it

RESOLVED, that this Legislature does hereby approve a two-year
agreement between the County of Orleans and EFPR Group, CPAs, 280
Kenneth Dr., Suite 100, Rochester, NY 14623, to provide auditing services
of the Deferred Compensation Plan for the fiscal years 2017 at a cost of
\$6,000.00 to be reimbursed by the Plan Administrator. County cost is \$0.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 256-618

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

RESOLVED, that a public hearing will be held by this Legislature
to consider requests for inclusion of additional agricultural lands in certified
County Agricultural District on the 25th day of July at 4:20 PM at the
Legislative Chambers, 3 South Main Street, Albion, New York, and be it

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

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 257-618

SANCTIONING OONA 2018 SUMMER CONCERT SERIES AT MARINE PARK, POINT BREEZE, AND RECOGNIZING OONA MEMBERS AS EXPRESSLY AUTHORIZED VOLUNTEERS FOR PURPOSES OF THE COUNTY DEFENSE AND INDEMNIFICATION POLICY

WHEREAS, the Oak Orchard Neighborhood Association (hereinafter “OONA”) is an unincorporated association dedicated to improving the quality of life, a sense of community, and pride in the Oak Orchard/Lake Ontario region of the County of Orleans, and

WHEREAS, OONA annually produces a summer concert series at Marine Park, Point Breeze, and

WHEREAS, this Legislature recognizes that the OONA Summer Concert Series enhances the quality of life in the County of Orleans and is in the overall public interest, and

WHEREAS, this Legislature further recognizes that the OONA volunteers serve as voluntary workers at the Summer Concert Series without compensation or recompense, and

WHEREAS, this Legislature wishes to foster and promote the OONA Summer Concert Series, now therefore be it

RESOLVED, that this Legislature sanctions and approves OONA producing the 2018 Summer Concert Series at Marine Park, Point Breeze for the 2018 season commencing on July 10, 2018 and concluding on August 14, 2018 and recognizes the 2018 OONA Summer Concert Series as a publicly sanctioned volunteer program for purposes of the County’s Defense and Indemnification Policy and be it further

RESOLVED, that OONA members serving as voluntary workers at the 2018 Summer Concert Series are recognized as volunteers expressly authorized to participate in the publicly sanctioned volunteer program of the 2018 OONA Concert Series for purposes of the County’s Defense and Indemnification Policy upon the condition that each volunteer sign an Orleans County Volunteer Enrollment Agreement governing each individual’s activities and association with, and services to, the OONA 2018 Summer Concert Series as a voluntary worker.

Moved, DeRoller; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 258-618

APPROVING A SUPPLEMENTAL AGREEMENT BETWEEN COUNTY OF ORLEANS AND THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY (COIDA)

WHEREAS, Resolution No. 11-118 approved an agreement between Orleans County and County of Orleans Industrial Development Agency (COIDA) for economic development services for 2018; and

RESOLVED, that this Legislature approves a supplemental agreement between Orleans County and COIDA to pursue the advancement in Economic Development of our county business parks in the amount of \$42,000 and authorizes payment of the same; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Orleans Economic Development Agency budget to further the goal of Economic Development by investing in the development of county business parks as follows:

From:		
A1990.435	Contingency Fund	\$42,000
To:		
A8021.439	Authorized Agencies	\$42,000

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 259-618

APPROVING AGREEMENT BETWEEN HEALTH DEPARTMENT AND ORLEANS COUNTY SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby approve an agreement between the Health Department and Orleans County Sheriff's office to provide for Animal Control Services, as requested by Orleans County Health Department effective January 1, 2018 through December 31, 2022. Reimbursement from New York State Article 6 funding

(100%/36%).

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

RESOLUTION NO. 260-618

**AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH
DIRECTOR AND DEPUTY PUBLIC HEALTH DIRECTOR**

WHEREAS, Paul Pettit and Brenden Bedard have received notice of acceptance in to The Kresge Foundation’s third Emerging Leaders in Public Health cohort, and

WHEREAS, over the next fourteen months they will participate and work on a transformative health initiative for Orleans and Genesee County around the development of a comprehensive telehealth program to provide greater access to health education and services to county residents, be it

RESOLVED, that the legislature does hereby approve Paul Pettit and Brenden Bedard to participate in the program requirements including travel to out of state meetings. First meeting to be held in Chapel Hill, NC, August 6, 2018 – August 9, 2018. All expenses are covered by the Kresge Foundation, no county cost.

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

RESOLUTION NO. 261-618

**AUTHORIZING AGREEMENT BETWEEN THE ORLEANS COUNTY
DEPARTMENT OF MENTAL HEALTH AND THE SCHOOL OF
NURSING OF THE UNIVERSITY OF ROCHESTER**

RESOLVED, that this Legislature approves a Memorandum of Agreement with the School of Nursing of the University of Rochester. The Orleans County Department of Mental Health will provide clinical training and experience to students of the University of Rochester Nursing Program at no Department or County cost for the period of June 28, 2018 to December 31, 2023.

Moved, Draper; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 262-618

AMENDING RESOLUTION NO. 186-418 CONCERNING
AGREEMENT BETWEEN PROBATION DEPARTMENT AND
AUTOMON CORPORATION

WHEREAS, Resolution No. 186-418 approved an agreement between Probation and Automon Corporation for Probation Case Management System; now be it

RESOLVED, that this Legislature does hereby approve an amended agreement between Probation Department and Automon Corporation, 6621 N. Scottsdale Rd. Scottsdale, AZ 85250, reducing a maintenance contract by three users to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2018 through June 20, 2019 at a cost of \$6,387.68.

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

RESOLUTION NO. 263-618

APPROVING PROBATION DIRECTOR TO APPLY FOR STATE AID
FROM THE NYS DIVISION OF PROBATION AND CORRECTIONAL
ALTERNATIVES

RESOLVED, that this Legislature approves the Orleans County Probation Director to apply for state reimbursable aid in the amount of \$149,616.00 effective July 1, 2018 to June 30, 2019 calendar year from the NYS Division of Probation and Correctional Alternatives.

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

RESOLUTION NO. 264-618

APPROVING PROBATION DIRECTOR TO SUBMIT A
COMPREHENSIVE RAISE THE AGE PLAN FOR ORLEANS COUNTY

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to submit the Comprehensive Raise the Age Plan to the NYS Division of Criminal Justice Services, Office of Probation and Correctional Alternatives and the NYS Office of Child and Family Services. The plan is designed to identify your anticipated, eligible incremental Raise the Age-related costs. Pursuant to Chapter 53 of the Laws of 2018, funding will be made available to reimburse counties for incremental costs associated with Raise the Age-related activities.

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

RESOLUTION NO. 265-618

AUTHORIZING OUT OF STATE TRAVEL FOR ORLEANS COUNTY
PROBATION OFFICER

RESOLVED, that this Legislature authorizes Sarah Osborne, Orleans County Probation Officer to attend the Crimes Against Children Conference to be held August 12-17, 2018 in Dallas, Texas. Cost of travel, lodging and training is covered by Justice for Children Advocacy Center (JFCAC) and New York State; and County expenses are to be paid from Probation Budget Account A3140.462 - mileage and A3140.463 – travel other than mileage.

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

RESOLUTION NO. 266-618

APPROVING MEMORANDUM OF UNDERSTANDING
AGREEMENTS BETWEEN ORLEANS COUNTY SHERIFF'S OFFICE
AND KENDALL AND LYNDONVILLE CENTRAL SCHOOL
DISTRICTS

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, 1932 Kendall Road, Kendall, NY 14476, for the Orleans County Sheriff's Department to partner in establishing and sustaining a School Resource Officer to serve in the schools and on school grounds within the Kendall Central School District, commencing September 1, 2018 and terminating June 30, 2020, with compensation for SRO to be made to the Sheriff's Department by the Kendall School District and be it

FURTHER 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, 25 Housel Avenue, Lyndonville, NY 14098, for the Orleans County Sheriff's Department to partner in establishing and sustaining a School Resource Officer to serve in the schools and on school grounds within the Lyndonville Central School District, commencing September 1, 2018 and terminating June 30, 2020, with compensation for SRO to be made to the Sheriff's Department by the Lyndonville School District.

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

RESOLUTION NO. 267-618

AUTHORIZING CREATION AND FILLING OF POSITIONS IN THE SHERIFF'S DEPARTMENT

WHEREAS, two current Orleans County Sheriff Officers will be placed as School Resource Officers as approved in Resolution No. 266-618; now be it

RESOLVED, that this Legislature does hereby authorize the creation of two permanent full-time Deputy Sheriff positions in the

Sheriff's Department at Grade 1 of the Orleans County Deputy Sheriff's Association (OCDSA) contract; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these two newly created vacant full-time positions effective June 28, 2018.

FURTHER RESOLVED, these positions will be abolished based on the continuity of these agreements should they expire and not be renewed.

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

RESOLUTION NO. 268-618

AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR 2018-2019 PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT PROGRAM FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for the Public Safety Answering Point (PSAP) Operations Grant through the NYS Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications, which allows reimbursement funding to counties for costs related to the operations in a PSAP, for contract year January 1, 2019 through December 31, 2019.

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

RESOLUTION NO. 269-618

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

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to Walmart Foundation for 2018 Community Grant funds, with possible grant awards ranging from \$250 to \$5,000, that would enable the Sheriff's Office to acquire emergency equipment to assist residents within our community.

Moved, Allport; second, Draper.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 270-618

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

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

RESOLVED, that the Orleans County Sheriff's Office is authorized to participate in and apply for the grant between the NYS Division of Homeland Security and Emergency Services and the Orleans County Sheriff's Office for Operation Stonegarden FY 2018.

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

RESOLUTION NO. 271-618

AUTHORIZING TREASURER TO TRANSFER MONEY WITHIN THE SHERIFF'S OFFICE BUDGET

RESOLVED, that this County Treasurer is authorized to transfer funds within the Sheriff's Office budget line to purchase night vision goggles as authorized in Resolution No. 191-418, as follows:

From:		
A3110.486	Special Grants	\$7,114.36
To:		
A3110.486.7415	Special Grants – Stonegarden 2015	\$7,114.36

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

RESOLUTION NO. 272-618

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF’S OFFICE BUDGET

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

Revenue:		
A4308.7415	Homeland Security-Stonegarden FY15	\$3,540.64
Appropriation:		
A3110.486.7415	Special Grants-Stonegarden FY15	\$3,540.64

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

RESOLUTION NO. 273-618

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF’S OFFICE’S K-9 FUND AND SETTING UP NEW MONEY IN SHERIFF’S OFFICE BUDGET

RESOLVED, that this Legislature accepts 2018 donations received from community members and local businesses to assist the Orleans County Sheriff’s Office’s K-9 Unit, and be it

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

Revenue:		
A2705	Gifts & Donations	\$200.00
Appropriation:		
A3110.499	K-9 Sheriff	\$200.00

FURTHER RESOLVED, that the County Treasurer is authorized to transfer monies from the Miscellaneous Reserve to Sheriff’s Office budget, as follows:

From:	
Miscellaneous Reserve	\$1,700

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to approve an order to purchase one 2019 Ford Explorer for the Sheriff's Department from the Sheriff's budget account A3110.270-Capital Equipment; and be it

FURTHER RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to approve an order to purchase one 2019 Ford Pickup truck for the Sheriff's Department from the Animal Control budget account A3510.270-Capital Equipment.

RESOLUTION NO. 277-618

APPROVING OUT-OF-STATE TRAVEL FOR SHERIFF'S OFFICE

RESOLVED, that this Legislature authorizes Sheriff Bower to travel to New Orleans, LA, for the purpose of attending the National Sheriffs' Association Conference & Technology Expo to be held at the Ernest Morial Convention Center in New Orleans June 15-19, 2018, at no cost to the county.

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

RESOLUTION NO. 278-618

AUTHORIZING OUT OF STATE TRAVEL FOR CRIME VICTIM PROGRAM COORDINATOR

RESOLVED, that this Legislature authorizes Terrissa Drennan, Crime Victim Program Coordinator to attend the NorthEast Regional Children's Advocacy Center Team Facilitator Training 2 to be held July 24th-26th, 2018 in Burlington, VT. Cost of travel, lodging and training is covered by the NorthEast Regional Children's Advocacy Center. No County Cost.

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

RESOLUTION NO. 279-618

APPROVING AGREEMENT BETWEEN EMERGENCY MANAGEMENT AND RADIO TECHNOLOGIES AND APPROVING

TREASURER TO SET UP NEW MONEY IN THE EMERGENCY
MANAGEMENT BUDGET

RESOLVED, that this Legislature does hereby approve an agreement between Emergency Management and Tim Warth, dba Radio Technologies at 15 Pamda Dr., Rochester, NY 14617; as a third party communications consultant to provide professional services as required under the Communications Governance Structure of the Statewide Interoperable Communications Grant at a cost not to exceed \$60,000 effective January 1, 2018 through December 31, 2018 with said services to be paid from Emergency Management Account A3640.486.1774 - FY17 Statewide Interoperability Communications Grant, and be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend Statewide Interoperability Communications Grant Funds (SI17) in the amount of \$60,000 for Consultant Services with Tim Warth, dba Radio Technologies, 15 Pamda Drive, Rochester, NY 14617; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up new money received from DHSES Statewide Interoperability Communications SI17 Grant Funds as follows:

Revenue:

A4309.1774	Statewide Interop Communications Grant -	\$60,000
	SI17-1015-D00	

Appropriation:

A3640.486.1774	Special Grants – State Interop SI17	\$60,000
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 280-618

AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT
GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY
AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE
OF EMERGENCY MANAGEMENT AND ORLEANS COUNTY
SHERIFF'S OFFICE

WHEREAS, new funding opportunities have become available in the amount of \$104,970 to continue participation in the State Homeland Security Program grant cycle (SHSP/SLETPP) for FY2018; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH18-1057-D00, Contract #C972480 in the amount of \$78,727 for the Emergency Management Office to use for regional preparedness efforts to address homeland security needs in the County, based on the County Emergency Preparedness Assessment (CEPA) as allowed under FY2018 SHSP allocation, effective September 1, 2018 through August 31, 2021; now be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE18-1015-D00, Contract #T972482, in the amount of \$26,243 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under FY18 SLETPP allocation, effective September 1, 2018 through August 31, 2021.

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

RESOLUTION NO. 281-618

APPROVING AGREEMENTS FOR USE OF NY-ALERT WITH VARIOUS COUNTY DEPARTMENTS

RESOLVED, that this Legislature does hereby approve the NY-Alert Use Agreements through the New York State Office of Information Technologies Services, Empire State Plaza, Swan Street Building Core 4, 1st Floor, Albany, NY 12223 for the Emergency Management, Sheriff/Dispatch, and Public Health Departments in Orleans County, each of which will be authorized entities who will be provided the ability to send emergency and safety related messaging to targeted recipients under the set forth conditions, terms and respective responsibilities as set forth by the New York State Mass Alert Notification System (NY-Alert); and such agreements shall be reviewed for continuation by these departments prior to year-end of 2023.

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

RESOLUTION NO. 282 -618

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>
\$3,408.00	Labella Associates, P.C.	Prof. Services Culvert Road Culvert Replacement 4/21/18- 5/18/18 – Inv #91307

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

Legislator Eick moved to approve funding for the Bridge NY Project, which is to replace the Portage Road Bridge, in the Town of Ridgeway; second by Legislator Miller. Highway Superintendent Gray explained the two-part process in that this resolution covers the construction and inspection of this project. Previously we approved a resolution for this project to cover the engineering portion. The following resolution was approved:

RESOLUTION NO. 283-618

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS OF A FEDERAL-AID AND/OR STATE-AID TRANSPORTATION PROJECT, AND APPROPRIATING FUNDS

WHEREAS, Sponsor will design, let and construct the “BRIDGE NY PROJECT”; and

WHEREAS, a Project for the Replacement of Portage Road Bridge over Fish Creek in the Town of Ridgeway, PIN # 4BNY.10 (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 Legislature of Orleans County desires to advance the Project by making a commitment of 100% of the non-federal share of

the costs of the Replacement of Portage Road Bridge over Fish Creek; and be it

RESOLVED, that the Orleans County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Orleans County Legislature hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of the Replacement of Portage Road Bridge or portions thereof; and it is further

RESOLVED, that the Orleans County Legislature hereby agrees that the County of Orleans shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans; and it is further

RESOLVED, that the sum of \$704,000.00 is hereby appropriated from Orleans County and made available to cover the cost of Inspection and Construction in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification from the New York State Department of Transportation thereof, and it is further

RESOLVED, that Orleans County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and it is further

RESOLVED, that the Chairman of the Legislature of the County of Orleans be and is hereby authorized to execute all necessary Agreements, Certification or reimbursement requests for Federal Aid and/or State-aid on behalf of the County of Orleans with the NYS 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

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

RESOLVED, this is a Supplemental #1 agreement amending previous resolution #206-617 to add additional funding of \$704,000.00 to cover inspection and construction for a total cost of \$869,000.00; county cost \$43,450.00; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 284-618

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve a Supplemental #1 agreement with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform general consultant work, construction support, construction inspection and estimating and technical assumptions for the Orleans County Preventative Maintenance Six-Bridge project. The project locations are in the Towns of Albion, Carlton, Ridgeway and Yates; BINS: 3319330, 3366350, 3318980, 3318930, 3318940 and 3318820.

FURTHER RESOLVED, this agreement is effective May 14, 2018 through December 31, 2018, NYS Contract #D035278, at a cost not to exceed \$98,000.00 with an 80% reimbursement through federal funds and a 15% reimbursement from Marchiselli funds and a final County cost of \$4,750.00; to be paid out of the D5120.470.2277 Capital Plan TIP Bridge account.

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

RESOLUTION NO. 285-618

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to perform general consultant work, construction support and inspection and estimating and technical assumptions for the Replacement of Portage Road Bridge over Fish Creek in the Town of Ridgeway. Bin #3318910, Contract #D035537, Pin 4BNY.10; and be it

FURTHER RESOLVED, this agreement is effective June 27, 2018 through December 31, 2018, at a cost not to exceed \$115,000.00 and is 95% reimbursable through “Bridge NY” Funding; county cost \$5,750.00 to be paid out of the D5120.470.2282 Budget Account; 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, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 286-618

APPROVING THE WORK SITES AGREEMENT FOR THE ORLEANS
COUNTY WORK EXPERIENCE PROGRAM

RESOLVED, that this Legislature approves the Work Sites agreement developed by the Orleans County Job Development Agency to engage Orleans County worksites to participate in the Orleans County Work Experience Program related to the Youth Employment Program and/or Work Experience opportunities for adults and dislocated workers in accordance with program policies and guidelines with no exchange of funds and no associated budget impacts. Effective May 1, 2018 through December 31, 2019.

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

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 287-618

APPROVING CELLULAR PHONE USE AGREEMENTS FOR JOB DEVELOPMENT AGENCY

WHEREAS, certain Job Development staff are working directly with youth and young adults for the summer and year-round work experience programs; and

WHEREAS, the approved forms of agreement for cellular phone use have been prepared, and have been reviewed by the appropriate Legislative Committee; now be it

RESOLVED, that this Legislature approves the Cellular Phone Use Agreements for the following Job Development positions (6210.14, 6210.01, 6210.08, 6210.15, 6210.18*) covering use of cellular phones in accordance with the Cellular Phone Use Policy.

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

RESOLUTION NO. 288-618

AUTHORIZING THE TREASURER TO INCREASE PETTY CASH ACCOUNT IN THE JOB DEVELOPMENT AGENCY

WHEREAS, the Job Development Agency need access to funds to assist clients in acquiring or retaining employment; now be it

RESOLVED, that this Legislature authorizes the treasurer to increase the petty cash account by \$50, to a total of \$200.

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

RESOLUTION NO. 289-618

APPROVING A RENEWAL AGREEMENT BETWEEN OFFICE FOR THE AGING DEPARTMENT AND LANGUAGE LINE SERVICES

RESOLVED, that this Legislature approves the agreement between the Office for the Aging Department and Language Line Services, 1 Lower Ragsdale Road, Monterey, CA 93940 to provide telephone interpretation provider services effective October 25, 2017 through October 24, 2020 at a cost of \$0.75/minute of translation services. County cost \$.08/minute of translation services.

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

Legislator Miller moved to approve a grant opportunity for the Office for the Aging; second by Legislator Eick. Chairman Johnson called upon Melissa Blonar, Director of the Office for the Aging to explain this grant. She stated that her office would be asking the Rochester Area Health Foundation, through this small grant, to provide our Meals on Wheels Clients with three emergency meals in the month of December. The meals are to assure clients have a meal in the event of a closure of our Nutrition program due to the weather. In addition to the meals, we are asking for funding to provide emergency preparedness items including a fleece blanket, flashlight with batteries and a gallon of water. Emergency preparedness items will also be provided to home care clients and clients office staff feel are in need. We hope to serve 170 older adults with this grant in the amount of \$3,650. The following resolution was adopted:

RESOLUTION NO. 290-618

AUTHORIZING ORLEANS COUNTY OFFICE FOR THE AGING TO APPLY FOR A COMMUNITY HEALTH GRANT

WHEREAS, the Community Health Foundation grant will be utilized to provide the client's cost of three emergency meals to current meal recipients to cover any unexpected closures in the winter months. The grant will provide emergency preparedness items including-fleece blankets, flashlights with batteries, and a gallon of water for each meals on wheels client and homecare clients.

RESOLVED, that this Legislature authorizes Orleans County Office for the Aging to apply for a grant in the amount of \$3,650 from the Greater Rochester Health Foundation, 150 State Street, Suite 100, Rochester NY 14614 from August 1, 2018 to July 31, 2019 at no county cost.

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

RESOLUTION NO. 291-618

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES

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

Orleans County Attorney, Medina, NY for the provision of 0.75 part-time attorney assigned to Social Services; to be effective January 1, 2017 through December 31, 2017 at a cost of \$55,414. County cost is \$18,841. This contract replaces agreement approved in Resolution No. 441-1216 due to the re-wording of the contract by the State of New York, no cost is effected by these changes.

Orleans County Attorney, Medina, NY for the provision of 0.75 part-time attorney assigned to Social Services; to be effective January 1, 2018 through December 31, 2018 at a cost of \$56,522. County cost is \$19,217.

Orleans County Sheriff's Department, Albion, NY for safe transportation of youth to out-of-county detention facilities; to be effective September 1, 2018 through August 31, 2019 at a cost of \$15,000. County cost is \$7,650.

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

RESOLUTION NO. 292-618

APPROVING CONTRACT AGREEMENT BETWEEN THE ORLEANS COUNTY BOARD OF ELECTIONS AND DOMINION VOTING SYSTEMS CORPORATION

RESOLVED, that this Legislature approves an agreement between Orleans County Board of Elections and Dominion Voting Systems Corporation, 215 Spadina Ave., Toronto, Ontario, Canada which will provide for Software Maintenance for the Election Maintenance System (EMS), and also Firmware Maintenance and Extended Hardware Warranty

for the county board's seven (7) ICP Scanners at a total cost of \$25,852.50, The Software Maintenance Term and Extended Hardware Warranty periods are September 1, 2018 through August 31, 2021.

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

RESOLUTION NO. 293-618

**APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND
COMMUNITY ACTION OF ORLEANS & GENESEE**

RESOLVED, that this Legislature approves the agreement between the County of Orleans and Community Action of Orleans & Genesee, 409 East State Street, Albion, NY 14411 to provide services for an Orleans County leadership development program (Leadership Orleans). Leadership Orleans is a year-long education program focused on building leadership skills while exposing participants to the necessary knowledge, experiences and people that make a community work. This contract will encompass program development and implementation to ensure a successful 2018 Leadership Orleans program with a class size of 25, subject to County Attorney approval. Effective January 1, 2018 through December 31, 2018 at a cost of \$22,000. County cost \$22,000; 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, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 294-618

**AUTHORIZING THE COUNTY OF ORLEANS TO SUBORDINATE ITS
SECOND LIEN MORTGAGE INTEREST IN CONNECTION WITH A
MORTGAGE BY ZOR, INC. IN FAVOR OF THE COUNTY OF
ORLEANS DATED NOVEMBER 30, 2012**

WHEREAS, the County of Orleans is named as Mortgagee in a certain mortgage recorded in the Orleans County Clerk's Office in Liber 843 of Mortgages at page 9281 on November 30, 2012, made and given by ZOR, Inc. and;

WHEREAS, the said Mortgage is secured by premises known as 342 East Center Street in the Village of Medina; and

WHEREAS, ZOR, Inc. and Evans Ace Hardware & Building Supplies, Inc. are seeking additional financing through their current lender, Lakeshore Savings Bank; and

WHEREAS, ZOR, Inc. has requested that the County subordinate its mortgage lien interest from a second lien position to a third lien position behind the existing Lakeshore Savings first mortgage and the new financing to be provided to ZOR, Inc. pursuant to a new second mortgage; and

WHEREAS, ZOR, Inc. is current on its mortgage payments to the County and has provided financial and appraisal data to the County, now therefore be it

RESOLVED, that the Chairman, Vice-Chairman and the County Treasurer are each hereby authorized to execute and deliver any and all agreements and documents necessary or appropriate to subordinate the County's mortgage security interest in the real property commonly known as 342 East Center Street, Medina from a second mortgage position to a third mortgage position.

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

RESOLUTION NO. 295-618

**AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE
LEGISLATURE BUDGET**

WHEREAS, Resolution No. 320-917 authorized the County of Orleans to participate in NORLIC – Niagara Orleans Regional Land Improvement Corporation; now be it

RESOLVED, that the County Treasurer is authorized to transfer funds into the Legislature budget to pay Orleans County's apportionment of Director and Officers Liability Insurance as follows:

From:

A1990.435	Contingent Fund	\$490.20
To:		
A1010.418	Other Contractual	\$490.20

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

RESOLUTION NO. 296-618

APPOINTING NEW MEMBERS TO THE ORLEANS COUNTY BOARD OF ETHICS

WHEREAS, this Legislature adopted Resolution No. 171-408 enacting Local Law 3 of 2008, Providing for a County Board of Ethics consisting of five members with staggered terms; and

RESOLVED, that this Legislature appoints the following new members to the County Board of Ethics with the following term expiration:

<u>Name:</u>	<u>Term expires:</u>
Ed Urbanik	12/31/2019
Doug Bower	12/31/2019
Elizabeth Jubenville	12/31/2020

*Replacing Joseph Gehl, Benjamin Jones and Karen Bradshaw

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

RESOLUTION NO. 297-618

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT.

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$13,500.00	Fiscal Advisors & Marketing Inc	Profession Services – Serials Bonds Inv #28323
\$3,023.34	Barre Stone Products	Mental Health Parking Lot

\$3,934.00	Inc The Pump Doctor, Inc	Installation Inv#14964 – 1,000 gallon tank removal and remediation
\$34,509.84	Wendel WD A/E/S/LA, PC	Inv #349160 FF&E design, Alternates, DOH Grant Assist, Reimbursable Expenses, Construction Admin, Project Coordination, Haz Mat Testing – services through 4/40/2018
\$2,625.00	Premier Printing	Inv #1470 Printing, electronic distribution and posting services for Public Improvement Serial Bonds
\$48,841.40	Michael A. Ferraulo Plumbing & Heating	Work performed 5/1/18-5/31/18, HVAC
\$42,750.00	Suburban Electric, Inc.	Work performed 4/28/18-5/31/18, Electrical
\$5,700.00	All State Fire & Security	Work performed 5/1/18-5/31/18, Fire Protection, Inv. #16290-1
\$9,975.00	MKS Plumbing Corp.	Work performed 5/1/18-5/31/18, Plumbing, Inv. #1
\$296,808.50	Holdsworth Klimowski Construction	Work performed 4/26/18-5/31/18, General Construction
\$1,854.02	Stockham Lumber	Supplies & Materials for new west side entrance, #504519, #504520, #505266
\$12,255.00	Orrick, Herrington & Sutcliffe LLP	Professional services rendered relating to the issuance of Public Improvement (Serial) Bonds – File #42670-2-15
\$182.02	Home Depot Credit Services	West side new entrance enclosure – Inv #1012137

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

RESOLUTION NO. 298-618

**AUTHORIZING PAYMENT OF CLAIMS FOR JULY AGAINST THE
COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 11, 2018:

Fund/Department	Check Number (s):	Amount:
General	12780-12786; 12798-12924	\$461,627.77
Highway	1225-1238; 2838-2848	\$121,906.71
Job Development	2764-2773; 2776-2779	\$9,626.39
Self Insurance	59819; 1176-1179; 59908	\$19,554.43

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 25, 2018:

Fund/Department	Check Number (s):	Amount:
General	12787-12797; 12926-13084	\$402,897.14
Highway	1239-1255; 2849-2871	\$69,839.75
Job Development	No Claims	
Self Insurance	59906; 59909-59910; 1180	\$253.62

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

Chairman Johnson call for any unfinished business. In hearing none, she called upon the public for any open discussion. Ken Schaal, Town of Shelby, personally thanked Legislator DeRoller, and the entire board, for the effort in getting our canal bridges fixed across our County. He said he appreciates Legislator DeRoller for pushing the efforts and stepping up for the taxpayers. Legislator DeRoller shared that the Highway Committee was very instrumental and this board in supporting efforts at NYSAC and in

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being in the room. He also shared his appreciation of the Planning Department for putting together maps and charts to help bring the efforts together. Legislator DeRoller reassured him that more work needs to be done with these efforts.

Legislator DeRoller announced that the Orleans County 4-H Fair will be held July 23rd through July 28th. He stated that they have undergone some nice capital improvements and now the stage is undercover. Many great events will be happening at the fair. He hopes that everyone can attend and support our 4-H programs and Orleans County Cornell Cooperative Extension.

Legislator Eick moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:05 p.m.

LEGISLATURE MEETING

July 25, 2018

Chairman Johnson called the meeting to order at 4:38 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator DeRoller.

The Clerk presented the following communications: Kim DeFrank, Orleans County Treasurer has filed fifteen (15) Disclosure of Interest Statements each for the years 2017 and 2018 from various County Employees who receive funds in addition to wages from Orleans County. These have been filed in our office and are officially on record in accordance with General Municipal Law Section 803(1). Treasurer DeFrank, has forwarded a listing of Real Property Tax Refunds, in the amount of \$1,024.78, that has been reviewed and authorized by her office and has also filed an Inter Fund loan issued to date as directed in Resolution No. 175-418 in the Clerk of the Legislature Office.

Town/Village resolutions that have been received

Town/Village	Resolution Title
T/Clarendon T/Shelby	Supporting Legislation for the State to Increase Financial Resources to County Veteran Service Agencies for Operations
T/Shelby	Calling on Orleans County Residents and Business Owners to Adopt the “Think Differently” Initiative to Assist Individuals with Special Needs and Their Families

Chairman Johnson called upon County Attorney David Schubel to join her on the Legislative floor to be presented a Special Recognition Certificate for his 26 ½ years of service as our Orleans County Attorney. Mr. Schubel is the longest serving County Attorney in all of New York State, stated Chairman Johnson. He was commended for his professionalism and allegiance to Orleans County. Chairman Johnson also thanked him for his leadership, service, and most of all for his friendship. She said that over her eleven years as Legislator and for all of the other Legislators, he has earned the admiration of his colleagues. Everyone owes him a debt of gratitude and will always have a home here at the Orleans County Legislature; you have earned that stated Chairman Johnson. County Attorney Schubel was applauded when Chairman Johnson stated he surely will be missed.

County Attorney Schubel graciously accepted the accolades. He stated that having been here as long as he has been and seeing hundreds, if not thousands of presentations of this nature, he felt unworthy compared to some of the outstanding people who have been here to receive recognition by this Legislature. He stated it feels remarkable to be recognized for doing a job that he found personally rewarding and so satisfying. He stated that it has been a pleasure to serve and is extremely thankful to be leaving in good health and is not mad at anyone. He stated that he will continue to practice law privately and in turning the age of 70 on August 10th, he wanted to leave while he was functioning in maximum capacity. He wished Kathy Bogan the best with all of the upcoming challenges that New York State places upon our counties and knows that a lot of energy and creativity is needed to survive in the environment that is coming down the pike. He wished everyone well.

Treasurer DeFrank reported that cash balance looks good and interest earned is up which hopefully will continue to be on the rise. Sales tax is doing well, we are up \$100,000 over last year at this time. Most of the road fund levy has been paid out to the Highway Department so they can pay the Towns' for the plowing and mowing contracts. Current balance is still looking good reported Treasurer DeFrank.

Chairman Johnson called upon the Legislators for public comment. With having none, she then offered the public to comment. David Kusmierczak wished David Schubel a Happy Birthday because they share the same birthday. He was also wished a Happy Birthday.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 299-718

AUTHORIZING PURCHASE BY COMPUTER SERVICES OF SECURITY ACCESS CONTROL HARDWARE FOR THE COUNTY OFFICE BUILDING PROJECT

WHEREAS, the Legislature has undertaken to create a new County Office Building structure and the construction for the new building impacts the normal building access control, and

WHEREAS, the Legislature has directed all incoming and outgoing clients and governmental employees to use the west entrance of the existing building as the point of entry for the building and the Legislature is also aware of the non-security access controlled North double-doors also leading into the building that can be dedicated for employee use, now be it;

RESOLVED, that this Legislature authorizes the purchase of hardware and an agreement for professional installation services from LINSTAR Inc., 430 Lawrence Bell Drive, Buffalo, NY 14221 for the County Office Building project in the amount of \$6,984.04 (PO# 59689) to be paid from Capital Project Account H1610.250 - County Office Building Addition and Renovation - which will create secure points of entry into the existing County Office Building and maintain the safety and security posture of Orleans County Government, its personnel and its building assets.

Moved, DeFilipps; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 300-718

GRANTING EXTENSION FOR PAYMENT ON IN REM AUCTION PARCELS

WHEREAS, resolution number 85-218 Setting Date and Terms for Auction of County-owned Tax Properties, indicates that the balance of the successful and accepted bids for parcels sold at the property auction must be paid to the Orleans County Treasurer by June 29, 2018, unless extended by the Orleans County Legislature, and

WHEREAS, Whitney Keppler, the successful bidder on Parcel 19, Town of Clarendon, Tax Map #97.-2-3.2; Jodi-Ann C Lawrence-Richard; the successful bidder on Parcel #30, Town of Kendall, Tax Map #42.-1-16, Parcel #32, Town of Murray, Tax Map #88.21-1-50; and Parcel #58, Town of Yates, Tax Map #25.9-1-21; and Richard Colonna, the second bidder on Parcel #9, Town of Albion, Tax Map #73.10-2-17, have requested an extension, not to exceed sixty (60) days; therefore be it

RESOLVED, that this Legislature grants an extension for balance due payment for this parcel for a period of time not to exceed sixty (60) days, and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be a charge of \$250 on each parcel (property with improvements), and \$100 on vacant land for each 30 day period until the property is fully paid, not to exceed a period of 60 days.

Moved, DeFilippis; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 301-718

APPROVING AGREEMENT BETWEEN COUNTY TREASURER AND THREE PLUS ONE FOR A COMPREHENSIVE LIQUIDITY ANALYSIS

WHEREAS, it is the recommendation of the County Treasurer to have an analysis completed to achieve higher income on our entity's operating capital with Three Plus One for one year; now be it

RESOLVED, that this Legislature approves a one-year agreement between the County of Orleans and Three Plus One, 180 Office Parkway, Pittsford, NY 14534, to provide a comprehensive liquidity analysis and complete review of Orleans County's Investment Policy Statement at a cost of \$9,900 (only if \$50,000 in new savings or income is shown, otherwise waived), plus a 0.020% quarterly liquidity monitoring and reporting fee.

Moved, DeFilippis; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 302-718

ORLEANS COUNTY ADOPTION OF THE STATE OF NEW YORK DEFERRED COMPENSATION PLAN

WHEREAS, Orleans County wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for the voluntary participation of all eligible employees; and

WHEREAS, Orleans County is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law;* and

WHEREAS, Orleans County has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with Orleans County by providing eligible employees with a convenient and tax favored method of saving on a regular and long-term basis and thereby provide for their retirement; now therefore be it

RESOLVED, that this Legislature hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of Orleans County are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

FURTHER RESOLVED, this Legislature will rescind resolution #255-618, as auditing services will not be needed under this NYS plan.

Moved, DeFilipps; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 303-718

APPROVING AGREEMENT BETWEEN THE OFFICES OF DISTRICT ATTORNEY AND ORLEANS COUNTY ATTORNEY

WHEREAS, Resolution No. 409-1007 authorized the District Attorney to handle and prosecute juvenile delinquency proceedings and further authorized an agreement between the offices of the County Attorney and District Attorney; be it

RESOLVED, that this Legislature approves a renewal agreement between the offices of County Attorney and District Attorney for attorney and staff services in handling juvenile delinquency proceedings in the amount of \$11,245 for the 2018 calendar year.

Moved, DeFilipps; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Legislator DeFilipps moved to appoint Kathy Bogan as our new County Attorney; second by Legislator Draper. Chairman Johnson introduced Kathy Bogan and welcomed her. The following resolution was adopted:

RESOLUTION NO. 304-718

APPOINTING ORLEANS COUNTY ATTORNEY

WHEREAS, Orleans County Attorney David Schubel will be retiring effective August 17, 2018 serving this county as our County Attorney since his appointment of January 1, 1992; now be it

RESOLVED, that Katherine Bogan be appointed Orleans County Attorney effective August 20, 2018 through December 31, 2019 at grade 12, step 3 of the Management Compensation Salary Schedule; and, that in addition thereto, the reasonable disbursements and expenses of County Attorney incurred in the conduct of County business shall be paid upon the usual monthly vouchers and be audited by this County Legislature.

Moved, DeFilipps; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 305-718

ADOPTING ADDITIONS TO CERTIFIED AGRICULTURAL DISTRICT

WHEREAS, Article 25AA of State Agricultural and Markets Law provides for the addition of predominantly viable agricultural land into existing, certified agricultural districts following an annual thirty day enrollment period and public hearing; and

WHEREAS, said enrollment period occurred in June 2018 and proper notice was provided and a public hearing was held on July 25, 2018 following the report and recommendation of the Orleans County Agricultural and Farmland Protection Board;

THEREFORE, BE IT RESOLVED, that additions to Consolidated Agricultural District No. 1 of five (5) whole tax parcels of predominantly viable farmland be adopted as identified by numbers 25.00-1-43; 39.00-3-5; 39.00-3-11.1; 69.00-1-2.1; and 115.00-1-5.1; and be it

FURTHER RESOLVED, that a Notice of Determination of Non Significance - Negative Declaration shall be filed in the absence of a significant effect of this action on the environment, pursuant to Article 8 of Environmental Conservation Law.

Moved, DeFilipps; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 306-718

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE TOURISM BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for unbudgeted revenue from the Travel Guide ad sales as follows:

Revenue:		
A2000	Culture & Recreation – Ad Revenue	\$3,500
Appropriation:		
A6410.412	Board Meeting Expenses	\$500
A6410.441	Printing	\$1,500
A6410.461	Postage	\$1,500

Moved, DeFilipps; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 307-718

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Student Transport, Inc. (DBA:WNY Bus Co), at 850 Aero Dr Cheektowaga, NY 14225 for the provision of transportation services to Early Intervention participants pursuant to Public Health Law, title 11-A of article 25, and Preschool Supportive Health Services students pursuant to section 4410 of education law and part 200 regulations of the commissioner of education. Rates for this period are as follows:

Per child, per day, round trip WITHIN Genesee/Orleans County	\$ 50.55/day
Per child, per day, round trip OUTSIDE Genesee*	\$ 248.81/day
Per child, per day, round trip OUTSIDE Orleans*	\$ 248.81/day
Per child, per day, round trip OUTSIDE Genesee & Orleans County**	\$ 248.81/day
Additional child to an established out of Genesee/Orleans County, round trip	\$ 19.30/child/day
Round trip for one attendant	\$ 103.04
One on one nursing/medical assistant (minimum of 4 hours)	\$ 45.91/hour
Wheel Chair Rate	\$ 286.13

Transportation for a child that (N) No Shows on a particular day shall be billed at 50% of the lowest one-way trip charge. Confirmation of (N) No Shows will be verified by the Genesee and Orleans County Fiscal Officers.

**Where a one-way trip is ten (10) miles or more outside of the County Lines*

***These routes include children from both Genesee and Orleans County on the same run. Costs will be allocated by splitting the initial per day charge equally, and then either county will be charged per their number of additional children on the run.*

These services qualify for 49% reimbursement from NYS less any Medicaid payment from Medicaid eligible children. Cost to county 51% Contract period September 1, 2018 through August 31, 2019, with such agreement execution by Chairman is subject to the review and approval of the County Attorney and Chief Administrative Officer.

Carla Wegrzyn, 3566 Kelsey Lane, North Tonawanda, NY 14120 to provide related services to Orleans County children, ages 3-5, who are eligible for the Preschool Supportive Health Services Program. There is

partial reimbursement from New York State Education Department and Medicaid. Reimbursement at 59.5%, Counties responsibility is 40.5%. The related services rates are set by the county. Contract period is July 1, 2018 through June 30, 2021.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 308-718

AUTHORIZING SETTING UP NEW MONIES AND TRANSFER FUNDS IN THE MENTAL HEALTH BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health budget for Federal Medicaid Salary Sharing monies received as follows:

Revenue:		
A4490	Mental Health Federal	\$101,914

Appropriation:		
A4310.418	Other Contractual	\$101,914

and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health budget for money received from Finger Lakes Performing Provider as follows:

Revenue:		
A1625	Misc. Revenue	\$23,323

Appropriation:		
A4310.418	Other Contractual Expenses	\$23,323

and be it,

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds within the Mental Health Budget to pay for supplies needed for new office build as follows:

From:

July 25, 2018
Resolutions 299-334

A4310.210	Furniture/Furnishings	\$1,163.81
To:		
A4310.405	Building Projects	\$1,163.81

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 309-718

AUTHORIZING FILLING VACANCY IN THE PROBATION DEPARTMENT

WHEREAS, A Probation Officer has resigned to take employment with NYS and the position is essential to the operations of the Probation Department; now, therefore be it

RESOLVED, that this Legislature authorizes the filling of a vacant full-time Probation Officer position (3140.08) in the Probation Department, at a grade 18 of the CSEA salary schedule effective August 1, 2018.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 310-718

APPROVING LEASE FOR THE SHERIFF'S OFFICE AND APPROVING LEASE AGREEMENT BETWEEN SHERIFF'S OFFICE AND BANCORP BANK

WHEREAS, Resolution No. 149-318 authorized purchase of a 2018 Chevrolet Tahoe for Sheriff Patrol as budgeted through our 2018 Fleet Maintenance Program in our Capital Plan (PO #59607); now be it

RESOLVED, that this Legislature does hereby authorize a lease of a 2018 Chevrolet Tahoe 4wd, 4 door for sheriff patrol in the amount of \$49,510 from Joe Basil Chevrolet, to be paid from Sheriff's budget account A3110.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute a Lease Agreement with The Bancorp Bank, 2127 Espey Ct., Suite 208,

Crofton, MD 21114; authorizing two (2) annual in arrears lease payments in 2019 and 2020 of \$17,306 with an interest rate of 5.2481%. In addition, a down payment will be paid of \$17,500 upon invoice after delivery of vehicle and execution of lease documents.

FURTHER RESOLVED, that this Legislature does hereby void PO #59607 in the amount of \$49,510 and shall replace it with PO #60144 to encumber the down payment of \$17,500 as authorized in this resolution.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 311-718

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

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Canal Corporation for the 2018-2019 Marine Patrol Grant for the purpose of funding marine patrols on the Erie Canal and canal pathways.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 312-718

AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR GRANT THROUGH THE NEW YORK STATE STOP-DWI FOUNDATION

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to the New York State STOP-DWI Foundation, Inc., PO Box 222, Albany, NY 12201, for Crackdown Grant Funding in the amount of \$10,850, for 2018-2019. Grant funds would allow the Sheriff's Office, and other local law enforcement agencies, to participate in increased STOP-DWI patrols during peak holiday periods throughout the year. Grant period to be October 1, 2018 through September 30, 2019.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 313-718

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT THROUGH NEW YORK STATE DMV AND GTSC

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for New York State funding, available through the New York State Department of Motor Vehicles and Governor's Traffic Safety Committee, in the amount of \$6,465.52, to be used for services and expenses related to county special traffic options programs for driving while intoxicated, and for this funding, if approved, to be included in the county's 2019 STOP-DWI Annual Plan and the 2019 STOP-DWI budget.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 314-718

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Deputy Sheriff Sergeant (3110.38) in the Sheriff's Department at Grade 2 of the OCDSA salary schedule and a vacant full-time Deputy Sheriff (3110.45) at Grade 1 of the OCDSA salary schedule, effective July 26, 2018; and be it

FURTHER RESOLVED, this Legislature authorizes filling a vacant full time Deputy Sheriff position at Grade 1 of the OCDSA Salary Schedule that will result from the filling of the Deputy Sheriff Sergeant Position (3110.38); and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Animal Control Officer position, (3510.04) within the Sheriff's Office at an hourly rate of \$14.48 effective July 26, 2018.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 315-718

AUTHORIZING SETTING UP NEW MONEY IN SHERIFF'S STOP-DWI BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money from NYS STOP-DWI Foundation as reimbursement for 2018 STOP-DWI Super Bowl/St. Patrick's Day Crackdown enforcement patrols, in the Sheriff's STOP-DWI budget, as follows:

Revenue:		
A2615.3315	STOP-DWI Program	\$642.12
Appropriation:		
A3315.486	Special Grants	\$642.12

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 316-718

AUTHORIZING DISTRICT ATTORNEY TO CONTINUE TO PARTICIPATE IN AND TO ACCEPT THE STATE AID TO PROSECUTION GRANT RENEWAL WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the District Attorney has previously obtained several grants for State Aid to Prosecution with the New York State Division of Criminal Justice Services; and

WHEREAS, an application has been submitted to renew said State Aid to Prosecution grant for the year October 1, 2018 through September 30, 2019 in the amount of \$30,200; now be it

RESOLVED, that the District Attorney is authorized to accept the renewal of the State Aid to Prosecution Grant (AP18-1038-R01/C445046), in the amount of \$30,200 with the Division of Criminal Justice Services to provide vital resources to the DA's Office to support the enhanced prosecution of violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel; and be it

FURTHER RESOLVED, that the Chairman is authorized to electronically sign the grant acceptance and all other documents related to

this grant upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 317-718

AUTHORIZING FILLING VACANCY IN THE DISTRICT ATTORNEY'S OFFICE

WHEREAS, the Second Assistant District Attorney has now been appointed our Orleans County Attorney; now, therefore be it

RESOLVED, that this Legislature authorizes the filling of a vacant part-time second Assistant District Attorney position (1165.07) in the District Attorney's Office, at a grade 5 up to step 9 of the Management Compensation Plan effective August 20, 2018.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 318-718

APPROVING EXTENSION TO INTERGOVERNMENTAL MEMORANDUM OF AGREEMENT

RESOLVED, that this Legislature approves an extension with New York State Department of Homeland Security/Emergency Services Statewide Interoperable Communications for the Intergovernmental Memorandum of Agreement #X300192 – Mutualink, at no cost to the county; said extension to be in place through January 31, 2021.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 319-718

AUTHORIZING DIRECTOR OF EMERGENCY MANAGEMENT TO APPLY FOR 2018 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for the 2018 Interoperable Communications Formula Based Grant program through the NYS Division of Homeland Security and Emergency Services Office which will aid in making the necessary improvements and provide for sustainment of Land mobile radio systems, maintenance components supporting interoperability, continuous training and exercise for our first responders, sustainment and further development of governance structure.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 320-718

AUTHORIZING PAYMENT TO HARRIS CORPORATION AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, the State Interoperable Communication Grant (SI17-1050-D00) was accepted by Resolution No. 151-318; and

WHEREAS, this Legislature approved a five year services agreement between Harris Corporation and Orleans County with Resolution No. 243-617, now be it

RESOLVED, that the year two payment of \$98,250 (PO#59827) will be paid from said State Interoperable Grant (SI17-1010-D00), be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Emergency Management Budget to pay Harris Corporation from 2017 State Interoperable Grant as follows:

Revenue:		
A4309.1774	2017 State Interoperable Communication Grant	\$98,250

Appropriation:		
A3640.486.1774	Special Grant - Interop SI17	\$98,250

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 321-718

**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>
\$1,538.50	Labella Associates, P.C.	Prof. Services Culvert Road Culvert Replacement 5/19/18-6/22/18 – Inv #92167

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 322-718

**AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE
MATERIALS FOR THE CULVERT ROAD CULVERT PROJECT**

RESOLVED, that this Legislature does hereby authorize the Highway Superintendent to order Stone Strong Abutments for the Culvert Road Culvert Project from Lakelands Concrete Products, 7520 East Main St, Lima, NY 14485 for a total amount of \$26,529 (PO#57329), including freight, through Livingston County 2018 Construction and Maintenance Materials and Services Bid Award; to be paid from Capital Project Infrastructure Projects Account H5120.251 – Culvert Improvements.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 323-718

**APPROVING AGREEMENTS BETWEEN BUILDINGS AND
GROUNDS AND TRANE AND AUTHORIZING TREASURER TO
SET UP FUNDS FROM RESERVE AND TRANSFER FROM
CONTINGENT FUND**

RESOLVED, that this Legislature does hereby approve purchases

and agreements between Buildings & Grounds Department and TRANE, 45 Earhart Drive, Buffalo, NY 14221 for the installation of the following:

Emergency Chiller repair at the Orleans County Administration Building at the cost of \$22,215.02 (PO#59910) - proposal #23182 for the Orleans County Administration Building, US Communities Contract # 15-1LP-023 US Communities Quote #48-20008-18-009 to be paid from Buildings and Grounds Account A1620.470 – Capital Construction Projects

HVAC Controls for the Orleans County Jail at the cost of \$63,339.57 - proposal #23072, US Communities Contract # 15-1LP-023 US Communities Quote #48-20008-18-009; to be paid from Buildings and Grounds Account A1620.470 – Capital Construction Projects; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to transfer from Contingent Fund for the emergency repair of the chiller at the County Office Building as follows:

From:		
A1990.435	Contingent Fund	\$22,215.02
To:		
A1620.470	Capital Construction Projects	\$22,215.02

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up funds from the reserve account into the Buildings and Grounds account to cover HVAC controls at the Jail as follows:

From:		
Future Infrastructure Reserve		\$63,339.57
To:		
A1620.470	Capital Construction Projects	\$63,339.57

and be it

FURTHER RESOLVED, that this Legislature does hereby approve purchases and agreements between Buildings and Grounds Department and TRANE, 45 Earhart Drive, Buffalo, NY 14221 for the installation of the following in the Orleans County Jail:

Exhaust Fans to be installed and energized and verify operations with old defective fans to be removed at a cost of \$5,570.89 (PO#59919) – proposal #23159; to be paid from Buildings and Grounds account A1620.403 – maintenance projects.

Pressure Reducing Valves installed for the domestic water system which involves a PRV in the main line and then will verify no leaks and adjust PVR setting to verify operation at a cost of \$13,584.53 (PO#59918) – proposal #23158; to be paid from Buildings and Grounds account A1620.403 – maintenance projects.

Moved Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 324-718

APPROVING AGREEMENT BETWEEN BUILDINGS AND
GROUNDS AND GOT IT WHOLESALE, VENIA PRODUCTS

RESOLVED, that this Legislature does hereby approve the purchase from GOT IT WHOLESALE, Venia Products LLC, 980 F Street, #20, West Sacramento CA 95605 to purchase - 10 New exterior lamp post and lights for the Orleans County Court House at the cost of \$11,642.50 (PO#59910) - Quote #WL-Q-11333; with NYS Court will be giving Orleans County \$3,608.75 towards the purchase with additional percentage given by National Grid through their energy efficiency incentive program. To be paid out of Buildings and Grounds Account A1620.470 – Capital Construction Projects.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 325-718

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

RESOLVED, that the Office for the Aging is authorized to continue participation in the renewal of a grant with New York State Office for the

Aging for the purpose of expanding the capacity of existing NY Connects programs and enhance its functionally. The populations served are broadened and new partners are being added to fully realize the No Wrong Door/Single Point of Entry reform; now be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Orleans County Office for the Aging to reapply for the New York Connects grant from NYSOFA, for \$189,386 from April 1, 2018 to March 31, 2019 at no county cost.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 326-718

APPROVING AGREEMENT BETWEEN OFFICE FOR THE AGING AND HEALTH FOUNDATION OF WESTERN AND CENTRAL NEW YORK

WHEREAS, Resolution No. 206-418 authorized the Office for the Aging to apply for the Aging By Design Grant in the amount of \$71,000; be it

RESOLVED, that this Legislature approves the grant acceptance agreement between the Office for the Aging and the Health Foundation of Western and Central New York, 726 Exchange Street, Buffalo, NY 14210 for a contract period of July 15, 2018 to November 15, 2019, grant award is \$71,000-four payments to be divided over two years, county cost is \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Office for the Aging budget, as follows:

Revenue:		
A6772-1972	Local Grant- Aging By Design	\$25,000
Appropriation:		
A6772-100	Personnel Services	\$12,500
A6772-411	Office Supplies	\$300
A6772-461	Postage	\$100
A6772-462	Mileage	\$50

A6772-463	Mileage-Other than Travel	\$50
A6772-486	Special Grants	\$8,106
A6772-492	Transportation	\$1,000
A6772-810	State Retirement	\$1,938
A6772-820	Medicare	\$181
A6772-830	Social Security	\$775

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 327-718

**APPROVING AGREEMENT BETWEEN OFFICE FOR THE AGING
AND NATIONAL COUNCIL ON AGING**

WHEREAS, the Aging Mastery Program (AMP) is an evidence-based intervention developed by the National Council on Aging; which through a 10-week program addresses several ways to mitigate triggers of decline in older adults and promote healthy living; now be it

RESOLVED, that this Legislature approves the agreement between the Office for the Aging Department and National Council on Aging (NCOA), 251 18th Street, Suite 500, Arlington, VA 22202 to provide a license to use the Aging Mastery Program (AMP) Program for educational research purposes agreement dated July 1, 2018 through June 30, 2020 at no cost.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 328-718

**APPROVING AGREEMENTS BETWEEN DEPARTMENT OF SOCIAL
SERVICES AND VARIOUS AGENCIES**

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

Dana Graber, Medina, NY for the provision of legal services relating to child support matters; to be effective March 1, 2018 through March 1, 2019 at a cost of \$75.00 per hour. County cost is \$0.00.

Job Development Agency, Albion, NY for funding of summer employment for TANF eligible youth, ages 16-21; to be effective May 1, 2018 through September 30, 2018 at a cost of \$82,416. County cost \$0.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 329-718

APPROVING SUBMISSION OF THE MUNICIPAL COMPREHENSIVE RUNAWAY AND HOMELESS YOUTH SERVICES PLAN AND NEEDS ASSESSMENT FOR 2018

WHEREAS, New York State Office of Children and Family Services requires each municipality to submit a plan and needs assessment for runaway and homeless youth services; and

WHEREAS, this plan identifies youth that are runaway youth or suffer from homelessness; and

WHEREAS, this plan identifies programs that are available to said youth within Orleans County and available programming in neighboring counties for this population of youth; be it

RESOLVED, that this Legislature does hereby approve the submission of the Municipal Comprehensive Runaway and Homeless Youth Services Plan and Needs Assessment as required to the State of New York by the Orleans County Department of Social Services

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 330-718

AUTHORIZING CREATING TEMPORARY POSITION AND FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature authorizes the creation of a temporary full time Social Welfare Examiner position in the Department of Social Services for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% Federal Funds effective November 1, 2018 through April 1, 2019 at Grade 13 of the CSEA Salary Schedule and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created temporary vacant positions; and be it

FURTHER RESOLVED, as the result of a resignation, this Legislature does hereby authorize filling a vacant full-time Child Support Specialist position (6010.0805) at the Department of Social Services at Grade 11 of the CSEA Salary Schedule effective July 26, 2018.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 331-718

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$82,610.29	Wendel WD A/E/S/LA, PC	Inv #349357 FF&E design, Alternates, DOH Grant Assist, Construction Admin, Project Coordination, Haz Mat Testing, Reimbursable Expenses – services 5/1/2018-5/31/2018
\$6,875.86	Michael A. Ferrauilo Plumbing & Heating	Work performed 6/1/18-6/30/18, HVAC
\$19,285.00	Suburban Electric, Inc.	Work performed 6/1/18-6/25/18, Electrical Pymnt 2
\$5,700.00	All State Fire & Security	Work performed 6/1/18-6/30/18, Fire Protection, Inv. #16290-2
\$5,937.50	MKS Plumbing Corp.	Work performed 6/1/18-6/30/18,

\$236.83	Stockham Lumber	Plumbing, Inv. #2 Supplies & Materials- lumber, basement hooper #506223, #506291
\$2,603.88	B&H Photo Video ProAudio	Panasonic Dome Security Camera – Temporary Entrance

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 332-718

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

RESOLVED, that the County of Orleans/10034 does hereby establish the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their submitted record of activities as follows:

TITLE	NAME	STAND- ARD WORK DAY (Hrs/day)	Term	Days/ month	Not Sub- mitted
ELECTED OFFICIALS					
Legislator, Vice Chairman	Donald Allport	6	1/1/2018-12/31/2019	3.40	
Legislator	E. John DeFilipps	6	1/1/2018-12/31/2019	24.40	
Legislator, Chairwoman	Lynne M. Johnson	6	1/1/2018-12/31/2019	17.23	
Legislator	Frederick Miller	6	1/1/2018-12/31/2019	8.22	
Legislator	Merle Draper	6	1/1/2018-12/31/2019	18.67	
County Clerk	Karen Lake-Maynard	6	1/1/2018-12/31/2021	24.50	
Treasurer	Kimberly CL DeFrank	6	1/1/2018-12/31/2021	27.28	
APPOINTED OFFICIALS					
County Attorney	David Schubel	6	1/1/2018-12/31/2019	23.93	
1 st Asst County Attorney	John Gavenda	6	1/1/2018-12/31/2019	14.65	
2 nd Asst County Attorney	James Bell	6	1/1/2018-12/31/2019	11.13	
Public Defender	Joanne Best	6	1/1/2018-12/31/2019	26.06	
1 st Asst Public Defender	Patricia Pope	6	1/1/2018-12/31/2019	15.67	
2 nd Asst Public Defender	Dominic Saraceno	6	1/1/2018-12/31/2019	15.36	
3 rd Asst Public Defender	Nathan Pace	6	1/1/2018-12/31/2019		X
Medical Director/ Coroner's Physician	Thomas Madejski, MD	6	1/1/2018-12/31/2019	3.25	
Historian	Matthew Ballard	6	1/1/2018-12/31/2019	12.69	

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 333-718

AUTHORIZING PAYMENT OF CLAIMS FOR AUGUST AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 August 8, 2018:

Fund/Department	Check Number (s):	Amount:
General	13085-13218	\$532,728.42
Highway	1256-1276; 2893-2913	\$255,310.91
Job Development	2799-2802	\$1,071.90
Self Insurance	59906-59907; 59912-59913; 59915; 1182-1183; 1185-1186	\$21,995.32

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 Superintendent of Highways, 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 August 22, 2018:

Fund/Department	Check Number (s):	Amount:
General	13219-13232	\$405,136.84
Highway	1277-1286; 2914-2929	\$458,734.19
Job Development	2809-2818	\$9,835.23
Self Insurance	59914; 59916; 60020; 60022- 60023; 1187-1188	\$4,529.86

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 334-718

APPROVING RECOMMENDATIONS FOR COMMISSIONER APPOINTMENT TO THE ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY

WHEREAS, Henry Smith Jr. will be resigning as the Orleans County Rochester-Genesee Regional Transportation Authority Commissioner as of December 31, 2018; therefore be it

RESOLVED, that this Legislature does hereby recommend Charles H. Nesbitt, Sr. or James Bensley to be appointed by the Governor of the State of New York to become the Orleans County Rochester Genesee Regional Transportation Authority Commissioner for Orleans County; and be it

FURTHER RESOLVED, that the Clerk of the Legislature forward a certified copy of this resolution to the New York State Governor's Appointment Office, Senator Robert Ort, Assemblyman Steve Hawley and to Bill Carpenter, Chief Executive Officer for the Rochester-Genesee Regional Transportation Authority.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Chairman called for any unfinished or public comment. With hearing none, Legislator Eick moved to enter into executive session at 5:04 p.m., per Open Meetings Law §105 (d) & (f), to have the Salary Review Committee make a presentation and recommendation; and to also discuss current litigation; second by Legislator Allport. Motion carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:59 p.m.; second by Legislator Draper. Motion carried.

With no further business actions, Legislator Miller moved to adjourn; second by Legislator Eick. Meeting adjourned at 6:00 p.m.

SPECIAL LEGISLATURE MEETING

August 21, 2018

Chairman Johnson called the special meeting to order at 4:35 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Orleans County Treasurer Kimberly DeFrank has filed the following in the Clerk of the Legislature Office:

- A list of Inter Fund loans issued to date as directed in Resolution No. 175-418.
- A list of Real Property Tax Refunds, in the amount of \$2,937.23, that has been reviewed and authorized by her office.

Orleans County Veteran's Service Agency has filed their 2017 Annual Report. State of New York Office of Real Property Tax Services has sent the List of Certified 2018 State Equalization Rates for the 2018 assessment rolls for Orleans County municipalities and has been filed in the Clerk of the Legislature office.

Treasurer DeFrank distributed an Analysis of Monthly Cash Receipts and Disbursements report through July, 2018. She reported that our sales tax is up \$250,000 over what we had this time last year. We have already made budget on interest earned through the CD's she has invested in. Finally, Occupancy Tax has exceeded what we have collected at this time last year so our cash flow is looking fine, expressed Treasurer DeFrank.

Chairman Johnson called for open discussion from the Legislators or from the floor as it related to the resolutions. In hearing no comment, Legislator Eick moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried.

Chairman Johnson called upon Legislator Allport to present a Proclamation to Scott Wilson, Orleans County Jail Superintendent and member of the Suicide Prevention Coalition, recognizing the month of September as National Suicide Prevention Month in Orleans County. Meredith Minier, a suicide survivor, explained her involvement in the Suicide Coalition and all they are doing to support those in need in our County and beyond. Sue Gagne and Nola Goodrich-Kresse, Coalition Coordinator, were also recognized as Coalition Members. She explained the "A Cup of Joe for the

Community”, where our area restaurants are in partnership in this campaign. Posters are placed throughout the community sharing the new Care and Crisis Hotline number. She explained thoroughly the organization and the importance of how just touching one person from the effects of Suicide or Depression is their mission, but hope they help many in our community. Post-vention kits were also distributed and explained about by Nola Goodrich-Kresse.

The following resolutions were presented for adoption:

RESOLUTION NO. 335-818

**AUTHORIZING PURCHASE FOR NEW VIDEO EQUIPMENT
UPGRADE FOR THE JAIL BY COMPUTER SERVICES**

WHEREAS, that this Legislature is aware of the aging state of the current Jail video security system and the ongoing failures happening within the last 12 months; and

WHEREAS, the Legislature is also aware of the advancements in video surveillance capabilities brought forth in Orleans County since the inception of the original system at the Jail, as well as security features capable of providing granular access controls of video monitoring and recording, now be it

RESOLVED, that this Legislature authorizes the purchase of assorted equipment from CDW-G, 75 Remittance Drive, STE 1515, Chicago, IL 60675-1515; Linstar/Identisys, 430 Lawrence Bell Drive, Suite #1 Buffalo, NY 14221-7085 and B&H Photo Video ProAudio 420 9th Avenue, New York City, NY 10001, for the Jail Video Surveillance Project in the amount of \$10,936.74 (PO #'s 59674 for \$738.00, 59675 for \$6,834.89, 59676 for \$1,902.88 and 59677 for \$1,460.97) to be paid from Computer Services account A1680.270 – Capital Projects which will allow for continued quality surveillance of the Jail and surrounding environs and optimize video access controls. Purchase Orders, Quotes and Pricing under NJPA Contract Award # 100614-CDW, New York State Contract # NYSC-11301-04(Linstar); and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Computer Services budget for payment of this purchase as follows:

From:		
A1990.435	Contingency Fund	\$10,936.74
To:		
A1680.270	Capital Projects	\$10,936.74

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 336-818

AUTHORIZING THE DIRECTOR OF COMPUTER SERVICES TO APPLY FOR GRANT FUNDING IN THE FY2017 CYBER SECURITY GRANT PROGRAM WITH THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that the Director of Computer Services is authorized to apply for the FY2017 Cyber Security Grant Program in the amount of \$48,668 for a funding period of September 1, 2018 through August 31, 2020. This is a 100% grant authorization. The primary purpose of the Grant is to support the Orleans County network infrastructure in Cyber Security capabilities, using advanced technologies, third party vulnerability testing and continuing cyber security education for the Orleans County Employee base. County cost is \$0.00.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 337-818

APPROVING AGREEMENT BETWEEN THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE AND WALGREENS

WHEREAS, the Employee Assistance Program Committee has sponsored a flu clinic the last three years with Rite Aid for the wellbeing of the employees of Orleans County; and

WHEREAS, Walgreens has acquired Rite Aid; and

WHEREAS, Walgreens requires an off-site clinic agreement for the Employee Assistance Program Committee to sponsor a flu clinic for the employees of Orleans County; therefore be it resolved

RESOLVED, that this Legislature approves the Employee Assistance Program Committee to continue to sponsor an annual flu clinic for the employees of Orleans County; and be it

FURTHER RESOLVED that John C. Welch, Jr., Director of Personnel and Self Insurance who is President of Employee Assistance Program Committee shall have the authority to complete the Walgreens Community Off-Site Clinic Agreement on behalf of the County, and be it

FURTHER RESOLVED that there is no county cost for this service.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 338-818

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 25, 2018; therefore be it

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

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2019, First Assistant District

Attorney, Grade 9, Step 9 of the Management Compensation Plan in the District Attorney's Office; and

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2019, Coordinator of Administrative Services, Grade 8, Step 8 of the Management Compensation Plan in the Mental Health Department; and

FURTHER RESOLVED, that this Legislature rescinds Resolution 421-1215 effective January 1, 2019; and

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2019, Director of Administrative Services, Grade 8, Step 9 of the Management Compensation Plan in the Department of in the Social Services; and

FURTHER RESOLVED, that this Legislature approves the abolishing of the Administrative Assistant in the Public Health Department, effective January 1, 2019, Grade 4 of the Management Compensation Plan; and

FURTHER RESOLVED, that this Legislature rescinds Resolution 391-1116 effective January 1, 2019; and

FURTHER RESOLVED, that this Legislature approves the creating of the Administrative Officer in the Public Health Department, effective January 1, 2019, Grade 5 of the Management Compensation Plan; and

FURTHER RESOLVED, that this Legislature approves the filling of the vacant Administrative Officer, effective January 1, 2019 at a Grade 5 Step 9.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to approve the software subscription with Accela for the Treasurer's Office; second by Legislator DeRoller. Treasurer DeFrank explained that this is for customer service and the need to have this in case something goes wrong with the system. The following resolution was adopted:

RESOLUTION NO. 339-818

**APPROVING SOFTWARE SUBSCRIPTION SERVICE BETWEEN THE
TREASURER’S OFFICE AND ACCELA**

RESOLVED, that this Legislature approves the annual software subscription service between the Treasurer’s Office and ACCELA f/k/a KVS Information Systems, 821 Maple Rd, Williamsville, NY 14221 covering all programs relating to the Treasurer’s Office, Personnel Office and Budget Officer at a cost of \$10,779.85; effective August 1, 2018 through July 31, 2019, to be paid from the respective budgets, as applicable.

Moved, DeFilippis; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 340-818

**AUTHORIZING ADDENDUM TO COUNTY ATTORNEY
SECRETARIAL SERVICES/OFFICE EQUIPMENT AGREEMENT**

WHEREAS, David C. Schubel and the County of Orleans entered into an Agreement dated as of January 1, 2018, and approved by Legislature Resolution no. 66-118 whereby it was agreed that the County of Orleans would pay David C. Schubel as County Attorney the sum of \$1,635.00 per month for secretarial services and office equipment, and

WHEREAS, David C. Schubel has retired as County Attorney effective August 17, 2018, and

WHEREAS, Katherine Bogan has been appointed to succeed David C. Schubel effective August 20, 2018, and

WHEREAS, the County of Orleans and Katherine Bogan desire to continue the Agreement, now therefore be it

RESOLVED, the Chairman is authorized to execute an Addendum to the Agreement whereby Katherine Bogan will continue the Agreement on the same terms and conditions for the balance of its term, ending on December 31, 2019.

Moved DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 341-818

APPROVING EXTENSION OF COUNTY MARINE PARK BOATING
ACCESS PHASE TWO AGREEMENT BETWEEN COUNTY OF
ORLEANS AND NEW YORK STATE DEPARTMENT OF STATE

WHEREAS, this Legislature, by resolution no. 193-515, approved Agreement #C1000543 between the County of Orleans and New York State Department of State for capital improvements known as County Marine Park Boating Access Phase Two; and

WHEREAS, remaining shore power upgrades and re-decking of the northern staircase pursuant to said Agreement should occur in the County Marine Park off-season to minimize inconvenience to County Marine Park visitors and slip renters; be it

RESOLVED, that this Legislature approves a one-year extension of Agreement #C1000543 at no additional cost for the purpose of acquiring the necessary environmental permits and completing Phase Two capital improvements to the County Marine Park; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the Chairman of the Legislature to execute this Agreement extension upon review and approval by the County Attorney and Chief Administrative Officer.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 342-818

APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES

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

Health Research Inc. at Riverview Center, 150 Broadway, Ste. 560, Menands, NY 12204. Grant renewal for completion of deliverables required by the Public Health Emergency Preparedness Program. Grant period is 7/1/2018 through 6/30/2019. Total contract amount is \$252,096, current maximum reimbursement of \$52,096. No County Cost.

University of Rochester, 500 Joseph C. Wilson Blvd, Rochester, NY 14627. This affiliation agreement is between Orleans and Genesee Counties with the University of Rochester to be a host site for public health interns. Agreement period is 08/01/2018 through 07/31/2021. No county cost.

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

RESOLUTION NO. 343-818

AMENDING INTERMUNICIPAL AGREEMENT BETWEEN HEALTH DEPARTMENT AND COUNTY OF MONROE

WHEREAS Orleans County Legislature adopted an Intermunicipal Agreement on March 28, 2018 by passage of Resolution No. 138-318, whereby Monroe County would provide forensic pathology services to Orleans County for a fee; and

WHEREAS the parties wish to amend the scope of services provided by Monroe County effective May 1, 2108 as follows: Forensic Pathology services will now be referenced to a laboratory with the cost being billed separately to Orleans County (NMS agreement approved in Resolution No. 227-518); now be it

RESOLVED, that this Legislature approves the amended Intermunicipal Agreement to include the cost for the 14 full autopsy examinations and 5 blood/description type autopsies during the term of this agreement be reduced from \$37,400 to \$30,275.

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

RESOLUTION NO. 344-818

AUTHORIZING FILLING VACANCY IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Clerk position (4010.41) in the Public Health Department at Grade 7 of the CSEA Salary Schedule effective August 22, 2018.

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

RESOLUTION NO. 345-818

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Melissa Pless, Public Health Nurse, to attend the 2018 Midwest Stream Forum for Agricultural Worker Health in New Orleans, Louisiana from September 9, 2018 to September 12, 2018. All costs covered with NYS Migrant Health Grant funds. No County cost.

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

RESOLUTION NO. 346-818

AUTHORIZING EXECUTION OF AN INDEMNITY AGREEMENT BETWEEN THE COUNTY OF GENESEE AND THE COUNTY OF ORLEANS

WHEREAS, in order to induce the County of Genesee Department of Mental Health (“Department”) to (i) act as lead agency in the development of a behavioral health care cooperative (“BACC”) under the New York State Delivery System Reform Incentive Payment Program (“DSRIP”) known as Integrity Partners for Behavioral Health (“Integrity Partners”), (ii) to act as lead agency for receipt and disbursement of funds under a Value Based Payments Readiness Program Agreement (“VBPR”), and (iii) execute, deliver and perform the VBPR as lead agency, the County

of Orleans (“Orleans”) wishes to provide for the indemnification of, and advancement of expenses to the County of Genesee (“Genesee”), and

WHEREAS, it is prudent, necessary and in the public interest for Orleans to obligate itself contractually to indemnify, hold harmless, and advance expenses on behalf of Genesee in order to (i) induce Genesee to serve and to continue to serve the interests of Orleans, as well as its own interests, in (A) the development of Integrity Partners, (B) the exemption, delivery and performance of the VBPR, and (C) the receipt and disbursement of funds under the VBPR, and (ii) eliminate undue concern by the Department that Genesee will bear the primary risk associated with pursuing a state-sponsored initiative under DSRIP, now therefore be it

RESOLVED, that the execution of an Indemnification Agreement between Genesee and Orleans is hereby authorized for a term commencing August 23, 2018 and ending on August 22, 2023, at no county cost to the County of Orleans.

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

RESOLUTION NO. 347-818

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for the set up of revenue and expense for Finger Lakes Performing Provider System money received as follows:

Revenue:		
A1625	Misc. Revenue	\$8,571.71
Appropriation:		
A4310.418	Other Contractual	\$8,571.71

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

RESOLUTION NO. 348-818

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY
SHERIFF'S OFFICE AND GENESEE COUNTY SHERIFF'S OFFICE

RESOLVED, that this Legislature approves the following agreement between the Counties of Orleans and Genesee, and their respective Sheriff's, for the housing of Genesee County prisoners in the Orleans County Jail at a cost of \$80 per inmate/per day, effective upon date of execution through December 31, 2020.

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

RESOLUTION NO. 349-818

APPROVING RENEWAL AGREEMENT BETWEEN THE SHERIFF'S
OFFICE AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 26-115 approved a five -year agreement between the Sheriff's Office and the New York State Unified Court System to reimburse the county for security personnel assigned to the county courthouse; be it now

RESOLVED, that this Legislature approves a one year renewal with the New York State Unified Court System and the Orleans County Sheriff's Office for Contract No. UCS05-C200493-5000284, with a maximum monetary reimbursement amount not to exceed \$343,856 for the fifth period April 1, 2018 through March 31, 2019.

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

RESOLUTION NO. 350-818

APPROVING AGREEMENTS BETWEEN SHERIFF'S OFFICE AND
GOVERNMENT PAYMENT SERVICES, INC.

RESOLVED, that this Legislature approves an agreement between the Orleans County Sheriff's Office and Government Payment Services,

Inc. (GPS), 7102 Lakeview Parkway West Drive, Indianapolis, IN 46268, for the electronic processing of transactions for bail and civil fee payments, at no cost to the county, effective from date of execution and continues for three years, but shall not continue past December 31, 2023; and be it

FURTHER RESOLVED, this Legislature approves an agreement between the Orleans County Sheriff's Office, Government Payment Services, and Vanity, LLC, 8500 Governors Hill Drive, Symmes Township, Ohio 45249, for processing services and compliance with payment organization rules and regulations, at no cost to the county, effective from date of execution and continues for four years, but shall not continue past December 31, 2023.

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

RESOLUTION NO. 351-818

APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN ORLEANS COUNTY DISTRICT ATTORNEY AND HOMELAND SECURITY INVESTIGATIONS (HSI) BUFFALO NEW YORK

RESOLVED, that this Legislature approves the Memorandum of Understanding between the District Attorney's Office/Orleans County Major Felony Crime Task Force and Homeland Security Investigations Buffalo New York which will allow for the U.S. Department of Treasury and Homeland Security to handle Federal forfeitures for any joint investigation, as well as reimburse Orleans County for overtime and other expenses related to any joint investigations; and be it

FURTHER RESOLVED, that the District Attorney will review this Memorandum of Understanding for its continuance with the District Attorney's Office and extension by resolution will need to be made by December 31, 2023; and be it

FURTHER RESOLVED, that this Legislature body hereby authorizes the Chairman of the Legislature to execute this agreement upon the review and approval of the Orleans County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 352-818

**AUTHORIZING EMERGENCY MANAGEMENT TO APPLY FOR THE
2018 STATEWIDE INTEROPERABLE COMMUNICATIONS
TARGETED GRANT**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for the 2018 Statewide Interoperable Communications Targeted Grant through the NYS Division of Homeland Security and Emergency Services Office, which will aid in improving interoperability with state and regional partners including new tower sites and site improvement. In addition, ongoing sustainment of Land Mobile radio systems, components, supporting interoperability, continuing training and exercise for our First Responders and further development of governance structure.

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

RESOLUTION NO. 353-818

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

FURTHER 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>
\$225.00	Labella Associates, P.C.	Prof. Services Culvert Road Culvert Replacement 6/23/18-7/20/18 Inv. #93314

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

RESOLUTION NO. 354-818

**AWARDING BID FOR SOUTH HOLLEY ROAD CULVERT BRIDGE
NY PROJECT**

WHEREAS, the Orleans County Highway Department sought bids for the Construction of South Holley Road Culvert Bridge NY Project, NYS DOT Contract #D035542 in the Town of Clarendon; and

WHEREAS, such bids have been publicly received, opened and reviewed on July 19, 2018 at 11:00 a.m. to determine the lowest responsible bidder; and be it

RESOLVED, that Diehl Development Inc. at 5922 North Lake Road, Bergen, New York 14416 has been awarded the bid at \$535,723.77.

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

RESOLUTION NO. 355-818

**APPROVING RENEWAL AGREEMENT BETWEEN OFFICE FOR THE
AGING AND PHILIPS LIFELINE**

RESOLVED, that this Legislature approves the renewal agreement between the Office for the Aging Department and Philips Lifeline, 111 Lawrence Street, Framingham, MA 01701 to provide personal emergency response systems from November 1, 2018 through October 31, 2023 at a cost of \$42,580(1st year, November 1, 2018-October 31, 2019). County cost \$0.

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

RESOLUTION NO. 356-818

**APPROVING 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 and the Orleans County Office for the Aging to enter into a 5 year lease agreement for the first floor

of the Albion Academy dated October 1, 2018 through September 30, 2023 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 2019 will be \$1,792.40 per month. County Cost \$109.58 per month.

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

RESOLUTION NO. 357-818

APPROVING RENEWAL AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES

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

Snell Farm Children's Center, Bath, NY for the provision of residential foster care services; to be effective July 1, 2018 through June 30, 2019 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.

Hillside Children's Center, Rochester, NY for the provision of residential foster care services; to be effective July 1, 2018 through June 30, 2019 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.

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

RESOLUTION NO. 358-818

AUTHORIZING SETTING UP NEW MONEY IN THE HISTORIAN BUDGET

RESOLVED, that the Treasurer is authorized to set up new money in the Historian Budget for a donation from the Clarendon Historical

Society and Orleans County Historical Association to purchase a historical marker as follows:

Revenue:		
A2705	Gifts and Donations	\$1,200
Appropriation:		
A7510.441	Printing	\$1,200

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

RESOLUTION NO. 359-818

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$179,026.55	Holdsworth Klimowski Construction	Payment #2, Work performed through 6/30/18, General Construction
\$551,498.75	Holdsworth Klimowski Construction	Payment #3, Work performed through 7/31/18, General Construction
\$6,268.34	Michael A. Ferraulo Plumbing & Heating	Payment #3, Work performed 7/1/18-7/31/18, HVAC
\$30,305.00	Suburban Electric, Inc.	Payment #3, Work performed 7/1/18-7/25/18, Electrical
\$1,712.37	All State Fire & Security	Payment #3, Work performed 7/1/18-7/31/18, Fire Protection
\$80,601.80	MKS Plumbing Corp	Payment #3, Work Performed through 7/31/18, Plumbing

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

RESOLUTION NO. 360-818

**AUTHORIZING OUT OF STATE TRAVEL FOR ORLEANS COUNTY
LEGISLATORS**

RESOLVED, that this Legislature does hereby authorize out of state travel for Chairman Lynne Johnson, Vice Chairman Donald Allport and Legislator Merle “Skip” Draper to travel to Washington, D.C from Wednesday, August 22, 2018 through August 24, 2018 to attend a White House Conference/Briefing for County Officials from New York State.

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

RESOLUTION NO. 361-818

CANCELLING AUGUST 22, 2018 LEGISLATURE MEETING

WHEREAS, the Orleans County Legislature held a special meeting on Tuesday, August 21, 2018 to address agenda items and approve resolutions that were to be addressed at the scheduled meeting of Wednesday, August 22, 2018; therefore be it

RESOLVED, that this Legislature does hereby cancel the scheduled Legislature meeting of Wednesday, August 22, 2018 as approved to be held in Resolution No. 16-118 due to many of our Legislators traveling to Washington D.C. on Wednesday, August 22nd

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

RESOLUTION NO. 362-818

**AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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, 2018:

Fund/Department	Check Number (s):	Amount:
General	13369-13580	\$348,338.85
Highway	1287-1299; 2930-2953	\$494,167.41
Job Development	2825-2827	\$355.23
Self Insurance	60081; 60083; 1189	\$43,585.21

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 Superintendent of Highways, 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 26, 2018:

Fund/Department	Check Number (s):	Amount:
General	13581-13722	\$360,747.11
Highway	1300-1308; 2953-2966	\$418,153.98
Job Development	2830-2845	\$17,125.62
Self Insurance	60080; 60082-60083; 1190-1193	\$5,161.17

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 363-818

APPROVING GLOW WORKFORCE DEVELOPMENT BOARD
NOMINATIONS

RESOLVED, that this Legislature does hereby approve the nominations of Marcell Taylor with Pathstone Corporation as a Community-Based Organization Member and Jonathan Fuzak with New

York State Laborers' Organizing Fund as a Labor Organization Member of the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Board, for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 364-818

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH DEPARTMENT 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:		
A1625	Miscellaneous Revenue	\$13,125
Appropriation:		
A4310.418	Other Contractual	\$13,125

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:		
A3711	Dwyer – Peer to Peer Program	\$13,125
Appropriation:		
A6510.486	Special Grants	\$13,125

Moved, Draper; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson asked if there was any unfinished business that needed to be discussed. With hearing none, she opened the floor for public comments. Mark O'Brien, Director of Mental Health, thanked the Legislature, Chief Administrative Officer Chuck Nesbitt, County Attorney David Schubel and the Community Services Board for their help and assistance in the collaboration efforts in the Integrity Partners for Behavioral Health which includes fourteen county IPA network that just received approval from the Department of State. In collaborating with thirteen other counties and with other not for profits, we will be able to draw down the \$3.3 million dollars for services. Mr. O'Brien was commended for his hard work in also making this happen.

Chairman Johnson stated that Vice Chairman Allport, Legislator Draper and herself will be traveling first thing tomorrow morning to the White House as they were invited to participate in meetings with other New York State leaders and will also be touring the White House. She explained that this is why we had to change our meeting to today.

David Kusmierczak reported that on Assemblyman Steve Hawley's Patriot Trip they too always include a visit to the White House. Chairman Johnson stated that the Patriot Trip is coming up in September. Veterans Service Director Earl Schmidt added that he will be the only Accredited Service Officer that will be attending on this trip to serve those veterans and their family members.

Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:01p.m.

LEGISLATURE MEETING
September 26, 2018

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Orleans County Treasurer Kimberly DeFrank has filed the following in the Clerk of the Legislature Office:

- A list of Inter Fund loans issued to date as directed in Resolution No. 175-418.
- A list of Real Property Tax Refunds, in the amount of \$164.78, that has been reviewed and authorized by her office.

The following audits performed by EFPR Group have been received and filed in the Clerk of the Legislature's Office:

- County of Orleans Audit Report for year-end December 31, 2017.
- Orleans County Sheriff's Accounts for year-end December 31, 2017.
- New York State Department of Transportation (State Transportation Assistance Funds Expended) Audit Report – December 31, 2017

New York State Department of Agriculture and Markets has certified that the land included in the Orleans County Agricultural Districts is viable agricultural land, and as proposed is feasible and shall serve the public interest in assisting in maintaining a viable agricultural industry within the Districts. Holy Family Social Justice Committee is asking to display (2) two yard signs (18" x 24") again this year to recognize Domestic Violence Awareness Month in October. The Committee will place them and take them down like in years past. The Board approved this request. Veterans Services Director Earl Schmidt is requesting permission to hang two 3' x 8' banners – at the courthouse and in front of the Veteran's Services Agency building from September 27, 2018 through time of event – to advertise for the Dwyer Peer to Peer Kick Off Picnic scheduled for October 6th at the Orleans County 4-H Fairgrounds. The Board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through August, 2018. Treasurer DeFrank reiterated that the single audit has been completed and filed. Sales tax continues to be on the rise. As seen on the report, with still having outstanding loans, our cash

balance is better than where we were at this time last year, reported Treasurer DeFrank.

Legislator Allport called upon Sheriff Bower and Undersheriff Bourke to present them a Recognition Certificate for Sheriff's Week. Sheriff Bower stated he and his staff enjoy serving our community and will continue down the path to make our community a safe place.

Chairman Johnson announced that many of our Legislators and Department Heads witnessed the swearing in of Chuck Nesbitt, Orleans County Chief Administrative Officer, by his wife Elissa on Tuesday, September 25th at the NYSAC Fall conference and training school held in Rochester as their next serving President. He is the first from Orleans County to serve in this prestigious NYSAC officer position. As being the eighth smallest county in New York State, we are excited that one of our own will hold this Presidency. Chuck was applauded and he stated that it is a tremendous honor and is very excited about what is ahead.

Chairman Johnson called for open discussion as it related to the resolutions, which no one commented from the public nor any of the Legislators.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 365-918

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

WHEREAS, Resolution No. 300-814 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 of \$0.1897 per bill and \$0.0612 per collector's copy, with such fees charged back to municipalities; now be it

RESOLVED, that this Legislature approves an agreement extension for an additional 12 month period for printing services through August 31, 2019 with no contract changes.

Moved, DeFilipps; second, DeRoller.

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Resolutions 365-402

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 366-918

**APPROVING AGREEMENT BETWEEN TIME WARNER
CABLE/SPECTRUM COMMUNICATIONS AND COMPUTER
SERVICES**

WHEREAS, this Legislature approved an agreement between Time Warner Cable Business Class and Computer Services, Resolution 203-612, for a 10 X 10 megabit per second connection at 13925 Route 31 (Public Safety Building) for county operations; and

WHEREAS, this Legislature approved an amendment to that resolution to increase the bandwidth of the circuit to 20 X 20 megabits per second in 2016 (classified as Internet DIA-Direct Internet Access), and

WHEREAS, this Legislature approved an agreement between Spectrum Business Class and Computer Services, Resolution 189-517, to increase the bandwidth to a 100 X 100 Internet FIA circuit (Classified as Internet FIA-Fiber Internet Access), and

WHEREAS, this Legislature is aware of the changes being made to take control of the State operated and networked computers and maintain them on the county network, placing greater strain on the bandwidth requirements of the county's Internet circuit, now be it

RESOLVED, that the Orleans County Legislature authorizes the increase of that circuit to 200 X 200 Internet FIA, with partial monthly payments remaining in 2018 being paid by the Computer Services Department budget (A1680.418) and full annual payments be equalized in cost for Internet services across all departments and computers at a cost of \$13,320.00, a 23% increase in cost over our current internet access. Term of the contract shall be effective October 15th, 2018 through October 14th 2023.

Moved, DeFilipps: second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 367-918

APPROVING THE MANAGEMENT COMPENSATION PLAN FOR
2019 AND 2020

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

RESOLVED, that the Management Compensation Plan for 2019 and 2020 be updated to reflect a continued savings from the implementation of a high deductible plan and complete health insurance reorganization will be invested back into compensation for management employees allowing for increases of 2% in January 2019 and 2% in January 2020; and be it

FURTHER 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 January 1, 2019; 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, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 368-918

AUTHORIZING TREASURER TO PLACE ADVERTISEMENT
REGARDING UNPAID TAXES

RESOLVED, that pursuant to a request from the County Treasurer, this Legislature authorizes the placement of a notice in the Lake Country Pennysaver notifying the delinquent taxpayers that failure to pay their 2018 taxes will result in the County filing a tax lien against said property as required by New York State Real Property Tax Laws.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to approve an agreement with New York State Department of State for the creation of an Erie Canal Local Waterfront

Revitalization Plan; second by Legislator DeFilipps. Legislator DeRoller indicated in the map shown, it involves twenty-five miles of canal in our County. It goes through the Village of Holley, Town of Murray, Town of Albion, Village of Albion, Town of Gaines, Town of Ridgeway and Town of Shelby. The Village of Medina has their own plan but will work in synergy to do planning for the canal and to try to enhance its viability for use. Legislator DeRoller said, think of it not only for recreation but also for irrigation for our area farmers. There are currently 28 syphons for farmers and anticipate some enhancement in this area for our farmers. There is a hydro facility in the Village of Medina that also feeds into the Lake Alice corridor for hydropower. Legislator DeRoller indicated that we are really looking forward to the enhancements we can make using the canal and its resources. The following resolution was adopted:

RESOLUTION NO. 369-918

**APPROVING AGREEMENT WITH NEW YORK STATE
DEPARTMENT OF STATE FOR CREATION OF ERIE CANAL LOCAL
WATERFRONT REVITALIZATION PLAN**

WHEREAS, a Local Waterfront Revitalization Plan (LWRP) provides clear direction for suitable future development, reflects community consensus, and establishes a long-term partnership among local governments and the State; and

WHEREAS, the Erie Canal was critical to early community settlement and commerce in Orleans County and remains an essential asset for the purposes of economic development, recreation, tourism, and cultural heritage; and

WHEREAS, Orleans County and the towns and villages that adjoin the Erie Canal recognized the benefits of preparation of an LWRP, and supported the County's application for a State grant as the primary source of funding for such a purpose; and

WHEREAS, the County received notice of a State grant award to facilitate preparation of said Erie Canal LWRP as a collaborative effort between the State, County and Canal towns and villages; be it

RESOLVED, that this Legislature approves Contract # C1001163 with the New State Department of State for funding of \$62,000.00 toward

an Erie Canal LWRP, to be matched by \$10,000.00 cash from Orleans County, \$10,500.00 cash jointly from participating towns and villages, and \$167.00 in-kind services by the Department of Planning and Development.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 370-918

AUTHORIZING THE TREASURER TO SET UP NEW MONEY FROM MISCELLANEOUS RESERVE TO THE PLANNING AND DEVELOPMENT DEPARTMENT BUDGET FOR LAND USE PLAN PREPARATION FOR MUNICIPALITIES

WHEREAS, the County Department of Planning and Development entered into an agreement with western Orleans County municipalities in 2016 per resolution 451-1216 for reimbursement of bulk mailing, stationery, printing and other non-labor expenses related to the update of the Western Orleans County Comprehensive Plan; and,

WHEREAS, the County set up new monies in 2017 per resolution 24-117 to accept funds from the three towns and 2 villages in western Orleans County for said expenses; and,

WHEREAS, funds not fully expended in 2017 were placed in miscellaneous reserve by the County Treasurer in 2018; be it

RESOLVED, that the County Treasurer is authorized to set up monies from miscellaneous reserve to the Planning and Development Department budget to cover final expenses for preparing updates to the Western Orleans Comprehensive Plan:

From:		
Miscellaneous Reserve		\$753.79
To:		
A8020.426	Miscellaneous Fees for Services	\$753.79

Moved, DeRoller; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Draper moved to approve an agreement between the Health Department and Center for Disease Control; second by Legislator Allport. Legislator Draper invited Public Health Director Pettit to explain this program. Director Pettit explained that this is the Public Health Associate Program, which is a match making process. Host sites are developed and applicants apply on the other side and then are matched as to what the applicants want to do in a placement site. Nearly one hundred sites are chosen across the country to host for a two-year period. In offering to have the collaboration with two counties and the rural perspective of public health, this is the second person who wants to spend two years with us, expressed Director Pettit. The positive of this program is that we get a free employee, paid for through CDC, who are at the bachelor, master or at graduate levels. This might be their first work experience opportunity to get embedded into our local health department and work with us for the next two years on important projects such as working with our heroin and opioid crisis, accreditation process, or our community health assessment/community health improvement plan. Marlo Thompson, from Atlanta, will start on October 1st. The following resolution was adopted.

RESOLUTION NO. 371-918

**APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT
AND CENTER FOR DISEASE CONTROL**

RESOLVED, that this Legislature approve an agreement between the Health Department and Center for Disease Control, 1600 Clifton Rd, Atlanta, Georgia 30333 to accept a federally funded individual for two years to work within Orleans and Genesee County Health Departments. Terms of contract is October 1, 2018 through September 30, 2020. Only cost to county is for local mileage from programmatic travel.

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

RESOLUTION NO. 372-918

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
MENTAL HEALTH DEPARTMENT BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for money received from National Council for Behavioral Health as follows:

Revenue:		
A1625	Misc. Revenue	\$10,000
Appropriation:		
A4310.418	Other Contractual	\$10,000

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

RESOLUTION NO. 373-918

AUTHORIZING 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:		
A1625	Miscellaneous Revenue	\$39,375
Appropriation:		
A4310.418	Other Contractual	\$39,375

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:		
A3711	Dwyer – Peer to Peer Program	\$39,375
Appropriation:		
A6510.486	Special Grants	\$39,375

Moved, Draper; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 374-918

APPROVING ACCEPTANCE OF ADDITIONAL MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PROBATION BUDGET

WHEREAS, Resolution No. 235-518 approved Probation Director to accept aid from the Orleans County Youth Bureau Resource Allocation Grant in the amount of \$16,000; be it

RESOLVED, that this Legislature approves the Orleans County Probation Director to accept additional aid in the amount of \$2,104 to provide Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Probation Budget as accepted above as follows:

Revenue:		
A3820.3140	Youth Programs Probation	\$2,104
Appropriation:		
A3140.100	Personal Services	\$2,104

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

RESOLUTION NO. 375-918

AUTHORIZING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the Governor's Traffic Safety Council is providing the Division of Criminal Justice Services (Office of Probation) a funding opportunity to support supervision of Leandra's Law provisions therefore be it,

RESOLVED, that this Legislature does authorize Orleans County Probation Department to accept \$3,534 for Leandra's Law Ignition Interlock Device (IID) cases. Grant period is from October 1, 2018 to September 30, 2019. This is a \$804 increase over previous year's funding.

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

RESOLUTION NO. 376-918

AUTHORIZING TRANSFER OF FUNDS IN THE PROBATION BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to transfer monies in the Probation Department budget to cover the cost of On call Pay and Overtime Pay due to the recent Raise the Age Legislation which takes effect on October 1, 2018 and necessary Safety Equipment as follows:

From:		
A3140.100	Personal Services	\$ 6,544
To:		
A3140.251	Safety Equipment	\$ 2,232
A3140.101	Overtime	\$ 2,000
A3140.103	On Call	\$ 2,312

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

RESOLUTION NO. 377-918

APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE AND THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

WHEREAS, this Legislature, in Resolution No. 146-318, had authorized the Orleans County Sheriff's Office to apply to the New York State Governor's Traffic Committee, 6 Empire State Plaza, Albany, NY 12228, for safety grant funding, now be it

September 26, 2018
Resolutions 365-402

RESOLVED, that this Legislature accepts the 2018-2019 Child Passenger Safety Grant (CPS-2019-Orleans Co SO-00095-(037) award in the amount of \$4,800 for funding period October 1, 2018 through September 30, 2019, to be used for public outreach on proper use and installation of child safety seats, technician recertification, and equipment purchase; and be it

FURTHER RESOLVED, that this Legislature accepts the 2018-2019 Police Traffic Services Grant (PTS-2019-Orleans Co SO-00108-(037) award in the amount of \$5,592 for funding period October 1, 2018 through September 30, 2019 to be used for traffic law enforcement to increase seat belt usage and reduce dangerous driving behaviors.

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

RESOLUTION NO. 378-918

AUTHORIZATION TO ACCEPT PSAP GRANT FUNDING AND APPROVE AGREEMENT WITH NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE SHERIFF'S OFFICE

WHEREAS, Resolution No. 268-618 authorized the Sheriff's Office to apply for available grant funding; and

WHEREAS, the NYS Division of Homeland Security and Emergency Services has informed Orleans County/Orleans County Sheriff's Office that they have been awarded grant funding of \$137,772 for the New York State 2018-2019 Public Safety Answering Points Operations Grant Program (2018-19 PSAP Grant), now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant PS18-1055-D00; Contract #C198142 in the amount of \$137,772 for reimbursement of costs related to public safety call-taking and dispatching expenses for year January 1, 2019 through December 31, 2019.

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

RESOLUTION NO. 379-918

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY AND ACCEPT GRANT FUNDING THROUGH NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for funding through the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY 12242 for participation in a homeland security team exercise; and be it

FURTHER RESOLVED, that this Legislature approves acceptance of Contract #T180086, SH16-1117-D00, and accepts funding as reimbursement for personal service costs incurred during this operation; and be it

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

Revenue:		
A4309.3110	NYS Homeland Security	\$ 2,057.18
Appropriation:		
A3110.0101	Personal Services-Overtime	\$ 1,599.05
A3110.0830	Social Security	\$ 122.33
A3110.0810	State Retirement	\$ 335.80

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

RESOLUTION NO. 380-918

APPROVE CERTIFICATION OF THE 2019 STOP DWI PLAN BETWEEN THE SHERIFF'S OFFICE AND THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES-GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature approves the Certification of the 2019 STOP-DWI PLAN with the New York State Department of Motor Vehicles-Governor's Traffic Safety Committee, 6 Empire State Plaza,

September 26, 2018
Resolutions 365-402

Albany, NY 12228, for a budget of \$90,846.52, for annual plan year January 1, 2019 through December 31, 2019.

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

RESOLUTION NO. 381-918

AUTHORIZATION TO APPROVE REQUEST FOR EXTENDED SICK LEAVE AT HALF PAY IN 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 and with the approval of the County Legislature and Sheriff, and

WHEREAS, a 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 the 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 3150.53, to begin September 27, 2018 and ending of October 26, 2018; 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, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 382-918

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND
JOSE AVILLA

RESOLVED, that this Legislature approves extending an agreement between the Public Defender and Jose Avilla to provide for Investigative Services at a cost not to exceed \$20,000; effective retroactive to July 1, 2018 through June 30, 2019; to be paid from the Indigent Legal Services Grant.

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

RESOLUTION NO. 383-918

APPROVING AGREEMENT BETWEEN CRIME VICTIMS
ASSISTANCE PROGRAM AND SARAH WOODIN

RESOLVED, that this Legislature does hereby approve an agreement between the Orleans County Crime Victim's Assistance Program and Sarah Woodin of 1114 Beadle Rd in Brockport NY to provide night court advocate services on a per diem basis at a rate of \$20.00 per hour, not to exceed \$6750 a year effective October 1, 2018 through September 30, 2019 unless sooner terminated as hereinafter; and be it

FURTHER RESOLVED, that this agreement will terminate when no further grant funds are available to maintain no county cost for these services.

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

RESOLUTION NO. 384-918

APPROVING EXTENSION OF EMPG FY17 GRANT BETWEEN
EMERGENCY MANAGEMENT AND NYS DIVISION OF HOMELAND
SECURITY AND EMERGENCY SERVICES

WHEREAS, Resolution No. 347-915 approved the acceptance of funding in the amount of \$20,958 for the FY17 Emergency Management Performance Grant (EMPG) effective through September 30, 2018; now be it

RESOLVED, that this Legislature approves the extension of this grant through December 31, 2018; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to e-sign all related documents associated with the extension of this grant (EM17-1040-D00).

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

RESOLUTION NO. 385-918

AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ORDER AND PURCHASE A NEW VEHICLE

RESOLVED, this Legislature authorizes ordering a 2019 Chevrolet Tahoe from Joe Basil Chevrolet, Inc., 5111 Transit Rd., Depew, NY 14043, with a delivery date on or after January 1, 2019 at a cost of \$51,170.80; said purchase to be made with FY18 Emergency Management Planning Grant Funds of \$20,925 and matching County funds of \$20,925 from Emergency Management 2019 budget line A3640.250; remaining balance of \$9,320.80 to be paid from Miscellaneous Reserve in 2019.

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

RESOLUTION NO. 386-918

AUTHORIZING SETTING UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that the Treasurer is authorized to set up new money in the Emergency Management Budget for a donation received as follows:

Revenue:		
A2705	Gifts and Donations	\$353.94
Appropriation:		
A3640.418	Other Contractual	\$353.94

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

RESOLUTION NO. 387-918

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2018 Grant Funds for refreshments for approved NYS Department of Homeland Security and Emergency Services Tier III training on September 29, 2018 and Intermediate ICS For Expanding Incidents training from October 16-18, 2018 at a cost not to exceed \$2,500.

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new 2018 Homeland Security Grant Funds into the Emergency Management Budget as follows:

Revenue:		
A4309.2018	State Homeland Security Grant Program	\$2,500
Appropriation:		
A3640.486.2018	Special Grants (SHSP-FY18)	\$2,500

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

RESOLUTION NO. 388-918

AUTHORIZING PAYMENT FROM EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 218-418 authorized expending EMPG FY17 grant funds to upgrade a 2004 20 ft. trailer by Lyons Collision; now be it

RESOLVED, that this Legislature authorizes payment to Lyons Collision, 511 Orient St, Medina, NY 14103 in the amount of \$14,989.71 to upgrade a 2004 20 ft. trailer to be paid from Emergency Management budget account A3640.418 – Other Contractual Expenses in the amount of

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\$4,989.71; \$5,000 from A3640.486.0017 – Special Grants – EMPG FY17;
and \$5,000 from A3640.250 – Other Equipment (Matching Funds).

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

RESOLUTION NO. 389-918

AUTHORIZING CHANGE OF BUSINESS HOURS IN EMERGENCY MANAGEMENT DEPARTMENT

WHEREAS, the Emergency Management Office currently follows
the county's normal work hours, now be it

RESOLVED, that this Legislature authorizes this office to deviate
from the normal scheduled hours and to establish new business hours year
round from 8:00am to 4:00pm with lunch from 12:00pm to 1:00pm.

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

Legislator Eick moved to authorize the appropriation of funds for aid and
eligible costs for a preventative maintenance project in the Town of Carlton;
second by Legislator Miller. Highway Superintendent Gray explained that
this is a contract with the County, State and Federal governments for a
preventative maintenance project for Lakeside Bridge in the Town of
Carlton. This is one of two; we hope to get East Oak Orchard Street Bridge
in Medina on the list too. This is a grant from the Genesee Transportation
Council (GTC) which allows the engineering and design this year and then
we skip a year to do the construction. The following resolution was
adopted:

RESOLUTION NO. 390-918

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE
FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFORE.**

WHEREAS, a Project for the Lakeside Bridge Preventative Maintenance, Contract #D035981, P.I.N. 4OR0.01, BIN: 3318990 in the Town of Carlton (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$31,000 for Lakeside Bridge Preventative Maintenance for Preliminary Engineering and Design; and

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$31,000 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$31,000 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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

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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 be it

FURTHER RESOLVED, that this is Agreement is for Preliminary Engineering and Design for a total cost of \$31,000.00; Federal Share of \$24,800.00; State Marchiselli Funding of \$4,650.00 and County Cost \$1,550.00; effective July 5, 2018 through July 5, 2028. Resolution shall take effect immediately.

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

RESOLUTION NO. 391-918

AUTHORIZING AGREEMENT FOR MOTOR FUEL PURCHASE BETWEEN THE COUNTY HIGHWAY DEPARTMENT AND ROCHESTER-GENESEE REGIONAL TRANSIT AUTHORITY

RESOLVED, that this Legislature hereby approves the execution of an agreement for Motor Fuel Purchases between the Highway Department and Rochester-Genesee Regional Transit Authority, 225 West Academy Street, Albion, NY 14411; and be it

FURTHER RESOLVED, that they be tax exempt from the payment of New York State sales and use taxes. Agreement effective in conjunction with the Joint Service Agreement, which is effective through July 1, 2057.

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

RESOLUTION NO. 392-918

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature does hereby authorize 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>
\$4,117.08	Klein Reinforcing Services, Inc.	RI-9 - Culvert Road Culvert Replacement Inv #18-0044509
\$700.00	Labella Associates	Prof Services Culvert Road Culvert Replacement 7/21/18-8/24/18 Inv #94537
\$26,529.00	Lakelands Concrete Products	Stone Strong Abutments & Freight - Culvert Road Culvert Replacement - Inv #IN000036992

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

Legislator Eick moved to approve an amended resolution authorizing Ran Contracting to paint the chain-link fence at the Marine Park. The amendment gives authorization to the Chief Administrative Officer to execute the agreement rather than the Chairman and increase the cost from \$5,700 to \$6,300. Legislator Miller seconded the amendment and resolution as presented. The following amended resolution was adopted as follows:

RESOLUTION NO. 393-918

AUTHORIZING AGREEMENT BETWEEN ORLEANS COUNTY BUILDINGS AND GROUNDS AND RAN CONTRACTING

RESOLVED, that this Legislature approves agreement between the Buildings and Grounds Department and RAN Contracting to provide painting services at the Marine Park; to be completed September 27, 2018 through November 30, 2018 at a cost of \$6,300; and be it

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

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

RESOLUTION NO. 394-918

APPROVING MULTI-JURISDICTIONAL CHIEF ELECTED OFFICIALS AGREEMENT FOR 2018 DESIGNATION OF LOCAL WORKFORCE DEVELOPMENT AREA: GLOW

RESOLVED, that this Legislature does hereby approve the Multi-Jurisdictional Chief Elected Officials Agreement for 2018 Designation of Local Workforce Development Area: GLOW, for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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.

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

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

RESOLUTION NO. 395-918

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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 pending approval of the Orleans County Comprehensive Plan. Contract will run from October 1, 2018 through September 30, 2019.

Capital District Youth Center, Inc. Albany, NY for the provision of a secure detention facility for the detention of juvenile delinquents, juvenile offenders and adolescent offenders regarding the Raise the Age 16 and 17

year old populations. All costs incurred will be 100% reimbursable from the New York State Office of Children and Family Services pending approval of the Orleans County Comprehensive Plan. Contract will run from October 1, 2018 through September 1, 2019.

Elmcrest, Syracuse, NY for the provision of residential foster care services; to be effective October 1, 2018 through September 30, 2019 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.

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

RESOLUTION NO. 396-918

AUTHORIZING OUT OF STATE TRAVEL FOR VETERANS SERVICE AGENCY DIRECTOR

RESOLVED, that this Legislature authorizes Out of State Travel for Earl M. Schmidt, Director of Veterans Service Agency to attend Assemblyman Steve Hawley's Patriot Trip IIX in Washington DC from September 20th through September 23rd, 2018. County cost \$0.

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

RESOLUTION NO. 397-918

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND NTS DATA SERVICES, LLC

RESOLVED, that this Legislature approves a renewal agreement between the Orleans County Board of Elections and NTS Data Services, LLC, 2079 Sawyer Drive, Niagara Falls, NY 14304, to provide TEAM Voter Registration, the Sign-It Digitization Program, Full Document Imaging, and IMS Interface Messaging System and Support Services. Also, NTS is undertaking a several year project of upgrading the technology foundation of the TEAM Voter Registration system and in that process is moving functionality from TEAM to NTS' Voter Registration "SUITE", all references to TEAM in this document will include that functionality in Suite for period commencing January 1, 2019 through December 31, 2023,

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with payment of \$23,250.00 will be due to NTS by January 15th, 2019, thereafter with annual payments of \$24,675.00 will be due to NTS by January 15th of each through December 31, 2023. County Cost 100%.

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

RESOLUTION NO. 398-918

AUTHORIZING PURCHASES OF OFFICE FURNITURE AND EQUIPMENT FOR THE COUNTY OFFICE BUILDING ADDITION CAPITAL PROJECT

RESOLVED, that this Legislature does hereby authorize the following purchases of office furniture and equipment for the new County Office Building Addition Capital Project, which is to be paid from H1610.250 – Capital Project Infrastructure Projects account, as follows:

PO Number:	NYS Contract No.	Quote No.	Vendor:
60234	PC66325	Q90709	Steelcase c/o Prentice Office Environments 901 44 th Street Grand Rapids, MI 49508
Total Amount:	\$320,383.35	\$275,483 – Steel Case Furniture \$44,900 - Installation	

PO Number:	NYS Contract No.	Quote No.	Vendor:
60235	PC66261	Q90726	Global Industries, Inc c/o Prentice Office Environments 17 West Stow Rd Marlton, NJ 08053
Total Amount:	\$19,439.94	Tables and seating	

PO Number:	NYS Certified	Quote No.	Vendor:
60236	WBE#61056	Q91019	Prentice Office

		Environments 472 Franklin St Buffalo, NY 14202
Total Amount:	\$4,750.00	Fireking Fire Files - Elections

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

RESOLUTION NO. 399-918

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$2,992.50	Michael A. Ferraulo Plumbing & Heating	Payment #4, Work performed 8/1/18-8/31/18, HVAC
\$12,920.00	Suburban Electric, Inc.	Payment #4, Work performed 7/26/18-8/25/18, Electrical
\$20,999.75	MKS Plumbing Corp	Payment #4, Work performed 8/1/18-8/31/18, Plumbing
\$70,632.18	Wendel WD A/E/S/LA, PC	Professional Services, 6/1/18-6/30/18, Inv #349535-FF&E Design, DOH Grant Admin Assistance, Construction Admin, Project Coordination Labor, Project Coordination Fee, Haz Mat Testing/Abatement, Reimbursable Expenses, Special Inspections
\$59,241.82	Wendel WD A/E/S/LA, PC	Professional Services, 7/1/18-7/30/18, Inv #349708-DOH Grant Admin Assistance, Server Room/Storage Room 232 Revisions, Construction Admin, Project Coordination Labor, Project Coordination Fee, Reimbursable Expenses

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\$384,360.50	Holdsworth Klimowski Construction	Payment #4, Work performed through 8/31/18, General Construction
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Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 400-918

**RESOLUTION IN OPPOSITION TO GOVERNOR ANDREW CUOMO'S
EXECUTIVE ORDER 181**

WHEREAS, under Election Law of the State of New York, no person who has been convicted of a felony may register for or vote at any election unless they have been pardoned or restored to the rights of citizenship by the governor, or their maximum sentence of imprisonment has expired, or they have been discharged from parole, and

WHEREAS, Governor Andrew Cuomo issued Executive Order No. 181, on April 18, 2018, which, among other things, mandated that "individuals being released from incarceration onto parole supervision will be given consideration for a conditional pardon that will restore voting rights without undue delay," and

WHEREAS, many sex offenders in Orleans County are included in the aforementioned amnesty, and

WHEREAS, one polling site in Orleans County is located within public schooling, and

WHEREAS, said Executive Order thus is in direct contravention to State rules, regulations and/or status which prohibit sex offenders from traveling to, or in close proximity to, public schools, now, therefore, be it

RESOLVED, that the Orleans County Legislature does hereby oppose Executive Order No. 181 and respectfully request that same be rescinded in its entirety, and be it further

RESOLVED, that the clerk of the Legislature shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader John Flanagan, Senator Robert Ort, and

Speaker of the New York State Assembly Carl Heastie, Assembly Minority Leader Brian M. Kolb, Assemblyman Steve Hawley, Assemblyman Michael J. Norris and others deemed necessary and proper.

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

RESOLUTION NO. 401-918

AUTHORIZING PAYMENT OF CLAIMS FOR OCTOBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 October 10, 2018:

Fund/Department	Check Number (s):	Amount:
General	13723-13737; 13746-13900	\$419,128.29
Highway	1309-1317; 2967-2986	\$108,991.39
Job Development	2850-2856	\$5,149.22
Self Insurance	60140-60141; 60228; 1194-1195	\$14,331.89

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 Superintendent of Highways, 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 October 24, 2018:

Fund/Department	Check Number (s):	Amount:
General	13741-13745; 13901-14074	\$536,242.76
Highway	1318-1326; 2987-3003	\$174,607.50

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Job Development	2863-2877	\$20,698.67
Self Insurance	60187-60189; 1196-1199	\$449.46

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolution was presented for adoption:

RESOLUTION NO. 402-918

AUTHORIZING FILLING VACANCIES IN THE JOB DEVELOPMENT AGENCY

RESOLVED, due to a resignation effective August 24, 2018, this Legislature does hereby authorize the filling of a vacant temporary, part-time Employee and Training Program Assistant position (6210.18*) in the Job Development Agency, at grade 7 of the CSEA Salary Schedule, effective September 27, 2018; and be it

FURTHER RESOLVED, due to a resignation effective September 28, 2018, this Legislature does hereby authorize filling a vacant Employment and Training Counselor position (6210.15) in the Job Development Agency, at grade 15 of the CSEA Salary Schedule, effective October 1, 2018.

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

Chairman Johnson called for any unfinished business to be presented. None was presented. Chairman Johnson then called upon the public for any questions or comments. With there being none, Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:00 p.m.

LEGISLATURE MEETING

October 24, 2018

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Miller.

The Clerk presented the following communications: Orleans County Treasurer Kimberly DeFrank has filed a list of Inter Fund loans issued to date as directed in Resolution No. 175-418 in the Clerk of the Legislature Office. Letter from the New York State Legislature (signed by Senator Ortt, Assemblymen Hawley, Norris and Morinello) Re: Lighthouse Wind Project – Case No. 14-F-0485. Requesting the Siting Board to conduct a full SEQRA review of this project, including baseline health studies prior to any permits being approved.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through September 2018. Treasurer DeFrank reported that sales tax is still coming in nicely. Still awaiting repayment on loans to other funds, which should be paid by year-end. CD rates are still rising so she is investing in what she can to get the most interest on our taxpayers dollars. Treasurer DeFrank stated cash flow is stable.

With there being no discussion of resolutions from the public or Legislators called upon by Chairman Johnson, Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 403-1018

**APPROVING MEMORANDUM OF UNDERSTANDING AGREEMENT
WITH GENESEE COUNTY FOR MAINTENANCE OF TAX MAPS**

RESOLVED, that this Legislature does hereby approve a Memorandum of Understanding agreement between Orleans County and Genesee County, Old County Courthouse, 7 Main St, Batavia, NY, for Maintenance of the Orleans County tax maps at a cost of \$6,500 for the term January 1, 2019 through December 31, 2019.

Moved, DeFilipps; second, DeRoller
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 404-1018

AUTHORIZING PURCHASE FOR THE ORLEANS COUNTY VIDEO SURVEILLANCE PROJECT UPGRADE AND AUTHORIZE THE TREASURER TO SET UP NEW MONEY AND TRANSFER FUNDS INTO COMPUTER SERVICES BUDGET

WHEREAS, this Legislature adopted Resolution No. 335-818 to upgrade the video surveillance equipment in the Jail to allow continued operation and upgrade the capabilities of that video; and

WHEREAS, the Legislature is also aware of the current failing status of the network video recorder currently in the Jail as well as the lack of video retention in the combined County network video recording scheme; now be it

RESOLVED, that this Legislature authorizes the purchase of large format Network Video Recording Server from Networking Technologies, 403 Main Street, Suite 411, Buffalo, NY 14203, an HP Platinum Partner, in the amount of \$13,691 (PO # 60156) to be paid from Computer Services account A1680.270 – Capital Projects which will allow for continued quality surveillance of all Orleans County assets video cameras including the Jail, provide greater video retention, optimize video access controls and reduce overhead and maintenance costs associated with video retention. Purchase Order, Quote and Pricing under NY OGS Contract # PM20850; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up from Miscellaneous Reserve and to transfer funds from Contingency into the Computer Services budget for payment of this purchase as follows:

From:		
A1990.435	Contingency Fund	\$6,791
	Miscellaneous Reserve	\$6,900
To:		
A1680.270	Capital Projects	\$13,691

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 405-1018

**AUTHORIZING ABOLISHING, CREATING AND FILING POSITIONS
IN THE TREASURER’S OFFICE**

RESOLVED, that this Legislature does hereby authorize the abolishment of the Accountant position (1325.03) in the Orleans County Treasurer’s Office, Grade 17 of the CSEA Salary Schedule effective October 25, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of an Account Clerk position in the Orleans County Treasurer’s Office at Grade 9 of the CSEA Salary Schedule effective October 25, 2018; and be it

RESOLVED, that Orleans County Treasurer is authorized to fill this newly created vacant Account Clerk position effective October 25, 2018.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 406-1018

**AUTHORIZING AGREEMENT BETWEEN COUNTY TREASURER
AND ARMORY ASSOCIATES, LLC**

WHEREAS, that pursuant to a request from the 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 is recommending the contract be awarded to Armory Associates, LLC, 120 Walton Street, Suite 601, Syracuse, NY 13202 at the cost of \$2,000 for the Fiscal year 2019; \$8,600 for the fiscal year 2020; \$2,100 for interim year 2021; \$8,800 for the fiscal year 2022; \$2,200 for interim year 2023; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized to sign the agreement for the Orleans County Treasurer’s Office with Armory Associates, LLC for GASB 75 Actuary Services.

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Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 407-1018

**AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2018
SOLID WASTE/RECYCLING FEES TO THE 2019 COUNTY/TOWN
TAX BILLS**

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid 2018 Solid Waste/Recycling fees, to be added to the 2019 tax rolls for the respective towns as of November 1, 2018.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 408-1018

**AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2018-
2019 VILLAGE TAXES TO THE 2019 COUNTY/TOWN TAX BILLS**

WHEREAS, Local Law No. 4 of 1997 provides for the collection of certain delinquent Village taxes by the County of Orleans in accordance with Section 1442 of the Real Property Tax Law of the State of New York, be it

RESOLVED, that the County Treasurer is authorized to relevy the unpaid 2018-2019 village taxes, adding a 5% penalty, to be added to the 2019 tax rolls for the respective towns as of November 1, 2018.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 409-1018

**AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2018-
2019 SCHOOL TAXES TO THE 2019 COUNTY/TOWN TAX BILLS**

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid school taxes,

adding a 7% penalty, to be added to the 2019 tax rolls, for the respective towns as of November 1, 2018.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 410-1018

ADOPTING ORLEANS COUNTY SEXUAL HARASSMENT POLICY

WHEREAS, On April 12, 2018 Gov. Andrew Cuomo signed the New York State 2018-2019 Budget Bill, which includes provisions addressing workplace sexual harassment and

WHEREAS, this same bill requires that effective October 9, 2018, employers must adopt a Sexual Harassment Prevention policy that meets certain minimum requirements, therefore, be it

RESOLVED, that the Orleans County Legislature hereby repeals Resolution 619-1294, Sexual Harassment Policy effective October 9, 2018, and be it

FURTHER RESOLVED, that the Orleans County Legislature does hereby adopt the following Sexual Harassment Policy effective October 9, 2018:

ORLEANS COUNTY SEXUAL HARASSMENT POLICY

Introduction

Orleans County is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Orleans County's commitment to a discrimination-free work environment. Sexual harassment is against the law¹ and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Orleans County. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

¹ While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

Policy:

1. Orleans County's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Orleans County. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Orleans County will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Orleans County who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees² working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or Director of Personnel or Chief Administrative Officer. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Orleans County to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

² A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

5. Orleans County will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Orleans County will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. Orleans County will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of to the Director of Personnel or Chief Administrative Officer of Orleans County.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;

- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
- Subtle or obvious pressure for unwelcome sexual activities.

- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. Orleans County cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or Director of Personnel or Chief Administrative Officer. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or Director of Personnel or Chief Administrative Officer.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Director of Personnel or Chief Administrative Officer.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Orleans County will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Director of Personnel or Chief Administrative Officer will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by Orleans County but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Orleans County employees may also choose to pursue legal remedies with the following governmental entities.

While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Orleans County does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website

also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

**ORLEANS COUNTY
COMPLAINT FORM FOR REPORTING
SEXUAL HARASSMENT**

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to your Department Head or Director of Personnel or Chief Administrative Officer. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

COMPLAINANT INFORMATION

Name:

Work Address:

Job Title:

Select Preferred Communication Method: Email Phone In person

Work Phone:

Email:

SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made about:

Name:

Work Address:

Relationship to you:

Title:

Work Phone:

Supervisor Subordinate Co-Worker Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.
3. Date(s) sexual harassment occurred:
Is the sexual harassment continuing? Yes No
4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional, but may help the investigation.

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Instructions for Employers

If you receive a complaint about alleged sexual harassment, follow your sexual harassment prevention policy.

An investigation involves:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

Document the findings of the investigation and basis for your decision along with any corrective actions taken and notify the employee and the individual(s) against whom the complaint was made. This may be done via email.

Signature: _____ Date: _____

FURTHER RESOLVED, that this policy shall be placed in the Orleans County Employee Handbook as well as in the Orleans County Policy and Procedures Manual.

Moved DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 411-1018

DESIGNATING THE TOURISM PROMOTION AGENCY AND
AUTHORIZING APPLICATION FOR THE 2019 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 2019 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby
authorized to apply for the 2019 State Matching Funds and to receive such
funds to the extent that local matching funds are available.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 412-1018

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
TOURISM DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the setting up of new
monies in the Tourism Department budget due to funds received from
administrative work our Tourism Director does for the Greater Niagara
Region TPA's as follows:

Revenue:		
A2000	Culture and Recreation	\$4,000
Appropriation:		
A6410.418	Other Contractual	\$1,000
A6410.441	Printing	\$2,000
A6410.461	Postage	\$1,000

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 413-1018

October 24, 2018
Resolutions 403-443

APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES

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

Inter-municipal agreement with Monroe County, 111 Westfall Road, Room 962C, Rochester, NY 14620 to provide lab services when testing is needed for lead level investigations. Contact amount not to exceed \$8000. Reimbursement from State aid. Agreement period is August 1, 2018 through July 31, 2019. No cost to county.

Oakfield-Alabama CSD Preschool RS, 7001 Lewiston Rd, Oakfield, NY 14125 to provide related services for Orleans County children in the preschool program. Agreement period is September 1, 2018 through June 30, 2021. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county.

Moved, Draper, second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 414-1018

AUTHORIZING ABOLISHING, CREATING AND FILLING
POSITIONS IN THE HEALTH DEPARTMENT

WHEREAS, the climate of Public Health is constantly evolving and continually changing the departmental needs are always being evaluated to reflect the necessary changes; therefore be it

RESOLVED, that this Legislature does hereby authorize the creation of a 37 ½ hour per week full-time Public Health Emergency Preparedness Assistant in the Public Health department at Grade 12 of the CSEA salary schedule; and

FURTHER RESOLVED that this Legislature does hereby authorize the filling of this newly created vacant Public Health Emergency Preparedness Assistant position effective October 25, 2018; and

FURTHER RESOLVED that this Legislature does hereby abolish an Account Clerk Typist position (4010.25) upon the permanent appointment of the Public Health Emergency Preparedness Assistant in the Public Health Department.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 415-1018

AUTHORIZING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF MENTAL HEALTH, THE ORLEANS COUNTY DEPARTMENT OF PUBLIC HEALTH, AND AMERIGROUP IPA OF NY, LLC

WHEREAS, Amerigroup IPA of NY, LLC now manages the Blue Cross/Blue Shield Western New York Managed Care business line; and

WHEREAS, this Agreement is for both the Orleans County Department of Mental Health and the Orleans County Department of Public Health; now be it

RESOLVED, that this Legislature authorizes the Orleans County Department of Mental Health and the Orleans County Department of Public Health to enable Amerigroup, IPA to arrange for the provision of managed health care services to covered individuals. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 416-1018

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS PROVIDERS

RESOLVED, that this Legislature approve the following agreements for the Mental Health Department for the 2019 calendar year:

John G. Amos, Ph.D., 9 Woodrose Drive, Webster, NY 14580 providing services as Consulting Psychologist for an average of 14 hours per week at an hourly rate of \$119.86. County cost is \$5,638.

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Tulio Ortega, MD, 2 Featherstone Court, Pittsford, NY 14534 providing services as Medical Director for an average of 11 hours per week including seven additional hours per month for 10 months at \$158.00 per hour. County cost is \$6,614.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 417-1018

**AUTHORIZING AGREEMENT BETWEEN THE ORLEANS COUNTY
DEPARTMENT OF MENTAL HEALTH AND THE NEW YORK STATE
OFFICE OF MENTAL HEALTH**

WHEREAS, the funding provided to the Orleans County Department of Mental Health pursuant to Part Q of Chapter 57 for the period beginning January 1, 2018 will be or was used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals as defined by the Commissioner and in accordance with standards prescribed by the Commissioner; and

WHEREAS, the funding provided to the Orleans County Department of Mental Health pursuant to Part Q of Chapter 57 for the period beginning April 1, 2018 will be or was used solely to provide salary increases and salary-related fringe benefit increases for direct care staff, direct support professional and clinical staff as defined by the Commissioner and in accordance with standards prescribed by the Commissioner; therefore, be it

RESOLVED, that this Legislature authorizes the Orleans County Department of Mental Health to sign an attestation and seek a governing body resolution that attests they have provided increases consistent with statute, beginning January 1, 2018.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 418-1018

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
MENTAL HEALTH DEPARTMENT BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new money in the Mental Health Department budget for Federal Medicaid Salary Sharing monies received as follows:

Revenue:		
A4490	Mental Health Federal	\$147,489
Appropriation:		
A4310.418	Other Contractual	\$147,489

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 419-1018

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND THE BUREAU OF JUSTICE ASSISTANCE**

WHEREAS, Resolution #238-518, authorized the Orleans County Sheriff's Office to apply for reimbursement funding available through the U.S. Department of Justice, Bureau of Justice Assistance; now be it

RESOLVED, that this Legislature accepts the grant funding award of \$7,490.30 under the FY 2018 Bullet Proof Vest Partnership Initiative, administered through the Bureau of Justice Assistance, for matching reimbursement on the purchase of bullet proof vests, effective through August 31, 2020; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute all paperwork necessary to administer this grant funding.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 420-1018

**AUTHORIZING THE JAIL SUPERINTENDENT TO APPLY FOR
BUREAU OF JUSTICE ASSISTANCE FUNDING AND AMENDING
RESOLUTION NO. 100-218**

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WHEREAS, Resolution No. 100-218 authorized the Jail Superintendent to apply for State Criminal Alien Assistance Program (SCAAP) FY 18 assistance funding; now be it

RESOLVED, that Resolution No. 100-218 shall be amended to authorize the Jail Superintendent to apply through the 2017 State Criminal Alien Assistance Program (SCAAP) application for fiscal year (FY) 15-16 for funding assistance; and be it

RESOLVED, that this Legislature authorizes the Orleans County Jail Superintendent to now apply for 2018 State Criminal Alien Assistance Program (SCAAP) FY16-17 assistance funding through the Bureau of Justice Assistance, 810 Seventh St., Washington, DC, that provides federal payments to eligible states and local governments that have incurred certain costs due to the incarceration of undocumented criminal aliens in a correctional facility during reporting period July 1, 2016 through June 30, 2017.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Legislator Allport moved to purchase an Animal Control Vehicle in the Sheriff's Office; second by Legislator Draper. CAO Nesbitt indicated that this resolution will need to be amended because the Ford Pickup was sold this morning and obtained a Chevrolet Silverado. We will be purchasing a Chevrolet Pickup from Spurr and will be leasing it through Municipal Leasing Consultants. The following resolution was adopted as amended:

RESOLUTION NO. 421-1018

AUTHORIZING EMERGENCY PURCHASE OF REPLACEMENT VEHICLE FOR ANIMAL CONTROL AND APPROVING LEASE AGREEMENT WITH MUNICIPAL LEASING CONSULTANTS

RESOLVED, that this Legislature authorizes an emergency purchase of a 2018 Chevrolet Silverado Double Cab Pickup from Spurr Dealerships, 6325 Brockport Spencerport Rd, Brockport 14420 at a cost of \$32,675 to replace a no longer operational vehicle in Animal Control in the Sheriff's Office with a down payment of \$2,000 (PO#60361) and remainder to be paid in annual Lease payments from the Control of Animals Budget Account A 3510.270 – Capital Equipment; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute a Lease agreement with Municipal Leasing Consultants, 7 Old Town Lane, Grand Isle, VT 05458 payable in four annual lease payments, in the amount of \$8,850.52, with first payment due one year from closing (11/2019) and annual payments thereafter (through 2022); subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 422-1018

AUTHORIZING THE PUBLIC DEFENDER'S OFFICE TO ADD A CELL PHONE TO THE VERIZON ACCOUNT AND APPROVING CELLULAR PHONE USE AGREEMENTS

RESOLVED, that this Legislature does hereby authorize the Orleans County Public Defender's Office to add one (1) cell phone to the Verizon account, to be paid per month from Public Defenders Account A1170.421 – Telephone/Internet, no county cost; and be it

FURTHER RESOLVED, that this Legislature does hereby approve the Cellular Phone Use Agreements for position 1170.01; 1170.03; 1170.04; 1170.05; 1170.06 that will be using a Verizon cell phone for work related activities.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 423-1018

AUTHORIZING THE EXPANSION OF THE ORLEANS COUNTY TRAFFIC DIVERSION PROGRAM TO ADDRESS UNINSURED MOTOR VEHICLES AND APPROVING AGREEMENT WITH NEW YORK PUBLIC SAFETY COMPANY

WHEREAS, in 2009, the Orleans County Traffic Diversion Program was established to enhance the safety of motor vehicle operation in Orleans County; and

WHEREAS, to date the Traffic Diversion Program has proven

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effective in addressing motor vehicle violations in Orleans County, while keeping the roads of our County safe; and

WHEREAS, Orleans County District Attorney, Joseph V. Cardone, and Orleans County Sheriff, Randall Bower, now recommend an expansion of the Traffic Diversion Program to address the problems associated with uninsured motor vehicles being driven in this County and the adverse impact uninsured motor vehicles have on driver safety and additional costs to society and, particularly, to those lawfully insured; and

WHEREAS, the District Attorney and Sheriff have designed a program in cooperation with the NEW YORK PUBLIC SAFETY COMPANY, Inc., whereby, with the use of mobile license plate readers, there will be an enhanced ability by law enforcement throughout Orleans County to detect those operating motor vehicles without insurance; and

WHEREAS, through this enhanced detection, law enforcement will be able to ticket those driving without insurance and offer a program to avoid these offenders from driving without insurance and avoiding uninsured accidents; now therefore, it is hereby

RESOLVED, that the Orleans County Legislature fully supports the expansion of the Traffic Diversion Program to include those individuals that qualify for the program that are ticketed for driving without insurance; and it is

FURTHER RESOLVED, that the Orleans County District Attorney and Orleans County Sheriff are hereby authorized to enter into this County Attorney approved agreement with the NEW YORK PUBLIC SAFETY COMPANY, Inc. to effectuate this program, and it is

FURTHER RESOLVED, that all revenues from the Uninsured Motorist portion of the Traffic Diversion Program will be distributed between the Towns and the County in the same manner as all other revenues from the Traffic Diversion Program, after any applicable payments to the NEW YORK PUBLIC SAFETY COMPANY, Inc., pursuant to the terms of the Service Provider Agreement.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 424-1018

AUTHORIZING TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, new funding opportunities have become available through the New York State Division of Homeland Security and Emergency Services in the amount of \$20,925 to continue participation in the Emergency Management Planning Grant cycle (EMPG) FY2018; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant EM18-1026-D00, contract #T838785 in the amount of \$20,925 for the Emergency Management Office to use for Emergency Management Office replacement vehicle according to grant guidance, effective October 1, 2017 through September 30, 2019.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 425-1018

APPROVING AGREEMENT BETWEEN THE EMERGENCY MANAGEMENT OFFICE AND THE UNIVERSITY OF ROCHESTER ACTING IN ITS CAPACITY AS A REGIONAL TRAINING CENTER ON BEHALF OF THE NEW YORK STATE DEPARTMENT OF HEALTH

WHEREAS, the University of Rochester was the recipient of a Hospital Preparedness Grant through the NYSDOH, as part of the Western Region Healthcare Emergency Preparedness Coalition, now be it

RESOLVED, that this Legislature approves the Emergency Management Office as a Placement Agency to accept, store and utilize equipment and supplies as part of this agreement; and be it

FURTHER RESOLVED, that this Legislature approves this agreement from September 24, 2018 through June 30, 2019, with the option for extending this to a date no later than June 30, 2023.

Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 426-1018

APPROVING EXPENDING GRANT FUNDS AND SETTING UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2016 Grant Funds at a cost not to exceed \$5,200 for one GETAC F1 10 Rugged Tablet PC with accessories and shipping for new Emergency Management vehicle; and be it

FURTHER RESOLVED, that the Legislature authorizes the Treasurer to set up new money in the Emergency Management Budget to receive 2016 Homeland Security funds to make this purchase as follows:

Revenue:

A4309.2016	State Homeland Security Grant Program FY16	\$5,200
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Appropriations:

A3640.486.2016	Special Grants (SHSP-FY16)	\$5,200
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Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 427-1018

APPROVING EXTENDING EXACOM AGREEMENT, EXPENDING GRANT FUNDS, AND SETTING UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 442-1117 authorized the agreement for maintenance between Orleans County and EXACOM, Inc., 99 Airport Rd., Concord, NH 03301 that expires on October 31, 2018; be it

RESOLVED, that this Legislature authorizes an extension to the EXACOM agreement for the period November 1, 2018 through December 31, 2018 in the amount of \$2,197.53, to be paid from State Interoperable Communications FY16 Grant; and be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend State Interoperable Communications FY 2016 Grant Funds in an amount not to exceed \$25,803.47 to purchase the following:

- \$15,000 for 3M Peltor ComTac III SWAT medical communications equipment from Strack, Inc.
- \$10,803.47 for mobile radios, vehicle radio chargers, and accessories from Castner Communications per NYS OGS contract # PT67040; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Emergency Management Budget to accept FY 2016 State Interoperable Communications Grant funds to allow for the above expenses as follows:

Revenue:

A4309.1674	State Interoperable Communications Grant	\$28,001
	FY16	

Appropriation:

A3640.486.1674	Special Grants-SICG FY16	\$28,001
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Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 428-1018

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>
\$4,233.17	Labella Associates	RI-9 - Culvert Road Culvert Replacement – Fabrication & Construction Oversight 8/25/18-9/21/18 Inv #95750

Moved, Eick; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Legislator Eick moved to purchase plastic pipe from the Town of Chili; second by Legislator Allport. Highway Superintendent Gray stated that we have a culvert that is on the verge to collapse and needed to purchase pipe however a broadcast over the wires that Chili had this pipe available at a savings to the County for about \$500. The following resolution was adopted:

RESOLUTION NO. 429-1018

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE PLASTIC PIPE FROM TOWN OF CHILI

RESOLVED, that this Legislature authorizes the Highway Department to purchase 120 L.F. of 48” ADS Pipe from the Town of Chili, 3333 Chili Ave, Rochester, NY 14624 at a total cost of \$5,479.20 to be purchased off of NYS OGS Contract #PC67781, Award #23043, Group 37770; to be paid from Highway Road Maintenance Account D5110.470-Capital Construction Projects.

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 430-1018

APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND NYS UNIFIED COURT SYSTEM

RESOLVED, that this Legislature approves a new (5) year agreement between the Buildings and Grounds Department and the Unified Court System, which provides for the county to clean, perform minor repairs and preventive building and property maintenance at the Court Facility, Contract #C300472, for the period of April 1, 2018 through March, 31, 2023; and be it

FURTHER RESOLVED, that this Legislature approves the initial period of this maximum five-year term shall commence retroactive on April 1, 2018 through March 31, 2019 at the proposed budgeted cost of \$238,807.00, with 100% reimbursement to be made to the county by the state.

Moved, Eick; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 431-1018

AUTHORIZING EMERGENCY REPAIR TO THE COURTHOUSE BOILERS BY TRANE U.S. INC.

RESOLVED, that this Legislature authorizes emergency repairs to the two (2) Courthouse Boilers and approves proposal ID: 2571752 as submitted and to be performed by Trane U.S. Inc, 45 Earhart Dr., Buffalo, NY 14221; (PO #60098) at the cost of \$7,132.11 which will include installation of ignitors, new flame rods, remove and clean burners and exchanger, replace burners and exchanger with new gasket kits, return boilers to service and start to verify operations. Priced per US Communities Contract 15-JLP-023. Payment to be made from Buildings and Grounds Account A1620.403 – Maintenance Projects; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute an agreement with Trane U.S. Inc to perform the emergency repairs subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 432-1018

AUTHORIZING ABOLISHING, CREATING, AND FILLING OF POSITIONS IN THE ORLEANS COUNTY BUILDINGS AND GROUNDS DEPARTMENT

RESOLVED, that this Legislature authorizes the creation of two (2) full time Building and Maintenance Workers in the Buildings and Grounds Department at a Grade 12 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that due to a retirement, this Legislature authorizes the abolishment of a full time Senior Buildings Maintenance Worker position (1620.09) in the Buildings and Grounds Department, Grade 15 of the CSEA Salary Schedule effective October 25, 2018; and be it

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FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective November 1, 2018; and be it

FURTHER RESOLVED, that should either or both of these vacant positions be filled with an existing Buildings and Grounds Division employee or employees, this Legislature authorizes the abolishment of the corresponding position or positions in the Buildings and Grounds Division which are in the CSEA Salary Schedule; effective upon the filling of the newly created vacant Building and Maintenance Worker positions.

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 433-1018

APPROVING AGREEMENT WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agency:

Kendall Central School, Kendall, NY for the provision of preventive services to children and families through the assignment of one(1) Social Services Caseworker to the School District; to be effective August 30, 2018 through August 29, 2019. Said services are to be funded 50% Federal, 31% State, and 19% School.

Albion Central School, Albion, NY for the provision of preventive services to children and families through the assignment of two(2) Social Services Caseworkers to the School District; to be effective August 30, 2018 through August 29, 2019. Said services are to be funded 50% Federal, 31% State, and 19% School.

The William George Agency, Freeville, NY for the provision of residential foster care services; to be effective September 1, 2018 through August 31, 2019 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.

Orleans County Office for the Aging, Albion, NY for the provision of

PERS program to eligible Medicaid recipients; to be effective January 1, 2018 through December 31, 2018 at a cost of \$40 per client per month. County cost is 25%.

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 434-1018

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE DEPARTMENT OF SOCIAL SERVICES BUDGET AND AUTHORIZING PURCHASE OF OFFICE EQUIPMENT

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

Revenue:		
A4611	Food Stamp Program Administration	\$42,710

Appropriation:		
A6010.220	Office Equipment	\$42,710

and be it

FURTHER RESOLVED, that this Legislature authorizes the purchase of eighteen (18) Alaris S2070 Scanners, four (4) i3400 Scanners, and two (2) Toshiba e-Studio 4508A Black & White system copiers utilizing SNAP bonus award monies at no local cost to the County.

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 435-1018

AUTHORIZING SETTING UP NEW MONEY IN THE VETERANS SERVICE AGENCY BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money in the Veterans Service Agency's budget for the Indigent Burial Account from Veterans Benefit Administration Indigent Reimbursements as follows:

Revenue:

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A4710	Indigent Veterans Reimbursements	\$3,062
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Appropriation:		
A6510.406	Burial	\$3,062

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 436-1018

APPOINTING COMMISSIONER OF ELECTIONS - REPUBLICAN

WHEREAS, the current term for the Commissioner of Elections expires December 31, 2018; and

WHEREAS, a recommendation has been received from the Orleans County Republican Committee recommending that Kathleen M. Case be reappointed as Commissioner of Elections effective January 1, 2019; therefore, be it

RESOLVED, that this Legislature appoints Kathleen M. Case as the Commissioner of Elections for the term of January 1, 2019 through December 31, 2020 at the rate of pay authorized in Resolution No. 367-918, the adopted 2019-2020 Management Compensation Plan, at an annualized salary as set forth below:

January 1, 2019 – December 31, 2019	\$ 20,014
January 1, 2020 – December 31, 2020	\$ 20,414

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 437-1018

APPOINTING COMMISSIONER OF ELECTIONS - DEMOCRAT

WHEREAS, the current term for the Commissioner of Elections expires December 31, 2018; and

WHEREAS, a recommendation has been received from the Orleans County Democrat Committee recommending that Janice Grabowski be

reappointed as Commissioner of Elections effective January 1, 2019; therefore, be it

RESOLVED, that this Legislature appoints Janice Grabowski as the Commissioner of Elections for the term of January 1, 2019 through December 31, 2020 at the rate of pay authorized in Resolution No. 367-918, the adopted 2019-2020 Management Compensation Plan, at an annualized salary as set forth below:

January 1, 2019 – December 31, 2019	\$ 20,014
January 1, 2020 – December 31, 2020	\$ 20,414

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Legislator Allport moved to authorize payments for the County Office Building addition; second by Legislator Draper. Legislator DeRoller asked for an update on the construction. Legislator DeFilipps reported that CAO Nesbitt, Legislator Eick and himself took a tour of the building the other day. The brick is starting to be placed on the outside of the building, inside a lot of the mechanicals (plumbing, piping and heating) is being installed and dry wall is being installed from the ceiling down. Legislator DeFilipps thinks they are ahead of schedule and budget looks good. Legislator Eick said they are behind by two months for the brick laying due to the storms in the south. Larger brick laying crew will be brought in to play catch up. The following resolution was adopted:

RESOLUTION NO. 438-1018

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$495.00	Orleans Ready Mix	Inv #4313/PO #60332 Stone for Mental Health – South sidewalk for Clinical Office Ramp
\$147,757.59	Michael A. Ferraulo Plumbing & Heating	Payment #5, Work performed 9/1/18-9/30/18, HVAC

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\$37,808.17	Suburban Electric, Inc.	Payment #5, Work performed 8/26/18-9/25/18, Electrical
\$15,138.25	MKS Plumbing Corp	Payment #5, Work Performed 9/1/18-9/30/18, Plumbing
\$643,720.00	Holdsworth Klimowski Construction	Payment #5, Work Performed 9/1/18-9/30/18 General Construction
\$23,560.00	All State Fire & Security	Payment #4, Work Performed 9/1/18-9/30/18 Fire Protection
\$85,333.69	Wendel A/E/S/LA, PC	WD Professional Services, 8/1/18-9/2/18, Inv #350013 Revised – FF&E Design, DOH Grant Admin Assistance, Construction Admin, Project Coordination Labor, Project Coordination Fee, Haz Mat Testing/Abatement, Reimbursable Expenses, Special Inspections
\$2,407.08	Lock City Supply Inc	PO# 60301 – Fire Hydrant for COB Addition

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 439-1018

SETTING DATE OF PUBLIC HEARING FOR COUNTY BUDGET FOR THE YEAR 2019

RESOLVED, that the public hearing for the Tentative County Budget for 2019 will be held on Monday, November 26, 2018 at 6:30 p.m. at the Orleans County Courthouse, Albion, New York; and be it

FURTHER RESOLVED, that the notice for said public hearing will be published in the officially designated County newspaper.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 440-1018

AUTHORIZING PAYMENT OF CLAIMS FOR NOVEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 November 14, 2018:

Fund/Department	Check Number (s):	Amount:
General	10475-14298	\$541,213.64
Highway	1327-1343;3004-3023	\$186,823.87
Job Development	2881-2887	\$500.85
Self Insurance	1200-1202	\$16.99

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 Superintendent of Highways, 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 November 28, 2018:

Fund/Department	Check Number (s):	Amount:
General	14299-14309; 14315-14487	\$1,106,705.22
Highway	1344-1353; 3024-3038	\$426,625.74
Job Development	2890-2900	\$10,371.97
Self Insurance	60265;60326; 60377	\$22,025.82

Moved, Eick; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Miller.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 441-1018

AUTHORIZING FILLING VACANCY IN THE JOB DEVELOPMENT AGENCY

WHEREAS an employee has resigned from the temporary part-time position of Employment and Training Program Assistant effective October 19, 2018, now, therefore be it

RESOLVED, that this Legislature authorizes the filling of a vacant temporary, part-time Employee and Training Program Assistant position (6210.19*) in the Job Development Agency, at grade 7 of the CSEA Salary Schedule, effective October 25, 2018.

Moved, Eick; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

RESOLUTION NO. 442-1018

AWARDING BID FOR SOLID WASTE AND RECYCLING

RESOLVED, that this Legislature awards the bid for solid waste and recycling services to Modern Disposal Services, Inc, 4746 Model City Road, Model City, NY 14107-0209, for a five year term effective January 1, 2019 through December 31, 2023; and be it

FURTHER RESOLVED that this Legislature awards and approves the term and scope of contract under Bid Option B which includes the collection of solid waste and to begin with Recycling Alternative 1 and transition into Recycling Alternative 2 as indicated below:

Solid Waste/*Recycling Alternative 1			
Monthly Cost	May thru October	\$250,124.65 x 6 =	\$1,500,747.90
(*Weekly Collection of Recycling)	November thru April	\$250,124.65 x 6 =	\$1,500,747.90
Total Annual Cost			\$3,001,495.80

Solid Waste/*Recycling Alternative 2			
(*Every Other Week Collection of Recycling)	May thru October	\$225,595.74 x 6 =	\$1,353,580.44
	November thru April	\$225,596.74 x 6 =	\$1,353,580.44
Total Annual Cost			\$2,707,160.88

and be it

FURTHER RESOLVED, that the Chairman be authorized to execute the solid waste and recycling services agreement with Modern Disposal Services subject to final review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Legislator Allport moved to reaffirm the Board's support of the 2nd Amendment. Legislator Allport explained that when the SAFE ACT was passed by New York State, our Legislature immediately opposed it. He stated that one of our cornerstones of our great represented republic is our constitution. He feels clearly that the SAFE ACT clearly violates our constitutional rights. Orleans County was one of the first counties in New York State to be 100% opposed to the SAFE ACT, which meant that every town and village passed opposition to it. Today's resolution is opposing the potential changes that the Governor is proposing in the SAFE ACT. Legislator Draper seconded the motion. The clerk was asked to amend this resolution to include sending this resolution to our Orleans County Towns and Villages and ask for their support as well to the passage of this resolution. The following resolution was adopted:

RESOLUTION NO. 443-1018

THE ORLEANS COUNTY LEGISLATURE REAFFIRMS OUR SUPPORT OF THE 2ND AMENDMENT

WHEREAS, the Orleans County Legislature has consistently gone on record unanimously opposing New York States infringement on an individual's 2nd amendment "right of the people to keep and bear arms", and

WHEREAS, Orleans County Legislative Resolution No. 82-213 unanimously opposed the controversial "SAFE Act", Resolution No. 93-213 was adopted to call upon protecting the privacy of pistol license and concealed carry permit holders; and Resolution No. 173-413 and 50-215 unanimously was adopted calling upon and supporting state legislation to repeal the NYS SAFE Act are a few examples of such reaffirmations of our 2nd Amendment rights, and

WHEREAS, this Orleans County Legislature will continue to oppose any infringement on the 2nd Amendment such as, but not limited to, long-gun/hunting/sporting gun registry or Firearm Owner Identification

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Card (FOID card) and/or requiring gun owners to purchase insurance for each gun legally owned, now, therefore, be it

RESOLVED, that this Orleans County Legislature goes on record reaffirming our support of the 2nd Amendment which states “ A well regulated militia, being necessary to the security of a free state, the right of the people to keep and Bear Arms, shall not be infringed”, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader John Flanagan, Senator Robert Ort, Speaker of the New York State Assembly Carl Heastie, Assembly Minority Leader Brian M. Kolb, Assemblyman Steve Hawley, Assemblyman Michael J. Norris and Town and Villages in Orleans County others deemed necessary and proper.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Chairman Johnson asked for any unfinished business. Clerk Hanlon expressed to the Board how grateful she was for the opportunity to be part of the inaugural class of Leadership Orleans. She said even with growing up in the county, she is learning so many things that she was not aware of that Orleans County has to offer. She expressed that it has been a wonderful experience.

Chairman Johnson asked if any comments were wished to be made from the public or the students that are present at today’s meeting. She encouraged the students to speak out because a lot is learned from their questions. No comments were offered.

Legislator Allport moved to adjourn; second by Legislator Draper. Meeting adjourned at 4:57 p.m.

LEGISLATURE MEETING

November 28, 2018

Chairman Johnson called the meeting to order at 4:38 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: The Orleans County Treasurer has provided the annual examination of Petty Cash Accounts report, which has been filed in our office. The Village of Albion DPW has requested to erect the annual Christmas Tree and Reindeer with LED lights on the lawn of the Courthouse. They are requesting permission to do this along with the use of electricity. They plan to install it on or about December 1, 2018 and take it down on or about January 5, 2019. Board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through October 2018. Treasurer DeFrank reported that the cash balance at the end of October is one million over where we were last year at this time. However, in this month, over \$800,000 was paid out in Community College bills. We await for reimbursement from New York State for some of the bridge projects, at which time the Road Fund will be able to repay their loans to the General Fund. Cash flow is doing very well this year even with the loans out to special funds, reported Treasurer DeFrank.

Legislator Eick announced that Soil and Water was awarded a \$600,000 grant and Manager Dennis Kirby and Field Manager Katie Sommerfeldt were here today. Manager Kirby stated they were very lucky in receiving these grants that focus on water quality or water quality protection. This year there were 91 applications from conservation districts from across New York State. Orleans County received three of those grants, which will effect five different farms. Three will be for Ag Chemical handling facilities, which they will mix chemicals in the building so if there is a spill it is caught and will not affect the water. Another is for a cattle holding pen, which they collect the manure and put it where they want it; and a manure lagoon to be installed. Therefore, that is \$579,000 from the state but a total of \$808,000 in construction projects going on in our county that will help our economy.

Legislator DeRoller reported that we received \$10.7 million to fix our Canal Bridges in Orleans County. Many of us participated in getting Orleans

County in the room with various New York State agencies that helped us achieve this funding.

Chairman Johnson called upon Orleans County Emergency Management Director Dale Banker to share some good news. Mr. Banker stated that under the Chairman's leadership and the rest of the Legislature, CAO Nesbitt, and Radio Communications Committee and Consultant Tim Warth, back in 2014 we applied for a \$2 million dollar Communications grant and was not successful. A follow up call was made and we were told our paperwork was deficient. In working with those mentioned above, over the last few years we vastly improved all of that and resulted in this very successful \$5.9 million dollar grant award.

To follow up on today's conference session report from the Orleans County Amateur Radio Club, Director Banker also wanted to state that the RACES is an arm of the government. They are activated through the Emergency Management Office through the FCC regulations and they are there to be a backup should our communications system is not operable. They are a great partner in helping with our Emergency communications expressed Director Banker.

Chairman Johnson called for open discussion as it related to the resolutions and no public comment was made.

Legislator Eick moved to add four resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 444-1118

ADOPTING THE 2019 ORLEANS COUNTY BUDGET

WHEREAS, the 2019 tentative budget for Orleans County was presented to the general public at a public hearing held at 6:30 p.m. on November 26, 2018; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now, be it

RESOLVED, that this Legislature does hereby adopt the 2019 tentative budget, as the Orleans County budget for 2019, with a tax levy of \$17,570,244.

Moved, DeFilipps, second, DeRoller.

Roll Call: 7 ayes – Allport, DeFilipps, DeRoller, Draper, Eick, Johnson, Miller; 0 nays; 0 absent.
Adopted.

RESOLUTION NO. 445-1118

APPROVING APPORTIONMENT OF THE 2019 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2019, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature as provided below:

Town	Adjusted Taxable Value	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	2019 Tax Levy
Albion	223,601,849	220,301,754	98%	228,165,152	12.674%	2,226,809.90
Barre	101,329,324	99,619,919	100%	101,329,324	5.628%	988,937.79
Carlton	209,273,841	205,677,276	98%	213,544,736	11.862%	2,084,119.89
Clarendon	165,818,205	162,047,160	100%	165,818,205	9.211%	1,618,326.10
Gaines	125,545,758	123,134,978	98%	128,107,916	7.116%	1,250,287.23
Kendall	160,923,529	158,515,521	98%	164,207,683	9.121%	1,602,607.98
Murray	187,782,971	183,529,252	98%	191,615,277	10.644%	1,870,096.24
Ridgeway	243,223,899	238,211,262	100%	243,223,899	13.510%	2,373,777.85
Shelby	198,956,160	195,439,490	100%	198,956,160	11.051%	1,941,740.63
Yates	155,408,177	152,778,777	94%	165,327,848	9.183%	1,613,540.39
Totals	1,771,863,713	1,739,255,389		1,800,296,200	100%	17,570,244.00

Moved, DeFilipps; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 446-1118

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2018 Unpaid Solid Waste/Recycling Fees to the 2019 tax rolls of the several towns in Orleans County:

TOWN	AMOUNT
Albion	16,741.48
Inside	16,741.48
Outside	6,793.65

Barre		8,492.05
Carlton		15,164.42
Clarendon		7,521.53
Gaines	Inside	1,455.78
	Outside	6,793.64
Kendall		6,551.01
Murray	Inside	7,521.54
	Outside	6,308.38
Ridgeway	Inside	15,770.95
	Outside	13,344.66
Shelby	Inside	10,433.09
	Outside	11,403.63
Yates	Inside	2,911.56
	Outside	9,705.24
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Total		146,912.61

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 447-1118

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2019 tax rolls of the respective towns as of November 1, 2018:

TOWN		AMOUNT
Albion	Inside	\$178,263.33
	Outside	69,520.31
Barre		71,961.91
Carlton		231,377.82
Clarendon		184,235.81
Gaines	Inside	13,156.70
	Outside	78,172.75
Kendall		122,212.62
Murray	Inside	121,066.38
	Outside	195,078.13
Ridgeway	Inside	151,613.12

	Outside	185,305.99
Shelby	Inside	77,070.02
	Outside	151,211.15
Yates	Inside	24,261.96
	Outside	142,084.76
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Total		\$1,996,592.76

Moved, DeFillips; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 448-1118

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2019 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWNS:	AMOUNT
Village of Albion	Town of Albion	\$181,384.17
	Town of Gaines	18,263.23
Village of Holley		90,998.08
Village of Lyndonville		20,548.38
Village of Medina	Town of Ridgeway	111,167.68
	Town of Shelby	76,928.73
<hr/>		
TOTAL		\$499,290.27

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 449-1118

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2019; be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located

therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWNS	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion		250,379	
Barre		645,944	
Carlton		652,006	
Clarendon		392,984	
Gaines	58,582	166,240	16,995
Kendall		452,702	
Murray	192,413	202,509	36,866
Ridgeway	205,613	230,323	56,075
Shelby	294,567	139,093	46,648
Yates	230,178	11,665	14,825

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with the respective Fire Protection and Improvement Districts in the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
Albion	Fire Protection	\$100,000.00
	Water District 1	17,742.00
	Water District 3	70,000.00
	Water District 4	28,569.00
	Water District 5	60,386.00
	Water District 6	22,800.00
	Water District 7	9,360.00
	Water District 8	15,221.00
	Water District 9	10,663.00
	Sewer District 1	50,765.00
Barre	Fire District	210,000.00
	Water District 2	11,700.00
	Water District 3	9,940.00
	Water District 4	14,167.00
	Water District 5	35,978.00
	Water District 6	46,660.00

	Water District 7	14,078.00
	Water District 8	29,399.00
Carlton	Fire Protection	184,602.00
	Light District I	6,350.00
	Light District II	8,650.00
	Water	367,185.00
Clarendon	Fire Protection	192,680.00
	Water District 2	31,452.72
	Water District 3	58,617.53
	Water District 4	54,861.13
	Water District 5	13,270.86
	Water District 6	26,206.56
	Water District 7	41,763.18
	Water District 8	9,132.30
	Water District 9	7,114.91
	Water District #9 Ext	4,233.83
	Water District 10	63,790.77
	Water District 11	70,325.93
	Water District 12	6,855.00
	Water District 13	6,140.00
Gaines	Fire Protection	102,000.00
	Water District 2	7,700.00
	Water District 3	4,500.00
	Water District 6	7,150.00
	Water District 7	5,627.00
	Water District 8	8,650.00
	Water District 9	9,300.00
	Water District 10	9,400.00
Kendall	Fire District 1 (Kendall)	163,900.00
	Fire District 2 (Morton)	72,721.00
	Light District 1	5,700.00
	Light District 2	3,385.00
	Light District 3	1,975.00
	Water District 1	4,503.00
	Water District 2	13,430.45
	Water District 3	19,392.21
	Water District 4	64,329.71
	Water District 5	16,277.46

	Water District 6	8,600.00
	Water District 7	17,104.06
	Water District 9	4,407.50
Murray	Fire Protection District 1	208,000.00
	Fire District 2 (FHM)	110,770.00
	Light District 1 (Fancher)	2,600.00
	Light District 2 (Hulberton)	3,700.00
	Light District 3 (Brockville)	1,250.00
	Water District 1	1,925.00
	Water District 2	31,000.00
	Water District 3	22,582.00
	Water District 4	6,000.00
	Water District 5	4,300.00
	Water District 6	12,000.00
	Water District 7	19,500.00
	Water District 8	16,260.00
	Water District 9	6,500.00
	Water District 10	7,000.00
	Water District 11	104,000.00
	Water District 12	12,000.00
	Water District 13	18,916.00
	Water District 14 (Gaines)	3,900.00
	Water District 15	59,000.00
	Water District 16	19,337.00
Ridgeway	Fire Protection	194,441.00
	Light	3,500.00
	Water Improvement 31-E	8,000.00
	Water improvement 269	7,375.00
	Water District 2	18,325.00
	Water District 3	32,220.75
	Water District 4	64,431.25
	Water District 5	26,592.88
	Water District 6	13,996.88
	Water District 7	6,539.25
	Water District 8	9,795.25
	Water District 9	5,469.30
	Water District 10	14,020.00
	Water District 11	1,977.50
	Water District 12	14,754.81

	Water District 13	11,489.38
	Knowlesville Sewer District	32,540.00
Shelby	Fire Protection District (Shelby & East Shelby)	256,718.00
	Light District 1 (Shelby)	2,550.00
	Light District 2 (Millville)	1,280.00
Yates	Fire Protection	89,300.00
	Water District 4	197,394.00

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	1,490.51			361,924.00
Barre	55.20			277,381.00
Carlton	9,832.60			299,944.00
Clarendon	8,171.48		180.00	355,426.00
Gaines				236,642.09
Kendall				262,982.22
Murray	311.66		1,175.00	360,111.00
Ridgeway	8,681.01			501,169.00
Shelby	30,491.06			583,510.00
Yates	1,868.80			384,869.00

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 450-1118

**AUTHORIZING COUNTY TREASURER TO CHARGE BACK
ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND
SCHOOL DISTRICTS**

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 20, 2018, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	SOLID WASTE	TO VILLAGE	Court Order Total	TOTAL
CARLTON									
Patricia Harper	7.-1-57	2018		200.00					200.00
Betty Davis	17.-1-56.114	2018		125.00					125.00
Betty Davis	17.-1-56.114	2016/2017		250.00					250.00
Chad Wright	19.-1-1212	2016/2017	189.01	103.29					292.30
Scott and Roy Salmon	28.-1-11	2017/2018	1,221.99					1,221.99	
Scott and Roy Salmon	28.-1-12.1	2017/2018	1,715.24					1,715.24	
Jamie Lynn Halstead	27.4-1-5	2018	306.52	167.08				473.60	
July Schult	28.-1-16.11	2018		200.00					200.00
Susan Howard	28.-1-16.12	2018		400.00					400.00
Martin Van Wycke III	28.-1-52.1	2018		125.00					125.00
CLARENDON									
Frank Starowitz	108.-2-12.12	2018		333.01					333.01
Frank Starowitz	108.-2-12.12	2016/2017		691.77					691.77
Lawrence III & Andrea Moore	120.-1-56.2	2018	871.31	397.58					1268.89
GAINES									
Gerald & Loretta Ford	41.-1-5.22	2018		267.79					267.79
KENDALL									
Daniel & Christine Klafehn	32.20-1-48.11	2016-2018	103.23	61.55					164.78
Geraald Meisenzahl	43.-1-68.112	2018	117.21	69.46					186.67
MURRAY									
Earl Williams	64.-2-9.112	2018		446.54					446.54
TOTALS			\$4,524.51	\$3,838.07				\$3,410.83	\$8,362.58

Grand Total = \$8,362.58
 Moved, DeFilipps; second, DeRoller.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 451-1118

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion		
Barre		
Carlton	1,570.37	
Clarendon	1,422.36	
Gaines	267.79	
Kendall	131.01	
Murray	446.54	
Ridgeway		
Shelby		
Yates		

Total amount charged to Towns: \$ 3,838.07

Moved, DeFilipps; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 452-1118

APPROVING CHARGE BACKS TO TOWNS FOR DATA MANAGEMENT SERVICES, USER FEES, TAX BILLS, AND RATE AND MAP FILES

RESOLVED, that this Legislature authorizes charge backs for Data Management Services, user fees, tax bills, and rate and map files to be levied on to the 2019 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2018

TOWN	NO. OF PARCELS	Real Property	Tax Collector User Fees	RATE & MAP Files	RPS User Fees	Total	Total Town

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Albion	Inside	1597	\$ 1,996.25		\$ 150.00	\$ 1,277.00	\$ 1,996.25	\$ 4,618.25
	Outside	956	1,195.00				2,622.00	
Barre		1417	1,771.25	\$ 48.60	150.00	1,228.00	3,197.85	3,197.85
Carlton		2450	3,062.50		150.00	1,595.00	4,807.50	4,807.50
Clarendon		1791	2,238.75	214.92	150.00	1,289.00	3,892.67	3,892.67
Gaines	Inside	237	296.25		150.00	641.00	296.25	2,396.00
	Outside	1047	1,308.75				2,099.75	
Kendall		1664	2,080.00		150.00	1,268.00	3,498.00	3,498.00
Murray	Inside	682	852.50		150.00	1,540.00	852.50	4,325.00
	Outside	1426	1,782.50				3,472.50	
Ridgeway	Inside	1394	1,742.50		150.00	1,809.00	1,742.50	5,907.75
	Outside	1765	2,206.25				4,165.25	
Shelby	Inside	951	1,188.75		150.00	1,572.00	1,188.75	4,610.75
	Outside	1360	1,700.00				3,422.00	
Yates	Inside	388	485.00		150.00	1,281.00	485.00	3,623.50
	Outside	1366	1,707.50				3,138.50	
Totals		20491	\$25,613.75	\$263.52	1,500.00	13,500.00	40,877.27	40,877.27

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 453-1118

SETTING UNIT CHARGE FOR 2019 COUNTY SOLID WASTE/RECYCLING PROGRAM

RESOLVED, that this Legislature sets the unit charge for the 2019 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 210.00
One-half unit of Service	\$ 105.00

and, be it

FURTHER RESOLVED, that an Administrative Fee of \$2.00 shall be added to each unit of service, and a \$1.00 fee to each half unit of service.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 454-1118

APPROVING ABSTRACT OF 2019 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2019 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

Town	No. of Units	*Cost per Unit	Total to be Collected
Albion	2,096.00	212.00	\$ 444,352.00
Barre	777.00	212.00	164,724.00
Carlton	1,578.00	212.00	334,536.00
Clarendon	1,093.50	212.00	231,822.00
Gaines	1,069.50	212.00	226,734.00
Kendall	1,128.00	212.00	239,136.00
Murray	1,600.00	212.00	339,200.00
Ridgeway	2,500.00	212.00	530,000.00
Shelby	1,708.50	212.00	362,202.00
Yates	1,163.00	212.00	246,556.00
Totals	14,713.50		\$3,119,262.00

*Includes \$2.00 Administrative charge per unit.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 455-1118

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein contained, be and hereby are, adopted by this Legislature and that the several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 456-1118

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 457-1118

APPROVING AGREEMENT BETWEEN COMPUTER SERVICES AND NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Resolution No. 336-818 authorized the Director of Computer Services to apply for the 2017 Cyber Security Grant Program; and

WHEREAS, this grant will support the Orleans County network infrastructure in Cyber Security capabilities and continue cyber security education for Orleans County employees; now be it

RESOLVED, that this Legislature approves the grant acceptance agreement between Computer Services and New York State Division of Homeland Security and Emergency Services, accepting the 2017 Cyber Security Grant Program in the amount of \$4,550 for the performance period of December 1, 2018 through August 31, 2020; and be it

FURTHER RESOLVED, that the Chairman is authorized to electronically sign e-grant CY17-1072-E00, Contract No. T160180 and all related documents associated with this grant, subject to the review and approval by the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to authorize the salary schedules for management, certain part-time and unclassified employees and to remove the Deputy Marine Patrol position out of this resolution. Legislator DeRoller seconded the motion and the amendment. The following resolution was adopted:

RESOLUTION NO. 458-1118

**AUTHORIZING SALARY SCHEDULES FOR MANAGEMENT,
CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES**

WHEREAS, the Orleans County Legislature approved the 2019/2020 Management Compensation Plan by passing Resolution No. 367-918; now be it

RESOLVED, that employees are also authorized to receive any increments they are entitled to under the plan; and be it

FURTHER RESOLVED, that the following salaries, effective January 1, 2019, are authorized for certain part-time and unclassified employees:

<u>Annual:</u>	<u>1/1/19-12/31/19</u>
Administrative Assistant – MFCTF	\$ 2,959
Deputy Budget Officer	3,570
Deputy Fire Coordinator	2,266
Fire Investigator	2,266
Historian	8,659
Insurance Program Assistant	1,115
Director of Computer Services	\$ 84,125
IT Operations Analyst I	61,957
Secretary to the Highway Superintendent	52,435

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Director of Community Health Services	78,867
Director of Veterans Service Agency	58,607
Confidential Secretary to the Sheriff	55,435

Daily:

Court Attendant	\$72.51
Examination Monitor (Full Day)	128.13
Examination Monitor (Half Day)	64.07

Hourly (Part-Time Employees)

Animal Control Officer	\$14.77
Clerk (Elections)	11.10
Correctional Officer (Jail)	14.48
Correctional Officer (Jail) Second rate	19.99
Crew Leader (Sheriff)	13.55
Dispatchers	14.48
Medical Director	102.94

Hourly (Full Time Employees)

Director of Emergency Management	\$17.07
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and be it

FURTHER RESOLVED, that the Chairman of the Legislature will be paid an annual salary of \$18,133 for 2019; the Vice-Chairperson will be paid an annual salary of \$13,711 for 2019; with the remaining members of the Legislature to be paid an annual salary of \$12,087 each for 2019.

Moved DeFilipps, second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 459-1118

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 4-INTRO
OF 2018 REGARDING SALARIES OF VARIOUS EMPLOYEES OF
THE COUNTY OF ORLEANS

WHEREAS, there has been duly presented and introduced to this
Legislature, a proposed local law entitled "A LOCAL LAW INCREASING

THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM”; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 19th day of December 2018 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Albion, New York.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 460-1118

AUTHORIZING TREASURER TO SET UP FUNDS IN INTEREST EARNED AND AUTHORIZING TREASURER TO MAKE PAYMENT TO THREE PLUS ONE

WHEREAS, as authorized in Resolution No. 301-718, Three Plus One has completed their cashVest Liquidity analysis and has delivered the initial report to the County Treasurer; now therefore be it

RESOLVED, this Legislature authorizes the County Treasurer to set up new money in interest earned and authorizes payment of \$9,900.00 to Three Plus One as follows:

Revenue:		
A2401	Interest Earned	\$9,900
Appropriation:		
A1325.432	Misc. Contract/Agreements	\$9,900

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson commended Treasurer DeFrank on hiring Three Plus One to complete this analysis.

RESOLUTION NO. 461-1118

AUTHORIZING TREASURER TO SET UP FUNDS FROM MISCELLANEOUS RESERVE AND AUTHORIZING PAYMENT TO NYS OMIG/RAC

WHEREAS, NYS OMIG (Office of the Medicaid Inspector General) has delivered final results of their audit of Medicaid payments to the Village of Orleans; and

WHEREAS, there were three overpayments that were identified prior to the change of ownership of the facility and are due and payable by Orleans County; now be it

RESOLVED, this Legislature authorizes the County Treasurer to set up funds from reserve as follows and authorizes the payment of such Medicaid overpayments as follows:

From:		
Miscellaneous Reserve		\$6,262
To:		
A6030.418	Other Contractual Expenses	\$6,262

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to make a payment for our Regional Dredging Management Plan, which is an important step in moving forward in a good dredging plan. He also shared his appreciation and the work that County Attorney Bogan has put into this and for her future activity in this process. Legislator DeFilipps seconded the motion. The following resolution was adopted:

RESOLUTION NO. 462-1118

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE PLANNING DEPARTMENT BUDGET AND AUTHORIZING PAYMENT FOR REGIONAL DREDGING MANAGEMENT PLAN

WHEREAS, Resolution No. 505-1217 approved a multi-county Memorandum of Understanding for the Lake Ontario Regional Dredging Program; now be it

RESOLVED, that this Legislature authorizes payment to the Orleans Land Restoration Corporation, 121 North Main Street, Albion, NY 14411, as the designated entity to collect and to hold in escrow, \$5,000 to be paid from the Planning Department Budget account A8020.418 – other contractual for the implementation of a Regional Dredging Management Plan for the harbors serving navigation along the south shore of Lake Ontario; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds from Contingency Fund into the Planning budget for this payment as follows.

From:		
A1990.435	Contingency Fund	\$5,000
To:		
A8020.418	Other Contractual Expenses	\$5,000

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to approve advertising for Orleans County Tourism; second by Legislator DeFilipps. Legislator DeRoller asked Tourism Director Dawn Borchert to explain this important piece of our tourism marketing. Ms. Borchert displayed a copy of the CONY directory that is a media buy that Orleans County has been a part of for years. With the cost of the media buy at \$5,500, we are only able to do this buy with the help of our matching funds received through tourism. We take a three-page spread inside and three of the area campgrounds share the cost with us. Ms. Borchert stated that we have 1,150 campsites in Orleans County. In 2016, campground owners in New York State did an economic tourism study and the camping industry in New York State alone is \$1.2 billion annually. It is a large market that we want to be a part of it. Another thing to note, stated Ms. Borchert, that our drive market is New York, Pennsylvania, Ohio, and Canada. When we do a buy like this there is 175,000 copies distributed that recognizes our area. KOA – North American Camping reports that the total of camping households in the US is now estimated at more than 77 million households; having grown from 6 million since 2014. Camping is a big

industry and Orleans County is going to be a part of this in advertising expressed Ms. Borchert. The following resolution was adopted:

RESOLUTION NO. 463-1118

APPROVING ADVERTISING FOR ORLEANS COUNTY TOURISM

RESOLVED, that this Legislature approves advertising in the 2019 CONY Directory through Campground Owners of NY, Inc., 1 Grove St, Ste 200, Pittsford, NY 14534 for the purpose of placing a 3 page advertisement in this directory for Orleans County Campgrounds in the amount of \$5,500 to be paid from Tourism Account A6410.468 – I Love New York. 50% Reimbursement from I Love NY Matching Funds.

Moved, DeRoller; second, Miller.

Adopted. 6 ayes; 0 nays; 0 absent; 1 abstention, DeFilipps.

RESOLUTION NO. 464-1118

APPROVING RE-APPOINTMENT TO THE SOIL AND WATER DISTRICT BOARD

RESOLVED, that this Legislature approves the following re-appointment to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
Edward Morgan	At Large Non-Farmer	1/1/2019-12/31/2021

Moved, DeRoller; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 465-1118

AUTHORIZING THE CONTINUATION OF A CORONER'S PHYSICIAN FOR ORLEANS COUNTY

WHEREAS, Resolution No. 454-1210 created the position of Coroner's Physician as a result of our three elected coroners not being duly licensed practicing physicians in New York State; now be it

RESOLVED, that this Legislature authorizes the continuation of the appointment of Thomas Madejski, MD as the Coroner’s Physician in Orleans County at an annualized salary as set forth below:

January 1, 2019 – December 31, 2019	\$ 3,447
January 1, 2020 – December 31, 2020	\$ 3,516

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

RESOLUTION NO. 466-1118

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND THE KRESGE FOUNDATION; AUTHORIZING TREASURER TO SET UP GRANT FUNDS; AUTHORIZING OUT OF STATE TRAVEL AND APPROVING PROGRAM PURCHASE

WHEREAS, Paul Pettit, Public Health Director and Brenden Bedard, Director of Community Health Services have been selected to participate in the third cohort of The Kresge Foundation’s Emerging Leaders in Public Health (ELPH) initiative;

WHEREAS, as participants we are eligible to apply for grant funds to advance leadership transformation efforts and have been awarded \$125,000 for this effort from September 1, 2018 through October 31, 2019;

RESOLVED, that this Legislature approves the contract with The Kresge Foundation, 3215 West Big Beaver Road, Troy, Michigan 48084 for Genesee and Orleans County and accept these grant funds to be used for advancing a new, innovative model for the public health agency in both communities;

FURTHER RESOLVED, that the County Treasurer is authorized to set up the following new money in the 2018 Public Health budget as a result of this initiative, where the remainder of the funds (\$114,287) will be set up when received:

Revenue:		
A1606	Kresge Foundation	\$10,173
Appropriation:		
A4010.460	Training and Education	\$ 9,623

A4010.463 Travel other than mileage \$ 550

FURTHER RESOLVED, as a requirement of this program, this legislature approves out of state travel for Paul Pettit and Brenden Bedard to attend the following three sessions at no county cost:

January 9, 2019 – January 12, 2019 in Ponte Vedra Beach, Florida
May 12, 2019 – May 16, 2019 at a site to be determined
July 8, 2019 – July 12, 2019 in Orlando, Florida

FURTHER RESOLVED that this Legislature does hereby approve the purchase (PO#60128) for Paul Pettit and Brenden Bedard to enroll into the program Change Leadership through eCornell, 950 Danby Road, Suite 150, Ithaca, NY 14850, at a cost of \$2,700 per person for a total of \$5,400. No county cost.

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

RESOLUTION NO. 467-1118

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS PROVIDERS

RESOLVED, that this Legislature approve the following Agreements for the Mental Health Department for the 2019 calendar year:

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 providing services as Staff Psychiatrist for an average of 20 hours per month for annual total not to exceed 240 hours at \$200.00 per hour; contractor will provide an additional 60 hours per year at \$175.00 per hour. County cost is \$4,095.

County Attorney, 517 Main Street, Medina, NY 14103 providing attorney services as needed for matters requiring counsel at a cost of \$9,500.

AJL NP in Psychiatry, PLLC, 6 Stoneledge Way, Penfield, NY 14526 providing services as a Psychiatric Nurse Practitioner for up to 480 hours at an hourly rate of \$101. County cost is \$3,394.

Ann P. Burbank, NPP, 32 Park View Drive, Pittsford, NY 14534 providing services as a Psychiatric Nurse Practitioner for up to 468 hours at an hourly rate of \$102. County cost is \$3,342.

Linda Kovac-Tantalo, NPP, 140 Bronze Leaf Trail, Rochester, NY 14612 providing services as Psychiatric Nurse Practitioner for up to 864 hours at an hourly rate of \$101. County cost is \$6,108.

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

RESOLUTION NO. 468-1118

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND AETNA BEHAVIORAL HEALTH

RESOLVED, that this Legislature approves an agreement between Mental Health and Aetna Behavioral Health, 1425 Union Meeting Road, P.O. Box 5, Blue Bell, PA 19422, to be a network provider of services for a term commencing January 1, 2019 and ending December 31, 2021. No county cost.

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

RESOLUTION NO. 469-1118

AUTHORIZING PAYMENT FROM MENTAL HEALTH DEPARTMENT TO BLUE CROSS/BLUE SHIELD OF WESTERN NEW YORK

WHEREAS, a recent review by Blue Cross Blue Shield of Western New York determined there is a balance of \$27,009.97 due for overpayment of claims by Orleans County; now be it

RESOLVED, that this Legislature authorizes the payment of \$27,009.97 pay Blue Cross/Blue Shield of Western New York , Box 933657, Atlanta, Georgia 31193-36757 from Mental Health Budget Account A4310.418 – Other Contractual Expenses.

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

RESOLUTION NO. 470-1118

AUTHORIZING AGREEMENT BETWEEN EDNA CALIX AND THE ORLEANS COUNTY PROBATION DEPARTMENT

RESOLVED, the county approves an agreement between the Probation Department and Edna Calix, Interpreter, for interpreting services for the Orleans County Probation Department at the rate of \$40 per hour. The agreement is effective January 1, 2019 through December 31, 2022.

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

RESOLUTION NO. 471-1118

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE PROBATION BUDGET

RESOLVED, that this Legislature authorizes the Orleans County Treasurer to transfer monies within the Probation Department budget to cover the cost of necessary Safety Equipment as follows:

From:		
A3140.100	Personal Services	\$ 2,060
To:		
A3140.251	Safety Equipment	\$ 2,060

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

Legislator Allport moved a resolution to approve an agreement with the Sheriff's Office and NYS Canal Corporation; second by Legislator Draper. Legislator DeRoller stated that seeing we are working on enhancing our canal corridor, it is also important that we are obtaining funding for public safety along our waterway. Legislator DeRoller asked Sheriff Bower is he wanted to put some words around this. Sheriff Bower indicated that the grant award was \$2,500 more than last year. The last three years we have increased that due to the creative grant writing of our Marine Patrol Officer Gary Metz and the data that he and Deputy Barrus has collected throughout

the year. When the Louis McClure and the Corning Glass Boat it has been escorted from the county lines. This affords us the ability to patrol our canal using our Marine Division. We can bring in extra forces when we have mass gatherings that are held along the canal corridor, expressed Sheriff Bower. The following resolution was adopted:

RESOLUTION NO. 472-1118

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

WHEREAS, in Resolution #311-718, the Orleans County Sheriff's Office had applied 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 2018-2019 grant funding award, in the amount of \$12,500, from 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 Laws and to monitor activity along the canal and its pathways effective April 1, 2018 through March 31, 2019; subject to the review and approval of the County Attorney and Legislature.

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

RESOLUTION NO. 473-1118

**AUTHORIZING APPROVAL OF INTERAGENCY AGREEMENTS IN
THE SHERIFF'S OFFICE FOR PARTICIPATION IN LAW
ENFORCEMENT SUPPORT PROGRAM 1033 FEDERAL EXCESS
PROPERTY PROGRAM**

RESOLVED, that this Legislature authorizes approval of a Memorandum of Agreement between the Defense Logistics Agency and the State of New York and also a Plan of Operation Interagency Agreement between the State of New York and Orleans County Sheriff's Office for

participation in the Law Enforcement Support Program, or 1033 Federal Excess Property Program, a program that permits law enforcement agencies to acquire excess equipment and property in authorized transfers from the Department of Defense; and be it

FURTHER RESOLVED, that acquisition of property will require the approval of the Chief Administrative Officer.

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

RESOLUTION NO. 474-1118

AUTHORIZING FILLING VACANCY IN THE SHERIFF’S OFFICE

RESOLVED, as a result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Deputy Sheriff-Road Patrol position (3110.45) at Grade 1 of the OCDSA Salary Schedule, effective November 29, 2018.

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

RESOLUTION NO. 475- 1118

AUTHORIZING ACCEPTANCE OF DONATIONS AND SETTING UP NEW MONEY IN THE SHERIFF’S OFFICE BUDGET

WHEREAS, the Orleans County Sheriff’s Office wishes to extend its sincere thank you to those who have generously donated to our department, be it

RESOLVED, that this Legislature accepts these donations, including the Walmart Community Grant award of \$3,500, and be it

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

Revenue:		
A2705	Gifts & Donation	\$3,500

Appropriation:		
A3110.458	Books, Periodicals, etc.	\$ 500
A3110.250	Other Equipment	\$3,000

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

RESOLUTION NO. 476-1118

AMENDING RESOLUTION NO. 421-1018 TO APPROVE LEASE AGREEMENT WITH AMERICREDIT FINANCIAL SERVICES INC. DBA GM FINANCIAL

WHEREAS, Resolution No. 421-1018 authorized purchasing a replacement vehicle for Animal Control and approved a lease agreement with Municipal Leasing Consultants; now be it

RESOLVED, that this Legislature amends Resolution No. 421-1018 to cancel lease agreement with Municipal Leasing Consultants; and be it

FURTHER RESOLVED that this Legislature authorizes the Chairman to execute a Lease agreement with AmeriCredit Financial Services Inc. DBA GM Financial, 1111 Old Eagle School Road, Wayne PA 19087 payable in eight (8) semiannual lease payments, in the amount of \$4,316.34, subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 477-1118

APPROVING AGREEMENT BETWEEN EMERGENCY MANAGEMENT AND NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Resolution No. 319-718 authorized the Emergency Management to apply for the 2018 State Interoperable Communication Grant (SICG); and

WHEREAS, this grant will provide for the sustainment of Land Mobile Radio Systems, maintenance components supporting

interoperability, continuous training, sustainment, and further development of governance structure; now be it

RESOLVED, that this Legislature approves the grant acceptance agreement between Emergency Management and New York State Division of Homeland Security and Emergency Services, accepting the 2018 State Interoperable Communication Grant (SICG) in the amount of \$403,172 for the contract period of January 1, 2019 to December 31, 2020; and be it

FURTHER RESOLVED, that the Chairman is authorized to electronically sign e-grant SI18-1007-D00, Contract no. C198001 and all related documents associated with this grant, subject to the review and approval by the County Attorney and Chief Administrative Officer.

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

RESOLUTION NO. 478-1118

APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND DIEHL DEVELOPMENT INC.

WHEREAS, the Legislature has awarded the South Holley Culvert Bridge New York project NYS DOT Project #D035542 on previous resolution 354-818 to Diehl Development Inc.; and now therefore be it

RESOLVED, this Legislature approves the agreement with Diehl Development, 5922 North Lake Road, Bergen, New York 14416 and authorizes the Chairman to execute an agreement with Diehl Development for the South Holley Culvert Project in the Town of Clarendon at a bid cost of \$535,723.77 to be paid out of the D5120.470.2281 and D5120.470 capital bridge project accounts; agreement effective as soon as County gives notice to proceed;

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

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

RESOLUTION NO. 479-1118

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Six-Bridge Preventative Maintenance Project, Contract #D035278, P.I.N. 4760.68 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$147,660.00

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$738,302.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$738,302.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the County of Orleans Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Supplemental Agreement #2 to add additional funding for Preliminary Engineering and Design and Construction Support and Construction Inspection phase, Contract #D035278 for a total cost of \$738,302; Federal reimbursement of \$590,642.00, State Marchiselli Funding of \$80,463.00 and Local Share \$67,197.00; effective through January 29, 2026. Resolution shall take effect immediately.

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

RESOLUTION NO. 480-1118

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Preventative Maintenance of East Oak Orchard Street NYSDOT Contract #D036041, P.I.N. 4OR0.02, BIN: 3319320 in the Village of Medina (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$49,000.00 for East Oak Orchard Street Bridge for Preliminary Engineering and Design; and

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

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

RESOLVED, that the Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$49,000.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$49,000 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Agreement is for Preliminary Engineering and Design for a total cost of \$49,000.00; Federal Share of \$39,200.00; and County Cost \$9,800.00; effective October 11, 2018 through August 20, 2028; to be paid out of budget code D5120.470.2284 Resolution shall take effect immediately.

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

RESOLUTION NO. 481-1118

AWARDING AND APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform Project Engineering and Design for Preventative Maintenance for the East Oak Orchard Street Bridge in the Village of Medina. NYS DOT Contract #D036041, Bin #: 3319320.

FURTHER RESOLVED, this agreement is effective November 29, 2018 through December 31, 2020 at a maximum cost of \$48,900.00 to be paid out of the D5120.470.2284 Capital Bridge account.

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

RESOLUTION NO. 482-1118

AWARDING AND APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform Project Engineering and Design for Preventative Maintenance for the Lakeside Bridge over Johnson Creek in the Town of Carlton. NYS DOT Contract #D035981, Bin #: 3318990.

FURTHER RESOLVED, this agreement is effective November 29, 2018 through December 31, 2020, at a maximum cost of \$63,000.00 to be paid out of the D5120.470.2280 Capital Bridge account.

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

RESOLUTION NO. 483-1118

**AWARDING BID FOR MONROE ORLEANS COUNTY LINE BRIDGE
REPLACEMENT BRIDGE NY PROJECT**

WHEREAS, the Orleans County Highway Department sought bids for the Construction of Monroe Orleans County Line over East Branch of Sandy Creek Bridge NY Project, NYS DOT Contract #D035538 in the Town of Murray; and

WHEREAS, such bids have been publicly received, opened and reviewed on October 30, 2018 at 11:00 a.m. to determine the lowest responsible bidder; and be it

RESOLVED, that CATCO at 1266 Townline Road, Alden, New York 14004 has been awarded the bid at \$820,175.01.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 484-1118

**AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY
DEPARTMENT**

RESOLVED, that the County Treasurer is authorized to set up new money in the Highway budget to pay for unforeseen postage expenses within the Highway budget as follows:

Revenue:		
D2650	Sale of Scrap	\$150
Appropriation:		
D5010.461	Postage	\$150

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 485-1118

November 28, 2018
Resolutions 444-504

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT
INFRASTRUCTURE PROJECTS ACCOUNT**

FURTHER 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>
\$280.00	Labella Associates	RI-9 – Culvert Road Culvert Replacement - Fabrication and Construction oversite 9/22/18-10/19/18 Inv #96959

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 486-1118

**AUTHORIZING TREASURER TO TRANSFER FUNDS TO
CONTRIBUTE TOWARDS GLOW WORKFORCE DEVELOPMENT
BOARD INCORPORATION AND ESTABLISHMENT OF 501(C)(3)
STATUS**

RESOLVED, that this Legislature supports the GLOW Workforce Development Board's (WDB) incorporation and establishment of 501(c)(3) status and therefore commits to contributing one-quarter of the related costs of \$5,000. County cost \$1,250; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Legislature Budget to facilitate the costs for GLOW WDB as follows:

From:		
A1990.435	Contingent Fund	\$1,250
To:		
A1010.418	Other Contractual Expenses	\$1,250

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 487-1118

**APPROVING GLOW WORKFORCE DEVELOPMENT BOARD AT
LARGE MEMBER NOMINATION**

RESOLVED, that this Legislature does hereby approve the nomination of Dennis Martinez with ACCES-VR representing a Vocational Rehabilitation Program to the GLOW Workforce Development Board, for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 488-1118

**APPROVING AGREEMENT BETWEEN OFFICE FOR THE AGING
AND LITURGICAL PUBLICATIONS INC.**

RESOLVED, that this Legislature approves the agreement between the Office for the Aging Department and Liturgical Publications Inc., 5 Progress Drive, Cromhill, CT 06416 to provide publication services for the Office for the Aging monthly newsletter from March 1, 2019 to February 28, 2022 at a cost of \$0. Advertisements in the newsletter will pay for the cost of the printing of the publication. County cost \$0.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 489-1118

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
OFFICE FOR THE AGING'S BUDGET**

RESOLVED, that this County Treasurer is authorized to set up new money received through The P2 Collaboration for offering the Aging Mastery Program that is an evidence based health promotion program in the Office for the Aging budget, as follows:

Revenue:
A1972 Office for the Aging-Local Grants \$2,500

Appropriation:
6772-486 Special Grants \$2,500

Moved, Miller; second,

RESOLUTION NO. 490-1118

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE OFFICE FOR THE AGING'S BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money as a result of additional 2018 Federal allocations were received as follows:

Revenue:
A3772 Office for the Aging-State Funded Grants \$2,635

Appropriation:
A6772-492 Transportation \$2,635

and be it,

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Office for the Aging Budget as result of additional 2018 allocations received as follows:

Revenue:
A4772 Office for the Aging- Federal Funds \$3,842

Appropriation:
A6772-443 Repairs to Office Equipment \$ 40
A6772-461 Postage \$ 250
A6772-463 Mileage Out \$ 100
A6772-481 Dues \$ 91
A6772-486 Special Grants \$ 613
A6772-492 Transportation \$ 1,500
A6772-840 Workman's Comp. \$ 1,248

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 491-1118

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agencies:

Angels in Your Home, Hilton, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2019 through December 31, 2019 at rates set by NYS Department of Health. County cost is \$0

Angels in Your Home, Hilton, NY for the provision of Personal Care Aide services to eligible Medicaid clients; to be effective January 1, 2019 through December 31, 2019 at rates set by NYS Department of Health. County cost is \$0.

Orleans County Office for the Aging, Albion, NY for the provision of assisting select Public Assistance clients in applying for SSI; to be effective January 1, 2019 through December 31, 2019 at a cost of \$5,000. County cost is dependent upon program for which the client is eligible

Orleans County Office for the Aging, Albion, NY for the provision of PERS program to eligible Medicaid recipients; to be effective January 1, 2019 through December 31, 2019 at a cost of \$40 per client per month. County cost is 25%

GCASA, Batavia, NY for the provision of alcohol assessments for Public Assistance clients; to be effective for two agreement years January 1, 2018 through December 31, 2018 and January 1, 2019 through December 31, 2019 at a cost of \$169/client. Reimbursement/County cost is dependent upon case type (TANF – 0% local cost, Safety Net – 100% local cost).

Orleans County Health Department, Albion, NY for the provision of licensed nursing assessments for DSS Medicaid Personal Care Aide clients; to be effective January 1, 2019 through December 31, 2019 at rates established by the NYS Department of Health. County cost \$0.

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Pathstone Corporation, Rochester, NY for the provision of housing at a safe dwelling to victims of domestic violence who are eligible for DSS payment of these services; to be effective January 1, 2019 through December 31, 2019. Rates are established by NYS Office of Children & Family Services

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 492-1118

**APPROVING INTERMUNICIPAL AGREEMENTS BETWEEN
GENESEE COUNTY AND ORLEANS COUNTY**

WHEREAS, The Youth Bureau Director presented an agreement with Genesee County to the Economic Assistance and Opportunity Committee for the operation of the Youth Bureau and for the operation of the STOP-DWI Public Information and Education Component for 2019; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$6,785.75 per quarter from January 1, 2019 through December 31, 2019 for a total of \$27,143; and be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute and agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the STOP-DWI Public Info and Education Program by Genesee County at a cost not to exceed \$10,515 to the Orleans County STOP-DWI Program for January 1, 2019 through December 31, 2019.

Moved Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 493-1118

**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, therefore, be it

RESOLVED, that this Legislature approves the following new appointment to serve on the Orleans County Youth Board beginning December 1, 2018 through November 30, 2021:

Lily Kiebala, 420 Commercial Street, Medina, NY 14103

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 494-1118

AUTHORIZING CERTAIN ACTIONS WITH RESPECT TO THE ORLEANS REVOLVING LOAN FUND, AS ADMINISTERED BY THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, Orleans County (the “County”) was the recipient of a \$320,000 grant from the New York State Housing Trust Fund Corporation represented by the Governor’s Office for Small Cities through the Community Development Block Grant (CDBG) Program (GOSC Grant #857ED229-01) (the “CDBG Grant”); and

WHEREAS, the County entered in an agreement with the County of Orleans Industrial Development Agency (“COIDA”) dated November 21, 2001 (the “Subrecipient Agreement”) pursuant to which the County provided \$300,000 of the CDBG Grant proceeds to COIDA for the purpose of making a loan to a business; and

WHEREAS, pursuant to the Subrecipient Agreement, any Program Income, as defined in the CDBG regulations (“Program Income”), resulting from the use of the CDBG Grant was to be used by COIDA to administer a revolving loan fund; and

WHEREAS, COIDA established the Orleans Revolving Loan Fund (“ORLF”) and used Program Income resulting from the CDBG Grant to partially fund the ORLF; and

WHEREAS, the Towns of Albion, Shelby and Yates and the Village of Holley (collectively with the County, the “Municipalities”) also received grants of CDBG funds and provided such grants to COIDA pursuant to subrecipient agreements, which likewise required any Program Income resulting from use of such grants be used by COIDA to administer a revolving loan fund, and COIDA used such Program Income to partially fund the ORLF; and

WHEREAS, COIDA has continued to administer the ORLF and to make loans from the ORLF to support business development and job creation in Orleans County and the funds held in the ORLF and the loans receivable contained in the ORLF constitute Program Income of each of the Municipalities (on a pro rata basis) which is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter “HUD”) and the New York State Office of Community Renewal (hereinafter “OCR”) regarding their use; and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and that any loan repayments received by revolving loan funds which constitute Program Income after March 31, 2019 must be remitted to OCR and, as a result, repayments received on ORLF loans after such date will no longer be available to make loans in Orleans County; and

WHEREAS, any proposed use of Program Income prior to March 31, 2019 must be approved by OCR; and

WHEREAS, COIDA has notified the County and the other Municipalities that, in order to allow for use of the Program Income to further economic development and investment within Orleans County, it wishes to have the ability to use, or commit to use, the Program Income prior to April 1, 2019 for any eligible CDBG activity, subject to OCR approval, and to pay CDBG-eligible expenses including grant administration and program delivery costs; and

WHEREAS, OCR must approve the use of the Program Income and has requested that one of the Municipalities be designated to submit such requests for approval and perform any administrative activities and monitoring required for uses of CDBG funds, including completing any

federal environmental review, and the County is willing to assume such role, subject to the approval of the other Municipalities; and

WHEREAS, the Subrecipient Agreement contemplates use of Program Income resulting from use of the CDBG Grant to make loans, and the use of funds held in the ORLF for other purposes would require approval of the County and a change to the Subrecipient Agreement; and

WHEREAS, OCR's requirements regarding the return of Program Income will result in the ORLF no longer being viable as a revolving loan fund and necessitate changes to the Subrecipient Agreement to allow for the winding down or sale of the ORLF, and be it

RESOLVED, that this Legislature approves the use, or commitment, of Program Income by COIDA prior to April 1, 2019 for any eligible CDBG activity, subject to OCR approval, and to pay CDBG-eligible expenses including grant administration and program delivery costs, and agrees, subject to the approval of the other Municipalities, to submit any request for approval of such use of Program Income to OCR on behalf of all of the Municipalities; and be it

FURTHER RESOLVED, that this Legislature approves designation of the Chairman of the Legislature to act as Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the use of CDBG funds, subject to the approval of the other Municipalities; and be it

FURTHER RESOLVED, that this Legislature approves the County undertaking any administrative activities and monitoring required for uses of CDBG funds, subject to approval of the other Municipalities and subject to the execution and delivery of a cooperation agreement by and among the Municipalities which shall be subject to the approval of the County Attorney as to form and content; and be it

FURTHER RESOLVED, that this Legislature approves the amendment of the Subrecipient Agreement to (i) prohibit use of Program Income in the ORLF on or after April 1, 2019 to make loans, with the intent that on and after such date, the ORLF shall no longer constitute a revolving loan fund and shall be renamed the Orleans Loan Fund (the "OLF"), (ii) provide for the continued servicing and administration of the OLF by COIDA in accordance with CDBG requirements to the extent that COIDA continues to hold any OLF loans, (iii) allow COIDA to use OLF Program

Income prior to April 1, 2019 to fund, or to commit to funding, any eligible CDBG activity, subject to OCR approval and the approval of the COIDA Board, and to pay CDBG-eligible expenses including grant administration and program delivery costs, (iv) allow for the sale of all or a portion of the loan portfolio of the OLF for a reasonable price as established by a written valuation, subject to approval of OCR (if required), and deposit of the net sale proceeds (which constitute Program Income) into COIDA's OLF account, (v) provide for return of the County's pro rata share of Program Income in the form of cash on hand in the OLF which has not been spent on, or committed to, CDBG-eligible activities, or spent on CDBG-eligible expenses, including administrative and program delivery costs, by March 31, 2019, with such funds to be returned by April 10, 2019, (vi) to the extent that COIDA continues to hold any OLF loans on or after April 1, 2019, provide for the return to the County of the County's pro rata share of any OLF loan repayments received by COIDA on or after April 1, 2019 that constitute Program Income, with such funds to be returned by April 10 of each year, (vii) to the extent that COIDA holds any OLF loans on or after April 1, 2019, provide that any future income generated by OLF loans held by COIDA that is not "Program Income" under HUD regulations be deemed unrestricted funds to be retained and used by COIDA without restriction, with such determination to be made on March 31 of each year, and (viii) make such further amendments as shall be mutually agreed to by the County and COIDA, such amendment agreement to be subject to the approval of the County Attorney as to form and content.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 495-1118

AUTHORIZING CERTAIN ACTIONS WITH RESPECT TO THE ORLEANS COUNTY MICROENTERPRISE REVOLVING LOAN FUND, AS ADMINISTERED BY THE ORLEANS COUNTY LOCAL DEVELOPMENT CORPORATION

WHEREAS, in 2001, Orleans County (the "County") was the recipient of a grant from the New York State Housing Trust Fund Corporation represented by the Governor's Office for Small Cities through the Community Development Block Grant (CDBG) Program to be used to make loans to microenterprises within Orleans County (the "CDBG Grant"), and

WHEREAS, the County entered in an agreement with The Orleans County Local Development Corporation (“LDC”) (the “Subrecipient Agreement”) pursuant to which the County provided the CDBG Grant proceeds to the LDC for the purpose of administering a microenterprise revolving loan fund; and

WHEREAS, pursuant to the Subrecipient Agreement, the CDBG Grant proceeds and any Program Income, as defined in the CDBG regulations (“Program Income”), resulting from the use of the CDBG Grant were to be used by the LDC to administer the Orleans County Microenterprise Revolving Loan Fund (“MLF”); and

WHEREAS, the LDC has continued to administer the MLF and to make loans from the MLF to support business development and job creation in Orleans County and the funds held in the MLF and the loans receivable contained in the MLF constitute Program Income of the County which is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter “HUD”) and the New York State Office of Community Renewal (hereinafter “OCR”) regarding their use; and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and that any loan repayments received by revolving loan funds which constitute Program Income after March 31, 2019 must be remitted to OCR and, as a result, repayments received on MLF loans after such date will no longer be available to make loans to microenterprises in Orleans County; and

WHEREAS, any proposed use of Program Income prior to March 31, 2019 must be approved by OCR; and

WHEREAS, the LDC has notified the County that it wishes to provide the following financial assistance using funds held in the MLF: (i) a \$35,000 loan from the MLF to Heather Collella d/b/a DC Hauling, (ii) a \$40,000 loan from the MLF to Richard T. Gallo, Sr., d/b/a Gallo’s Hauling, and (iii) \$15,000 loan to Bonnie L. Heck d/b/a Herbalty Cottage (collectively, the “Loans”); and

WHEREAS, such Loans constitute eligible CDBG economic development activities that will provide economic benefits to the County and its residents and will allow for use of Program Income held in the MLF to support development of microenterprise businesses and job creation in Orleans County and will avoid the return of such funds to OCR; and

WHEREAS, OCR must approve the making of such Loans with Program Income; and

WHEREAS, OCR's requirements regarding the return of Program Income will result in the MLF no longer being viable as a revolving loan fund and necessitate changes to the Subrecipient Agreement to allow for the winding down of the MLF; now be it

RESOLVED, that this Legislature approves the making of the Loans from the MLF for the benefit of Heather Colella d/b/a DC Hauling, Richard T. Gallo, Sr. d/b/a Gallo's Hauling, and Bonnie L. Heck d/b/a Herbalty Cottage; and be it

FURTHER RESOLVED, that this Legislature approves the amendment of the Subrecipient Agreement to (i) prohibit the making of future CDBG loans from the MLF, except for the Loans or except as otherwise permitted by OCR, (ii) provide for the continued servicing and administration of the MLF by the LDC in accordance with CDBG requirements, (iii) allow the LDC to use MLF Program Income prior to April 1, 2019 to fund or to commit to funding any eligible CDBG activity, except the making of loans (unless permitted by OCR), subject to OCR approval and the approval of the LDC, and to pay CDBG-eligible expenses including grant administration and program delivery costs, (iv) provide for the return to the County of any cash constituting Program Income held by LDC under the Subrecipient Agreement which is not spent on, or committed to, CDBG-eligible activities, including administrative and program delivery costs prior to April 1, 2019, within three (3) business days of March 31, 2019, (v) provide for the return to the County of any MLF loan repayments received by the LDC on or after April 1, 2019 that constitute Program Income within three (3) business days of March 31 of each year, (vi) provide that any future income generated by outstanding CDBG loans that is not "Program Income" under HUD regulations be deemed unrestricted funds to be retained and used by the LDC without restriction, and (vii) make such further amendments as shall be mutually agreed to by the County and LDC, such amendment to the Subrecipient

Agreement to be subject to the approval of the County Attorney as to form and content.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 496-1118

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves a 48-month lease agreement between Orleans County and Toshiba Business Solutions, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to provide seven (7) Toshiba e-Studio and one (1) Lexmark multifunction machines effective January 1, 2019 through December 31, 2022 as follows:

Probation	e-Studio 3515AC	\$166.00 per month
Veterans	e-Studio 3515AC	\$157.00 per month
Highway/B&G	e-Studio 3515AC	\$198.00 per month
EMO	e-Studio 3515AC	\$180.00 per month
County Clerk	e-Studio 3515AC	\$168.00 per month

Above are bill per copy B&W .0075 per page and Color .0475 per page, with an annual increase of 2.5%

DSS-Child Support	e-Studio 3018A	\$71.00 per month
DSS-CPS	e-Studio 3018A	\$71.00 per month

Above are bill per copy B&W .0075 per page, with an annual increase of 2.5%

Tourism	Lexmark XC4140	\$91.00 per month
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Above is bill per copy B&W .0129 per page and Color .075, with an annual increase of 2.5%

RESOLVED, that this Legislature approves the replacement of the Job Development, eStudio287CSL machine due to continual mechanical failure as follows:

Job Development	Lexmark XC4140	\$0 (owned)
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Above are bill per copy B&W .0075 per page and Color .0475 per page, with an annual increase of 2.5%

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 497-1118

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$239,846.16	Michael A. Ferrauilo Plumbing & Heating	Payment #6, Work performed 10/1/18-10/31/18, HVAC
\$102,013.85	Suburban Electric, Inc.	Payment #6, Work performed 9/26/18-10/25/2018, Electrical
\$25,213.00	MKS Plumbing Corp	Payment #6, Work Performed 10/1/18-10/31/18, Plumbing
\$458,645.75	Holdsworth Klimowski Construction	Payment #6, Work Performed 10/1/18-10/31/18 General Construction
\$33,242.04	All State Fire & Security	Payment #5, Work Performed 10/1/18-10/31/18 Fire Protection
\$47,993.28	Wendel WD A/E/S/LA, PC	Professional Services, 9/3/18- 9/30/2018, Inv #350223 – FF&E Design, DOH Grant Admin Assistance, Server/Storage Room Revisions, Construction Admin, Project Coordination Labor, Project Coordination Fee, Reimbursable Expenses
\$1,683.91	Lock City Supply Inc.	PO# 60306 – Supplies for Pressure Reducing Valve, new water service project
\$7,177.84	Barre Stone Products	Binder for Mental Health Additional Parking Lot – Inv #8894

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 498-1118

AMENDING RESOLUTION NO. 398-918 TO ADD PURCHASE OF OFFICE FURNITURE AND EQUIPMENT FOR THE COUNTY OFFICE BUILDING ADDITION CAPITAL PROJECT

WHEREAS, Resolution No. 398-918 authorized purchases of office furniture and equipment for the county office building addition under NYS Contract No. PC66325/Quote No. 90709 in the amount of \$320,383.35; now be it

RESOLVED, that this Legislature does hereby amend Resolution No. 398-918 to add additional office furniture/equipment to Quote No. Q90709 to be purchased for the new County Office Building Addition Capital Project, which is to be paid from H1610.250 – Capital Project Infrastructure Projects account, as follows:

PO Number:	NYS Contract No.	Quote No.	Vendor:
60387 (new) Change Order to PO#60234	PC66325	Q90709	Steelcase c/o Prentice Office Environments 901 44 th Street Grand Rapids, MI 49508
Add:	\$947.83		
Total Amount:	\$321,331.18	\$276,430 – Steel Case Furniture \$44,900 -- Installation	

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 499-1118

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND WENDEL FOR REGIONAL WATER SYSTEM AND ENERGY EFFICIENCY STUDY AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO PLANNING DEPARTMENT BUDGET

WHEREAS, Orleans County desires to develop a regional water system to improve energy efficiency, service, support economic development and reduce costs to taxpayers and end users; and

WHEREAS, the County and the individual communities of Orleans County are experiencing several challenges that have pushed them to consider the development of regional cooperation and coordination strategies as it relates to the production, transmission, operation and maintenance of a regional water resources; and

WHEREAS, the proposed regional water efforts would optimize existing resources and recommend potential cost saving and efficiency measures identify ways to increase capacity to support economic development; and

WHEREAS, findings may provide a framework by which participating municipalities may identify opportunities for sharing services such as water meter reading, water billing, and potentially water distribution system repairs, allowing savings to be experienced by all the various communities; therefore be it

RESOLVED, Orleans County will engage in an agreement with Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY, for the purpose of a Regional Water System energy efficiency study in the amount of \$125,000, to be paid utilizing \$75,000 in state grants, \$20,000 in municipal contributions and \$30,000 from county; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds from Contingency Fund into the Planning Board budget for this payment as follows.

From:		
A1990.435	Contingency Fund	\$30,000
To:		
A8020.418	Other Contractual Expenses	\$30,000

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 500-1118

AUTHORIZING PAYMENT OF CLAIMS FOR DECEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 December 12, 2018:

Fund/Department	Check Number (s):	Amount:
General	1-159	\$348,749.59
Highway	1354-1357; 3039-3049	\$41,343.57
Job Development	2903-2904; 2907-2915	\$6,625.81
Self Insurance	1203-1213	\$7,121.15

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 Superintendent of Highways, 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 December 26, 2018:

Fund/Department	Check Number (s):	Amount:
General	160-178, 180-331	\$577,038.74
Highway	1358-1364; 3050-3063	\$56,818.52
Job Development	2919-2932; 2936	\$52,985.62
Self Insurance	60441-60445; 60505-60506; 60265, 60326, 60377	\$94,834.99

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 501-1118

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-annual Mortgage Tax Report showing the amounts to be credited to each tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2018; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment
April 1, 2018 through September 30, 2018**

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village Share	Town Share
Albion	221,686,735	443,373,470	122,824,045	27.70%	\$ 21,330.62	\$ 5,909.04	\$ 15,421.58
Barre	100,550,534				11,196.43	0	11,196.43
Carlton	205,728,186				30,521.99	0	30,521.99
Clarendon	162,002,660				15,923.51	0	15,923.51
Gaines	123,814,366	247,628,732	23,007,354	9.29%	7,578.34	704.11	6,874.23
Kendall	158,640,921				21,304.08	0	21,304.08
Murray	183,592,252	367,184,504	54,070,660	14.73%	21,538.70	3,171.73	18,366.97
Ridgeway	238,392,642	476,785,284	96,741,804	20.29%	30,074.93	6,102.33	23,972.60
Shelby	195,582,655	391,165,310	74,010,968	18.92%	30,266.29	5,726.57	24,539.72
Yates	152,763,722	305,527,444	29,114,541	9.53%	13,765.99	1,311.80	12,454.19
	1,742,754,673	2,231,664,744	399,769,372		203,500.88	22,925.58	180,575.30

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 502-1118

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
TOURISM BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for funds received from ad sales from the CONY Directory as follows:

Revenue:		
A2000	Ad Revenue	\$1,985
Appropriation:		
A6410.468	I Love NY Matching Funds	\$1,985

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 503-1118

**AUTHORIZING PURCHASE AND APPROVE AGREEMENT WITH
CUSTOM CARPET CENTERS WITH MENTAL HEALTH**

RESOLVED, that this Legislature approves the purchase of carpeting under state contract with Custom Carpet Centers) (PO#59851) for the Mental Health building to be paid from 4310-418 in the amount of \$5,561.70; and be it

FURTHER RESOLVED, that this Legislature approves an agreement with Custom Carpet Centers 2847 Southwestern Blvd, Orchard Park, NY 14127 for the installation of carpet at the Mental Health subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 504-1118

**AUTHORIZING CREATING AND FILLING OF POSITION IN THE
BUILDINGS AND GROUNDS DEPARTMENT**

RESOLVED, that this Legislature authorizes the creation of a full time Building and Maintenance Worker in the Buildings and Grounds Department at a Grade 12 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position effective January 2, 2019.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson called for any unfinished business. Legislator Eick commented that the presentation made today on the Culvert Road Culvert replacement did not happen over night. He stated he has been on the Highway Committee for a number of years and a project like this has been in coordination for years and he is so glad that it has come to light and hope this work continues to make great progress in our infrastructure updates.

Chairman Johnson opened the floor for public comment. Lynne Menz, Carlton, representing the Medina Armory at the YMCA. She said they are now a proud owner of a seven foot, 1,500 pound bronze statue. It was revealed this past weekend in Medina's Parade of Lights which was a real high for all that has worked on it over the last ten years; and would have made her late father especially proud. Ms. Menz indicated that they are working on having it displayed publically inside at the YMCA over the winter. Currently a reception is getting planned to meet the sculpture. Invitations will be sent when all the details are finalized.

Legislator Eick moved to enter into executive session at 5:17 pm per Open Meetings Law §105 (f) to discuss the medical, financial, credit or employment history of a particular person; second by Legislator Allport. Motion Carried.

Legislator Draper moved to exit out of executive session and reconvene the regular meeting at 5:49 p.m.; second by Legislator DeFilipps. Motion Carried.

With there being no further business, Legislator Eick moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:50 p.m.

LEGISLATURE MEETING

December 19, 2018

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through November 2018. Treasurer DeFrank reported that the cash flow at the end of November was stable considering the outstanding loans and the three payrolls paid out in November. Also, \$860,000 was paid out to Community Colleges last month. CHIPS funding was received this week therefore they can pay back their loans and with their repayments their cash flow would look the same as it was at this time last year.

Chairman Johnson called upon the Legislators to comment. Legislator DeRoller updated the board of the remediation on the Canal. After the clear cutting, they are now actually doing the rough grade, removing stumps and compacting replacement soil. He inspected the project and he will keep everyone abreast of that to make sure that the Canal Corporation provides a quality restoration of our Canal Corridor.

Chairman Johnson called upon the public for any public comment concerning tonight's resolutions. With hearing none, Chairman Johnson invited Legislators Eick and Miller, Highway Committee, to provide special recognition to Jerry Gray, Orleans County Highway Superintendent recognized for 40 years of service as an Orleans County employee in the Orleans County Highway Department upon his retirement. Superintendent Gray was also commended as being our Highway Superintendent since October 2010. Superintendent Gray was applauded. Superintendent Gray expressed how pleasurable it was to serve the Legislature and the residents of Orleans County.

Legislator Eick moved to add four resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 505-1218

**AUTHORIZING COUNTY PARTICIPATION INVOLVING REAL
PROPERTY ASSESSMENT CHALLENGE**

WHEREAS, the County of Orleans has established a policy by resolution 314-915 for County Participation in litigation involving challenges to real property assessment challenges (Article7); and

WHEREAS, the Town of Shelby as submitted a written request accompanied by Resolutions from the Medina School District and Village of Medina agreeing to share the cost of litigation, proportionate to their respective taxes due on parcel, with the county; and

WHEREAS, the Director of Real Property and the County Attorney have reviewed the request and are recommending to the Administration and Finance Committee that the request to participate be approved; now therefore be it.

RESOLVED, that the County of Orleans agrees to participate as per the adopted policy and share in the cost of litigation pursuant to the respective taxes due on parcels in question, for the aforementioned real property tax assessment cases, to wit: Medina Center, LLC vs The Town of Shelby, et al. (#18-44948),, and Tops Market vs. Town of Shelby, et al. (#18-44932) effective December 19, 2018.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 506-1218

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF-INSURANCE PLAN AND OCCUPATIONAL SAFETY CONSULTANTS, INC.

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan, be it

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc. for safety consulting services at an hourly rate of \$130; and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$10,877 for 2019.

Moved DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 507-1218

ABOLISHING ALL POSITIONS NOT BUDGETED IN 2019

RESOLVED, that effective January 1, 2019, all positions for which an appropriation has not been included in the 2019 County Budget are hereby abolished; and be it

FURTHER RESOLVED, that all County Departments are hereby directed to review the positions on the salary schedule prepared by the Personnel Office and to notify the Director of Personnel of each position not budgeted; and be it

FURTHER RESOLVED, that upon receipt of such notification the Personnel Department will take the appropriate action to insure that non-budgeted positions are abolished and removed from the 2019 salary schedule.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 508-1218

ADOPTING LOCAL LAW NO. 4 OF 2018, ENTITLED A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

WHEREAS, Local Law No. 4-Intro of the year 2018 was introduced at a regular meeting of the Orleans County Legislature held on November 28, 2018 and a Public Hearing was held on December 19, 2018, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 4 of 2018 as follows:

**COUNTY OF ORLEANS
LOCAL LAW NO. 4 of 2018**

A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

Be it enacted by the Legislature of the County of Orleans, as follows:

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salaries of the following County Employees are raised as follows, at an annualized salary as set forth below:

<u>Employee</u>	<u>Proposed</u>	<u>Annual Longevity Bonus</u>
County Attorney	\$84,596	
County Clerk	\$82,275	*****\$1,750
County Treasurer	\$71,593	****\$1,250
Director of Personnel	\$89,431	**\$500
Public Defender	\$84,596	
Real Property Tax Director	\$75,687	*\$200
Sheriff	\$82,275	*****\$1,750
Social Services Commissioner	\$97,208	
Coroners	\$2,008	

Plus \$100 per case/\$50 Hospice Case

- * Indicates 10 years of service and at top of the grade
- ** Indicates 15-19 years of service
- *** Indicates 20-24 years of service
- **** Indicates 25-29 years of service
- ***** Indicates 30-34 years of service
- ***** Indicates 35 and over years of service

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by one affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, after petition, whichever event first occurs.

Moved, DeFilipps; second, DeRoller

Roll Call: 7 ayes – Allport, DeFilipps, DeRoller, Draper, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 509-1218

AUTHORIZING COUNTY TREASURER TO MAKE YEAR END ADJUSTMENTS FOR YEAR ENDING DECEMBER 31, 2018

WHEREAS, the independent auditors have recommended that the County Treasurer request a “blanket resolution” to allow for any budget adjustments that may be required at year-end; be it

RESOLVED, that this Legislature authorizes the Treasurer to make the necessary budget adjustment and inter-fund transfers, and furnish copy of said adjustment to the Clerk of the Legislature when completed.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 510-1218

DESIGNATING DEPOSITORIES AND AMOUNTS ALLOWED

RESOLVED, that pursuant to Section 212 Subdivision 3 of the County Law, the following institutions be, and hereby are, designated as depositories of all monies received by the County Treasurer, and be it

FURTHER RESOLVED, that the maximum amount which may be on deposit at any time in each depository shall not exceed that listed below:

Five Star Bank	\$ 30,000,000
M & T Bank	\$ 10,000,000
JPMorgan Chase	\$ 10,000,000
Key Bank	\$ 5,000,000
Bank of Castile	\$ 15,000,000
Citizens Bank	\$ 5,000,000
Generations Bank	\$ 15,000,000

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 511-1218

DEEMING OBLIGATION PAID IN FULL AS AUTHORIZED IN
RESOLUTION NO. 256-715 REGARDING INTERDEPARTMENTAL
AGREEMENT BETWEEN COUNTY TREASURER AND COUNTY
SHERIFF

WHEREAS, Resolution 256-715 authorized the County to finance the acquisition of a Marine Patrol Vessel by means of an Interdepartmental Installment Obligation; and

WHEREAS, the County Treasurer has found evidence of this obligation having been paid by the County Sheriff and no further payments are necessary; and therefore be it

RESOLVED, this Legislature does deem this obligation paid in full.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 512-1218

APPROVING APPORTIONMENT OF 2019 SALES TAX TO TOWNS
AND VILLAGES

RESOLVED, that the apportionment of the 2019 Sales Tax to Towns and Villages as presented below by the Clerk of the Legislature in the foregoing warrants be, and hereby is approved by this Legislature.

2019 Sales Tax Apportioned to Towns and Villages				
Town	Apportioned To Town	% Due Village	Amount Due Village	Amount Due Town Outside
Albion	\$269,873.14	54.64%	147,458.68	122,414.46
Barre	\$64,536.27			\$64,536.27
Carlton	\$95,418.07			\$95,418.07
Clarendon	\$116,260.89			\$116,260.89
Gaines	\$107,656.06	18.32%	\$19,722.59	\$87,933.47
Kendall	\$86,813.23			\$86,813.23
Murray	\$158,966.37	28.78%	\$45,750.52	\$113,215.85
Ridgeway	\$216,076.99	39.71%	\$85,804.17	\$130,272.82

Shelby	\$169,515.26	37.17%	\$63,008.82	\$106,506.44
Yates	\$81,554.72	18.73%	\$15,275.20	\$66,279.52
Totals	\$1,366,671.00		\$377,019.98	\$989,651.02

*The percentage due to the village is determined by dividing the village taxable value by the town taxable value

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 513-1218

**NOTICE OF INTENT TO APPLY FOR PILOT FOR SOLAR PROJECT
IN TOWN OF RIDGEWAY**

RESOLVED, that the County Attorney is hereby authorized to send Notice of Intent to require a contract for payments in lieu of taxes for the County of Orleans to Borrego Solar pursuant to Real Property Tax Law §487(9)(a) for the solar energy system project located in the Town of Ridgeway at 3846 Beals Road, Medina NY 14103 (Tax Map ID #69.-2-38) and at 3962 Allis Road, Medina, NY 14103 (Tax Map ID#80.-1-19.11).

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 514-1218

**APPROVING APPOINTMENTS TO THE COUNTY PLANNING
BOARD**

RESOLVED, that this Legislature approves the following appointment to the Orleans County Planning Board:

<u>NAME</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Paul Hendel 3145 North Main St. Road Holley, New York 14470	At-Large East	12-31-21
Theobert (Tibbs) Ahlberg 2581 Eagle Harbor Road Albion, New York 14411	At-Large Central	12-31-21

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Darryl Sanford 13608 Miller Road Albion, New York 14411	At-Large Central (Alternate)	12-31-21
Brian Napoli 3337 Fruit Avenue Medina, New York 14103	At-Large West	12-31-21
Thomas Keeler 12931 Pask Road Albion, New York 14411	Barre	12-31-21
Wesley Miller 4159 Oak Orchard Road Albion, New York 14411	Barre (Alternate)	12-31-21
Gary Daum 1968 Marshall Road Lyndonville, NY 14098	Yates	12-31-21
Edward Urbanik 12365 Platten Road Lyndonville, NY 14098	Yates (Alternate)	12-31-21

Moved, DeRoller; second, DeFilippis.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 515-1218

APPROVING AGREEMENTS WITH LYNNE MENZ DESIGNS FOR TOURISM AND DESIGN SERVICES

RESOLVED, that this Legislature hereby approves an agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide Tourism Coordinator Services to Orleans County in 2019 at a cost not to exceed \$18,720 to be paid in equal monthly installments from Tourism Account A6410.466 – Consultant Fees; said agreement to be in effect from January 1, 2019 to December 31, 2019; and be it

FURTHER RESOLVED, that this Legislature hereby approves an agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY

to provide design services to Orleans County in 2019 at a cost not to exceed \$21,760; said agreement to be in effect from January 1, 2019 to December 31, 2019. This agreement includes costs associated with advertising design, publication design, social media, photography and video production to be paid on a project basis from Tourism Account A6410.468 – I Love New York.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent, 1 abstention, Draper.

RESOLUTION NO. 516-1218

AUTHORIZING ATTENDANCE AT OUT OF STATE TRAVEL SHOWS FOR TOURISM PROMOTIONS

RESOLVED, that this Legislature does hereby authorize attendance at the following trade and travel shows, to be paid from account A6410.468 - Tourism, I Love New York except as noted:

AAA Travel 2018 Pittsburgh Travel Showcase, Pittsburgh, PA, January 10 – 15, 2019, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association

Great American Outdoor Show, Harrisburg Pennsylvania, February 4-6, 2019, to be attended by Dawn L. Borchert. Total Cost to be paid by Lake Ontario Sportfishing Council

AAA Great Vacation Travel Expo, Columbus, OH, February 7 – 12, 2019, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

AAA Reading Berks – Travel Show, Reading, PA, Feb 17th, 2019, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

The Outdoor Adventure Show, Mississauga, ONT Canada, February 21 - 25th, 2019, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

AAA Southern New England, Foxborough, MA, February, 28 – March 4, 2019, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

AAA Vacation Expo, Cleveland, OH, October 27, 2019, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to request Legislation to continue the allowance of rifle hunting in Orleans County for big game. Legislator DeFilipps thanked the Orleans County Sportsmen Federation for being involved in this and with that Legislator DeFilipps second the motion. Legislator Miller stated that he has spoken with many sportsmen here today and stated that he voted against it the first time because of a prior hunting accident he encountered. He is glad, however, that many sportsmen are here and he is encouraged that we never encounter any hunting accidents either with shotgun or rifle but stated he will continue to be against requesting this Legislation. Mr. Terry Williams, Carlton, started to comment however, Chairman Johnson stated she would entertain his comments after our meeting and at this time, discussion is only allowed during the vote by the Legislators. Mr. Williams tried to apologize, however Chairman Johnson indicated no apology was necessary. The following resolution was adopted:

RESOLUTION NO. 517-1218

ORLEANS COUNTY REQUESTS THE NEW YORK STATE LEGISLATURE TO ENACT LEGISLATION THAT WILL PERMANENTLY ALLOW THE USE OF RIFLES FOR BIG GAME HUNTING IN ALL OF ORLEANS COUNTY

WHEREAS, On February 22, 2017, the Orleans County Legislature did adopt Resolution No. 80-117, requesting that the New York State Legislature enact a legislation that would allow for the use of rifles for big game hunting in all of Orleans County, and

WHEREAS, In response to this request the New York State Legislature in 2017 did add item (n) to paragraph a of subdivision 2 of section 11-0907 of the Environmental Conservation Law which did add Orleans county to the list of counties that are authorized to hunt big game with rifles, and

WHEREAS, by the expressed terms of this legislation this authorization will expire and will be deemed repealed on October 1, 2019, and

WHEREAS, the Orleans County Sportsmen has asked the Orleans County Legislature to request legislation permitting the permanent use of rifles for big game hunting in Orleans County as the two year initial legislation is due to be repealed on October 1, 2019, and

WHEREAS, A special state law must be enacted and the first step in the process is for this Legislature to request the legislation; now therefore be it

RESOLVED, that Orleans County requests the New York State Legislature to enact legislation that will permanently allow the use of rifles for big game hunting in all of Orleans County; and be it

FURTHER RESOLVED, that certified copies of this resolution shall be sent by the Clerk of this Legislature to Senator Robert Ortt and Assemblyman Steve Hawley.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 1 nay - Miller; 0 absent.

RESOLUTION NO. 518-1218

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Lyndonville Central School District at 25 Housel Ave, Lyndonville NY 14098 This contract 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 New York State Education Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. The State pays 59.5% and the Orleans County Health

Department is responsible for 40.5%. Contract period is October 1, 2018 through September 30, 2019.

Liberty Resources at 1045 James Street, Syracuse, New York 13203. This Contract is to provide *related services* to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. Contract period is September 1, 2018 through August 31, 2021.

Liberty Resources at 1045 James Street, Syracuse, New York 13203. This Contract is 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. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. Contract period is September 1, 2018 through August 31, 2021.

Orleans County Office for the Aging at 14016 Route 31 West, Albion, New York 14411. Contract to establish and maintain records and reports of home visits related to screening and assessment of common safety hazards in the home, programs promoting improvement to general overall health and increased mobility and other related services involving injury and accident prevention at a cost of \$10,000 effective January 1, 2019 through December 31, 2019. Reimbursement from New York State Health Department. No cost to County

Orleans Community Health a/k/a Medina Memorial Hospital to develop and provide Lead Poisoning education information and programs towards targeted communities and individuals, general public community based organizations, childcare facilities and medical professionals effective October 1, 2018 through September 30, 2019 at a cost of \$10,000. This contract runs concurrent with the New York State contract. No cost to County.

Orleans Community Health a/k/a Medina Memorial Hospital to provide Rabies Post Exposure Treatment to residents of Orleans County, allowing

for first treatment to be provided at Urgent Care/Walk-in Care (Albion Butts Road Facility) - \$140/patient or Medina Emergency Room - \$200/patient effective October 1, 2018 through July 31, 2020. Reimbursement through rabies grant. No cost to County.

New York State Department of Health Bureau of Communicable Disease at Empire State Plaza, Corning Tower Room 651, Albany, New York, 12237-0672. The grant is for implementation of a rabies plan to protect residents of Orleans County from contracting rabies. The contract allows for reimbursement of actual expenses related to rabies prevention, suppression and control. This grant covers three years of reimbursement at \$16,349 per year for a contract total of \$49,047.00. This grant will be executed via the Grants Gateway. No cost to County.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 519-1218

AUTHORIZING PURCHASE FROM PUBLIC HEALTH DEPARTMENT BUDGET AND AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department to purchase a 2019 Ford Escape from National Auto Fleet Group as part of the government contract (#120716-NAF) pricing (Quote 16207) in the amount of \$29,342 (PO #60137) from Public Health account 4010.250-Other Equipment. County Cost \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds within the Public Health Department budget (A4010) by allocating the remaining Performance Incentive funding from Article 6 to purchase this county owned vehicle to save additional costs in transportation:

From:		
A4010.220	Office Equipment	\$2,800
A4010.409	Vaccines & Medications	\$16,000
A4010.460	Training & Education	\$3,477

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A4010.250 Other equipment \$22,277

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 520-1218

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH
DEPARTMENT AND VARIOUS PROVIDERS**

RESOLVED, that this Legislature approve the following
Agreements for the Mental Health Department for the 2019 calendar year:

Mental Health Association of Genesee and Orleans Counties, 25 Liberty
Street, Batavia, NY 14020 providing Mental Health support services and
Drop-In Center at a cost of \$83,234. No County cost.

Community Action of Orleans and Genesee, 411 East State Street, Albion,
NY 14411 providing summertime services for youths referred or approved
by the Department of Mental Health at a cost of \$5,000. No County cost.

Worldwide Dictation, 1545 Saw Mill River Road, Suite 2C, Ardsley, NY
10502 providing internal transcription services at a cost of \$5,000. County
cost is \$350.

Arc of Genesee Orleans, 64 Walnut Street, Batavia, NY 14020 providing
services to the Developmental Disabilities population of Orleans County at
a cost of \$104,831. County cost is \$39,831.

EFPR Group, LLP, 280 Kenneth Drive, Rochester, NY 14623 providing
2018 Consolidated Fiscal Report compliance review/audit at a cost of
\$6,000. County cost is \$420.

Restoration Society, Inc. (ACE Employment Services), 66 Englewood
Avenue, Buffalo, NY 14214 providing supportive employment, vocational
assessment, job readiness, and job coaching services at a cost of \$52,587.
No County cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 521-1218

AUTHORIZING PURCHASE OF FURNISHINGS FOR THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature approve the purchase of tables and chairs for the furnishing of a training/conference room at the Mental Health Department through Staples (New York State Contract # PC66275) in the amount of \$11,745.60 (PO#59853) to be paid from Mental Health Budget account A4310.210 – Office Equipment.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 522-1218

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for the set up of revenue and expense for Finger Lakes Performing Provider System money received as follows:

Revenue:		
A1625	Miscellaneous. Revenue	\$14,919
Appropriation:		
A4310.418	Other Contractual	\$14,919

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 523-1218

APPROVING AGREEMENT BETWEEN THE SHERIFF’S OFFICE AND EM SYSTEMS, INC.

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff’s Office and EM Systems, Inc., 4043 Maple Road, Ste. 211, Amherst, NY 14226 for Jail Management System (JMS) software support and maintenance, in the amount of \$5,250, and for on-site

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maintenance at \$125.00 per hour plus travel expenses, for period January 1, 2019 through December 31, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 524-1218

AUTHORIZING FILLING VACANT POSITIONS IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of 3 (three) vacant part-time Correction Officer positions (3150.28; 3150.39; 3150.41) effective December 20, 2018 at an hourly rate of \$14.48.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 525-1218

AUTHORIZING SETTING UP NEW MONEY IN SHERIFF'S STOP-DWI BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money from NYS STOP-DWI Foundation as reimbursement for 2018 STOP-DWI Holiday Crackdown enforcement patrols, in the Sheriff's STOP-DWI budget, as follows:

Revenue:		
A2615.3315	STOP-DWI Program	\$1,508.99
Appropriation:		
A3315.486	Special Grants	\$1,508.99

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 526-1218

AUTHORIZING PURCHASE OF EQUIPMENT FROM THE SHERIFF'S BUDGET

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to purchase a lift gate and cap for the animal control vehicle from Nu-Look Accessories, 2111 Empire Blvd, Webster, NY, at a cost of \$6,115.04 (PO#60417), to be paid from the Sheriff's Animal Control budget account A3510.270 Capital Equipment.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 527-1218

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE SHERIFF'S BUDGET AND AUTHORIZING PURCHASE FROM SHERIFF'S BUDGET

RESOLVED, that the Treasurer is authorized to transfer monies within appropriated budget lines in the Sheriff's Office budget as follows:

From:		
A3110.860	Health Insurance	\$5,500
To:		
A3110.270	Capital Equipment	\$5,500

and be it

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to approve the purchase (PO#60418) of a 2002 Workhorse Panel Van from Niagara County Sheriff's Office, 5526 Niagara Street Ext, Lockport, NY, at a cost of \$5,500, to be paid from the Sheriff's budget account A3110.270 – Capital Equipment; and be it

FURTHER RESOLVED, that such purchase shall be subject to personal inspection of vehicle prior to purchase.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 528-1218

APPROVING OUT-OF-STATE TRAVEL FOR COUNTY SHERIFF

RESOLVED, that this Legislature authorizes Sheriff Bower to travel out-of-state for the purpose of attending the 2019 National Sheriffs' Association Winter Legislative & Technology Conference to be held at the JW Marriot, Washington, DC, February 9-12, 2019, at no cost to the county.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 529-1218

**AUTHORIZING SALARY SCHEDULE FOR PART-TIME EMPLOYEES
IN SHERIFF'S MARINE PATROL**

RESOLVED, that this Legislature does hereby authorize the following salaries to become effective January 1, 2019 for part-time employees in the Sheriff's Office:

<u>Hourly (Part-Time Employees)</u>	
Deputy Sheriff (Marine Patrol) – Certified	\$17.00/hr
Deputy Sheriff (Marine Patrol) – Non-Certified	\$14.23/hr

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 530-1218

**AMENDING RESOLUTION NO. 104-218 CONCERNING
AGREEMENT FOR ASSIGNED COUNSEL ADMINISTRATOR**

WHEREAS, Resolution No. 104-218 approved a renewal agreement with Heath and Martin Law Firm for Assigned Counsel Administrator; now be it

RESOLVED, that this Legislature amends Resolution No. 104-218 to make Jeffrey R. Martin, Esq the sole named for this agreement and payee for the Assigned Counsel Administrator effective through February 28, 2021.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 531-1218

APPROVING AGREEMENT BETWEEN EMERGENCY
MANAGEMENT OFFICE AND EXACOM, INC.

WHEREAS, Resolution No 442-1117 authorized the agreement for maintenance between Orleans County and EXACOM, Inc., 99 Airport Road, Concord, NH that expired on October 31, 2018 and Resolution No 427-1018 authorized the extension to said agreement that expires December 31, 2018; and

WHEREAS, there are no distributor or authorized field services organizations in this area nor is the Hindsight product on a New York State OGS contract; now be it

RESOLVED, that this Legislature authorizes entering into an agreement for software and hardware maintenance with Exacom, Inc., 99 Airport Road, Concord, New Hampshire 03301 for a period of January 1, 2019 through December 31, 2019 at a cost of \$13,191.45; said cost to be paid from State Interoperable Communications Formula Grant (SICG) FY18

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 532-1218

AUTHORIZING ACCEPTANCE OF DONATION TO THE
EMERGENCY MANAGEMENT OFFICE AND AUTHORIZING
TREASURER TO SET UP NEW MONEY IN THE EMERGENCY
MANAGEMENT BUDGET

WHEREAS, the Emergency Management Office wishes to extend a sincere thank you to the Orleans County Fire Police Association for its generous donation of \$476.31 upon their disbanding; now be it

RESOLVED, that this Legislature accepts a donation to assist the Emergency Management Office in purchasing set of steps for the Fire

Safety trailer and other equipment needed to continue its success as a training tool: and be it

FURTHER RESOLVED, that the Treasurer is authorized to set up new money in the Emergency Management Office budget, as follows:

Revenue:		
A2705	Gifts & Donations	\$476.31
Appropriation:		
A3640.250	Capital Equipment	\$476.31

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 533-1218

**APPROVING EXPENDING GRANT FUNDS AND AUTHORIZING
TREASURER TO SET UP NEW MONEY IN THE EMERGENCY
MANAGEMENT BUDGET**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2018 Grant Funds in an amount not to exceed \$37,000 for eight (8) Pyramid P25 Vehicular Repeaters, accessories and installation from Castner Communications, 2525 County Road 28, Canandaigua, NY; and be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2018 Grant Funds in the amount of \$2,600.00 for four (4) Portable Scene Lights and accessories from Batteries + Bulbs, 8583 Transit Road, East Amherst, NY 14051, and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new 2018 Homeland Security Grant Funds in the Emergency Management budget as follows:

Revenue:		
A4309.2018	State Homeland Security Grant Program	\$39,600

Appropriation:

A3640.486.2018 Special Grants (SHSP-FY18) \$39,600

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 534-1218

APPROVING AGREEMENT BETWEEN THE HIGHWAY
DEPARTMENT AND CATCO CORPORATION

WHEREAS, the Legislature has awarded the Monroe-Orleans County Line Bridge New York project; NYS DOT Project #D035538 on previous resolution 483-1118 to CATCO Corporation; and now therefore be it

RESOLVED, this Legislature approves the agreement with Concrete Applied Technologies Corporation/dba CATCO Corp., 1266 Townline Road, Alden, New York 14004 and authorizes the Chairman to execute an agreement with CATCO Corp. for the Monroe-Orleans County Line Bridge Project in the Town of Murray at a bid cost of \$820,175.01 to be paid out of the D5120.470.2283 capital bridge project accounts; agreement effective as soon as County gives notice to proceed;

FURTHER RESOLVED, agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 535-1218

APPROVING AN EXTENSION AND AGREEMENT BETWEEN
HIGHWAY DEPARTMENT AND DORITEX CORPORATION

WHEREAS, the County has entered into an agreement with Doritex Corporation to provide textile cleaning services for the Highway Department with an agreement end date of April 30, 2019 on resolution #105-316; and

WHEREAS, Doritex offered to extend the current price agreement until December 31, 2019 starting December 1, 2018 to delay the price increase of 6% as of January 1, 2019; therefore be it

RESOLVED, that this Legislature approves and an agreement and an extension of the agreement with Doritex Corporation, 11980 Walden Avenue, Alden, NY 14004 with a cost of \$2,860.00 for the first year and no more than an 8% increase each additional year effective December 1, 2018 through December 31, 2021.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 536-1218

AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Highway budget due to an increase in funding reimbursement from NYSDOT Consolidated Local Street and Highway Improvement Program (CHIPS), as follows:

Revenue:		
D3501	CHIPS Revenue Account	\$546,977.78
Appropriation:		
D5112.436	Road Construction – Materials	\$546,977.78

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 537-1218

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR 2019 ANNUAL IMPLEMENTATION PLAN GRANT

RESOLVED, that the Office for the Aging is authorized to apply for the New York State Office for the Aging Annual Implementation Plan grant, in the amount of \$1,351,012 with a county cost of \$138,226; and be it

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the grant agreement and all related documents associated with this grant, subject to review by the County Attorney.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 538-1218

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agencies:

Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2019 through December 31, 2019 at per diem rates 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.

Center for Disability Rights, Rochester, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2019 through December 31, 2019 at rates set by NYS Department of Health. County cost is \$0.

Ontario County Department of Social Services, Canandaigua, NY for the provision of Youth Care Facility for detention of PINS and JD youth; to be effective January 1, 2019 through December 31, 2019. County Cost 51%.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 539-1218

AUTHORIZING FILLING POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as the result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.1702) at the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective December 27, 2018; and be it

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FURTHER RESOLVED, as the result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Caseworker position (6010.0211) at the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective December 27, 2018.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 540-1218

SETTING LEGISLATURE MEETING SCHEDULE FOR 2019

RESOLVED, that the regular meetings of the Orleans County Legislature will be held on the fourth Wednesday of the months of January through October at 4:30 p.m. at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that the the regular meetings of the Orleans County Legislature will be held on the third Wednesday of the months of November and December at 4:30 p.m. at the Orleans County Legislative Chambers; and be it

FURTHER RESOLVED, that should additional meetings warrant scheduling, special meetings will be called with proper notice as described by Open Meetings Law Article 7, Section 104; and be it

FURTHER RESOLVED, that Legislative workshops will be scheduled one hour prior to the scheduled conference session unless otherwise posted.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 541-1218

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$145,687.22	Michael A. Ferraulo Plumbing & Heating	Payment #7, Work performed 11/1/18-11/30/18, HVAC
\$135,101.40	Suburban Electric, Inc.	Payment #7, Work performed 11/1/18-11/30/18, Electrical
\$54,705.75	MKS Plumbing Corp	Payment #7, Work Performed 11/1/18-11/30/18, Plumbing
\$616,247.62	Holdsworth Klimowski Construction	Payment #7, Work Performed 11/1/18-11/30/18 General Construction
\$10,212.50	All State Fire & Security	Payment #6, Work Performed 11/1/18-11/30/18 Fire Protection
\$67,086.58	Wendel WD A/E/S/LA, PC	Professional Services, 10/1/18- 10/31/2018, Inv #350402 – DOH Grant Admin Assistance, Construction Admin, Project Coordination Labor, Project Coordination Fee, Commissioning Services, Reimbursable Expenses
\$375.28	VP Supply Corp.	PO# 60312/Inv# 3652478 –Flange – LF3 CXC Comp, new water service project
\$6,984.04	Linstar Inc	PO #59689/Inv# 88495 – Equipment for North/West Entrances – Employee Access readers/Misc. hardware for security,.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 542-1218

**APPROVING STANDARD WORK DAY AND RETIREMENT
REPORTING FOR ELECTED AND APPOINTED OFFICIALS**

RESOLVED, that the County of Orleans/10034 does hereby establish the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their submitted record of activities as follows:

TITLE	NAME	STANDARD WORK DAY (Hrs/day)	Term	Days/month	Not Submitted
ELECTED OFFICIALS					
Coroner	Charles M. Smith	6	1/1/2017-12/31/2020	4.6	
APPOINTED OFFICIALS					
County Attorney	Katherine Bogan	6	8/20/2018-12/31/2019	21.56	
Assistant Public Defender	Christopher Wilcox	6	4/17/2018-12/31/2019	4.44	

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 543-1218

AUTHORIZING FILLING A POSITION IN THE BOARD OF ELECTIONS

RESOLVED, as a result of a retirement, this Legislature does hereby authorize the filling of a vacant full-time Deputy Election Commissioner position (1450.03) at Grade 2, Step 9 in the 2019 Orleans County Management Compensation Plan effective January 2, 2019.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 544-1218

AUTHORIZING PAYMENT OF CLAIMS FOR JANUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 January 9, 2019:

Fund/Department	Check Number (s):	Amount:
General	332-444	\$115,716.33
Highway	1366-1368;3065-3078	\$62,595.86
Job Development	2939-2947	\$1,149.36
Self Insurance	60564, 1214	\$12,879.15

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 Superintendent of Highways, 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 January 23, 2019:

Fund/Department	Check Number (s):	Amount:
General	445-637	\$656,494.63
Highway	1369-1376; 3079-3101	\$77,154.37
Job Development	2966-2967	\$64.78
Self Insurance	60565, 60613, 1215-1218	\$233.44

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 545-1218

UPDATING THE EMPLOYEE HANDBOOK

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan and the operations of the County, and

WHEREAS from time to time it is necessary to update our published descriptions to more adequately reflect our current operations, be it

RESOLVED, that this Legislature authorizes the changing the name of the Safety Committee to the Safety and Workplace Violence Prevention Committee and be it

FURTHER RESOLVED, that this committee shall have the following representatives: Director of Emergency Management, Chief Administrative Officer, Director of Personnel & Self Insurance, the

County's Safety Consultant, and a member of the Legislature, Buildings and Grounds, CSEA, OCSEA and OCDSA as well as any representatives deemed appropriate by the Chairman of the Legislature, and be it

FURTHER RESOLVED, that the purpose of this committee is to review all incident reporting of injuries and workplace violence reported occurring to County employees, inspect county operations and departments to ascertain that proper safety procedures are being utilized, and to make recommendations regarding training needs and changes in County policy, which would encourage workplace safety, and be it

FURTHER RESOLVED, that this new name of Safety and Workplace Violence Prevention Committee shall be automatically wherever the name Safety Committee was recorded or utilized, and be it

FURTHER RESOLVED, that this policy shall be placed in the Orleans County Employee Handbook.

Moved DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 546-1218

AMENDING RESOLUTIONS FOR VARIOUS AGREEMENTS WITH THE MENTAL HEALTH DEPARTMENT FOR COLA INCREASES

WHEREAS, various resolutions approved agreements between Mental Health and various agencies to provide services to the Orleans County Mental Health Department; and

WHEREAS, the Department of Mental Health has been advised by Coordinated Care Services Inc. (CCSI) that COLA increases must be provided to various agencies; now be

RESOLVED, that this Legislature does hereby amend the resolutions listed below to amend the agreement cost due to COLA increases as noted below for the various agencies with no county cost:

Resolution No.	Current Contract	Cola Increase	Amended Agreement Cost
472-1217	\$51,028	\$1,369	\$52,397

Agency: ARC of Genesee Orleans, 64 Walnut St, Batavia, NY 14020

472-1217	\$80,497	\$1,551	\$82,048
Agency: Spectrum Human Services, 227 Thorn Ave, Orchard Park, NY 14127			
472-1217	\$183,973	\$1,833	\$185,806
Agency: Living Opportunities of DePaul, 2240 Old Union Rd, Cheektowaga, NY 14227			
38-118	\$79,270	\$2,319	\$81,589
Agency: Hillside Children's Center, 24 Main St, Mount Morris, NY 14510			

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 547-1218

AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE MENTAL HEALTH BUDGET

RESOLVED, that the County Treasurer is authorized to transfer funds within the Mental Health Department budget to purchase televisions for the newly established training room as follows:

To:			
A4310.418	Other Contractual		\$1,965.76
Appropriation:			
A4310.250	Other Equipment		\$1,965.76

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 548-1218

AUTHORIZING TEMPORARY SALARY INCREASE FOR DEPUTY HIGHWAY SUPERINTENDENT

WHEREAS, the County Highway Superintendent has retired, effective December 28, 2018, and the Deputy County Highway Superintendent will be performing additional duties until a Superintendent is appointed; therefore be it

RESOLVED, that this Legislature does hereby authorize the Deputy Superintendent to be paid at Grade 11, Step 8 of the Management

Compensation Plan, effective January 1, 2019 and shall continue until such time as a County Highway Superintendent is appointed.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick introduced Peter Houseknecht who will be serving as the interim Superintendent of Highways upon Jerry Gray's retirement. Pete was welcomed by the Board.

Chairman Johnson called for any public comment. Legislator DeFilipps announced and welcomed Katie Sommerfeldt who was appointed as the new Soil and Water Conservation District Manager upon the retirement of Dennis Kirby. She was welcomed today by applause.

Chairman Johnson welcomed Mr. Williams to make his statement that he wished to make earlier. Mr. Williams, Carlton, stated that he has been a hunting safety trainer for over 40 years. He can teach you the safety of handling guns but the hunting you can learn on your own, Mr. Williams expressed. He said with rifles, ninety percent of the time, it takes one shot and your pursuit is complete. With shotguns, you would hear three to five shots. This provides less opportunity to be shot when using a rifle because shots are not wandering everywhere. It has been a very clean and prosperous year for the rifle hunters. Those that continue to hunt after deer season, such like many of us that hunt coyote and fox, we find less crippled animals in the woods.

Legislator DeFilipps asked Mr. Williams about his statement earlier about being against rifle hunting and now changing his mind. Mr. Williams explained that at the beginning if it came up to vote he most likely would have voted against rifle hunting in our area with growing up with a shotgun. He has always used rifle for foxhunting. Mr. Williams stated that now that we have tested it during this past deer season, a one shot to kill it is very clean; he would be in favor of it in Orleans County.

Neal Newton, Albion, stated that on behalf of the Orleans County Federation of Sportsmen Club, he thanked the Legislators for forwarding this on to Assemblyman Hawley and Senator Ortt to request further Legislation for approval to continue allowing use of rifles for hunting big game in Orleans County.

December 19, 2018
Resolutions 505-548

Chairman Johnson wished everyone a Merry Christmas and a very Happy New Year.

Legislator Allport moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 4:55p.m.

SUMMARY OF THE TOWN BUDGETS FOR THE YEAR 2019

	Expenditures	Estimated Revenue	Unexpended Balance	Amount to be Raised by Tax
ALBION				
General	\$ 687,222.00	\$ 157,904.00	\$ 167,394.00	\$ 361,924.00
General Outside Village	\$ 128,087.00	\$ 4,000.00	\$ 124,087.00	
Highway Townwide	\$ 678,393.00	\$ 428,014.00		\$ 250,379.00
Highway Outside Village	\$ 190,847.00	\$ 61,000.00	\$ 129,847.00	
Fire District	\$ 103,124.00		\$ 3,124.00	\$ 100,000.00
Water District #1	\$ 49,763.00	\$ 29,021.00	\$ 3,000.00	\$ 17,742.00
Water District #2	\$ 32,809.00	\$ 31,123.00	\$ 1,686.00	
Water District #3	\$ 137,739.00	\$ 60,050.00	\$ 7,689.00	\$ 70,000.00
Water District #4	\$ 66,367.00	\$ 29,700.00	\$ 8,098.00	\$ 28,569.00
Water District #5	\$ 124,673.00	\$ 50,500.00	\$ 13,787.00	\$ 60,386.00
Water District #6	\$ 37,217.00	\$ 14,417.00		\$ 22,800.00
Water District #7	\$ 13,185.00	\$ 3,825.00		\$ 9,360.00
Water District #8	\$ 24,865.00	\$ 9,644.00		\$ 15,221.00
Water District #9	\$ 15,333.00	\$ 3,410.00	\$ 1,260.00	\$ 10,663.00
Sewer District #1	\$ 92,459.00	\$ 41,694.00		\$ 50,765.00
Sewer District #2	\$ 100.00	\$ 100.00		
TOTALS	\$2,382,183.00	\$ 924,402.00	\$ 459,972.00	\$ 997,809.00
BARRE				
General	\$ 494,013.00	\$ 132,361.00	\$ 84,271.00	\$ 277,381.00
Highway Townwide	\$1,049,644.00	\$ 305,856.00	\$ 97,844.00	\$ 645,944.00
Barre Fire District	\$ 210,000.00			\$ 210,000.00
Water District #1	\$ 208,260.00	\$ 208,260.00		
Water District #2	\$ 25,400.00	\$ 13,700.00		\$ 11,700.00
Water District #3	\$ 24,140.00	\$ 14,200.00		\$ 9,940.00
Water District #4	\$ 34,367.00	\$ 20,200.00		\$ 14,167.00
Water District #5	\$ 48,078.00	\$ 12,100.00		\$ 35,978.00
Water District #6	\$ 59,360.00	\$ 12,700.00		\$ 46,660.00
Water District #7	\$ 19,178.00	\$ 5,100.00		\$ 14,078.00
Water District #8	\$ 35,869.00	\$ 6,470.00		\$ 29,399.00

*Town Budgets/Salaries
2019*

TOTALS	\$2,208,309.00	\$ 730,947.00	\$ 182,115.00	\$ 1,295,247.00
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CARLTON

General	\$ 489,208.00	\$ 176,280.00	\$ 12,984.00	\$ 299,944.00
Highway Townwide	\$1,230,706.00	\$ 378,700.00	\$ 200,000.00	\$ 652,006.00
Light District 1	\$ 7,000.00		\$ 650.00	\$ 6,350.00
Light District 2	\$ 9,400.00		\$ 750.00	\$ 8,650.00
Carlton Water District	\$ 722,705.00	\$ 311,500.00	\$ 44,020.00	\$ 367,185.00
Carlton Fire District	\$ 186,102.00		\$ 1,500.00	\$ 184,602.00
TOTALS	\$2,645,121.00	\$ 866,480.00	\$ 259,904.00	\$ 1,518,737.00

CLARENDON

General	\$ 678,676.00	\$ 244,250.00	\$ 79,000.00	\$ 355,426.00
Highway Fund Townwide	\$ 815,104.00	\$ 322,120.00	\$ 100,000.00	\$ 392,984.00
Water District No. 1	\$ 54,750.00	\$ 54,750.00		
Water District No.2	\$ 64,952.72	\$ 28,000.00	\$ 5,500.00	\$ 31,452.72
Water District No. 3	\$ 104,717.53	\$ 40,600.00	\$ 5,500.00	\$ 58,617.53
Water District No. 4	\$ 82,161.13	\$ 25,300.00	\$ 2,000.00	\$ 54,861.13
Water District No. 5	\$ 26,970.86	\$ 12,100.00	\$ 1,600.00	\$ 13,270.86
Water District No. 6	\$ 42,306.56	\$ 14,800.00	\$ 1,300.00	\$ 26,206.56
Water District No. 7	\$ 55,363.18	\$ 13,600.00		\$ 41,763.18
Water District No. 8	\$ 14,377.30	\$ 4,245.00	\$ 1,000.00	\$ 9,132.30
Water District No. 9	\$ 14,214.91	\$ 4,100.00	\$ 3,000.00	\$ 7,114.91
Water District No. 10	\$ 86,790.77	\$ 17,500.00	\$ 5,500.00	\$ 63,790.77
Water District No. 11	\$ 86,425.93	\$ 10,600.00	\$ 5,500.00	\$ 70,325.93
Water District No. 12	\$ 6,855.00	\$ 3,000.00		\$ 3,855.00
Water District No. 13	\$ 6,140.00	\$ 2,500.00		\$ 3,640.00
Water District No. 9 Ext.	\$ 4,233.83			\$ 4,233.83
Fire District	\$ 192,680.00			\$ 192,680.00
TOTALS	\$2,336,719.72	\$ 797,465.00	\$ 209,900.00	\$ 1,329,354.72

GAINES

General	\$ 394,812.09	\$ 110,170.00	\$ 48,000.00	\$ 236,642.09
General Outside Village	\$ 28,295.00	\$ 4,300.00	\$ 7,000.00	\$ 16,995.00
Highway Townwide	\$ 529,440.00	\$ 344,200.00	\$ 19,000.00	\$ 166,240.00

*Town Budgets/Salaries
2019*

Highway Outside Village	\$ 207,940.00	\$ 132,858.00	\$ 16,500.00	\$ 58,582.00
Water District No.1	\$ 84,100.00	\$ 84,100.00		
Water District No.2	\$ 27,700.00	\$ 20,000.00		\$ 7,700.00
Water District No. 3	\$ 20,725.00	\$ 16,225.00		\$ 4,500.00
Water District No. 4	\$ 31,344.00	\$ 31,344.00		
Water District No. 5	\$ 110,000.00	\$ 110,000.00		
Water District No. 6	\$ 9,890.00	\$ 2,740.00		\$ 7,150.00
Water District No. 7	\$ 13,735.00	\$ 8,108.00		\$ 5,627.00
Water District No. 8	\$ 17,323.00	\$ 8,673.00		\$ 8,650.00
Water District No. 9	\$ 13,700.00	\$ 4,400.00		\$ 9,300.00
Water District No. 10	\$ 23,211.00	\$ 13,811.00		\$ 9,400.00
Fire District	\$ 102,000.00			\$ 102,000.00
TOTALS	\$1,614,215.09	\$ 890,929.00	\$ 90,500.00	\$ 632,786.09

KENDALL

General	\$ 569,826.22	\$ 249,444.00	\$ 57,400.00	\$ 262,982.22
Highway	\$ 748,110.00	\$ 285,408.00	\$ 10,000.00	\$ 452,702.00
Library	\$ 2,000.00	\$ 1,010.00	\$ 990.00	
Water District No.1	\$ 4,503.00			\$ 4,503.00
Water District No.2	\$ 13,680.45		\$ 250.00	\$ 13,430.45
Water District No.3	\$ 19,642.21		\$ 250.00	\$ 19,392.21
Water District No. 4	\$ 64,879.71		\$ 550.00	\$ 64,329.71
Water District No. 5	\$ 29,791.72	\$ 12,964.26	\$ 550.00	\$ 16,277.46
Water District No. 6	\$ 20,800.00	\$ 7,200.00	\$ 5,000.00	\$ 8,600.00
Water District No. 7	\$ 17,104.06			\$ 17,104.06
Water District No. 9	\$ 4,407.50			\$ 4,407.50
Light District No. 1	\$ 5,700.00			\$ 5,700.00
Light District No. 2	\$ 3,385.00			\$ 3,385.00
Light District No. 3	\$ 1,975.00			\$ 1,975.00
Fire District No. 1	\$ 165,000.00	\$ 100.00	\$ 1,000.00	\$ 163,900.00
Fire District No. 2	\$ 72,721.00			\$ 72,721.00
TOTALS	\$1,743,525.87	\$ 556,126.26	\$ 75,990.00	\$ 1,111,409.61

*Town Budgets/Salaries
2019*

MURRAY				
General	\$ 509,559.00	\$ 126,625.00	\$ 22,823.00	\$ 360,111.00
General Outside Village	\$ 57,386.00	\$ 18,520.00	\$ 2,000.00	\$ 36,866.00
Highway Townwide	\$ 410,976.00	\$ 177,323.00	\$ 31,144.00	\$ 202,509.00
Highway Outside Village	\$ 388,724.00	\$ 180,000.00	\$ 16,311.00	\$ 192,413.00
Light Dist. #1 (Fancher)	\$ 2,800.00		\$ 200.00	\$ 2,600.00
Light Dist. #2 (Hulberton)	\$ 4,000.00		\$ 300.00	\$ 3,700.00
Light Dist. #3 (Brockville)	\$ 1,450.00		\$ 200.00	\$ 1,250.00
Murray Fire District	\$ 208,000.00			\$ 208,000.00
FHM Fire District	\$ 110,770.00			\$ 110,770.00
Water District No. 1	\$ 12,385.00	\$ 10,460.00		\$ 1,925.00
Water District No. 2	\$ 86,800.00	\$ 55,800.00		\$ 31,000.00
Water District No. 3	\$ 44,404.00	\$ 21,822.00		\$ 22,582.00
Water District No. 4	\$ 13,662.00	\$ 7,182.00	\$ 480.00	\$ 6,000.00
Water District No. 5	\$ 8,635.00	\$ 4,335.00		\$ 4,300.00
Water District No. 6	\$ 55,331.00	\$ 43,331.00		\$ 12,000.00
Water District No. 7	\$ 50,200.00	\$ 30,700.00		\$ 19,500.00
Water District No. 8	\$ 29,260.00	\$ 13,000.00		\$ 16,260.00
Water District No. 9	\$ 13,100.00	\$ 6,600.00		\$ 6,500.00
Water District No. 10	\$ 18,311.00	\$ 11,311.00		\$ 7,000.00
Water District No. 11	\$ 158,108.00	\$ 54,108.00		\$ 104,000.00
Water District No. 12	\$ 18,500.00	\$ 6,500.00		\$ 12,000.00
Water District No. 13	\$ 29,046.00	\$ 10,130.00		\$ 18,916.00
Water District No. 14	\$ 5,872.00	\$ 1,490.00	\$ 482.00	\$ 3,900.00
Water District No. 15	\$ 70,700.00	\$ 11,700.00		\$ 59,000.00
Water District No. 16	\$ 22,787.00	\$ 3,450.00		\$ 19,337.00
Water District No. 20	\$ 6,417.00	\$ 6,417.00		
TOTALS	\$2,337,183.00	\$ 800,804.00	\$ 73,940.00	\$ 1,462,439.00

RIDGEWAY				
General	\$ 738,470.00	\$ 175,978.00	\$ 61,323.00	\$ 501,169.00
General Outside Village	\$ 106,292.00	\$ 36,755.00	\$ 13,462.00	\$ 56,075.00
Highway Townwide	\$ 581,279.00	\$ 152,600.00	\$ 198,356.00	\$ 230,323.00
Highway Outside Village	\$ 460,493.00	\$ 237,010.00	\$ 17,870.00	\$ 205,613.00
Fire Protection District	\$ 204,741.00	\$ 5.00	\$ 10,295.00	\$ 194,441.00

*Town Budgets/Salaries
2019*

Knowlesville Light District	\$ 3,000.00	\$ 5.00	\$ (505.00)	\$ 3,500.00
Knowlesville Sewer District	\$ 30,165.00	\$ 5.00	\$ (2,380.00)	\$ 32,540.00
Water Debt Service 31E	\$ 8,000.00			\$ 8,000.00
Water Debt Service 269	\$ 7,375.00			\$ 7,375.00
Water #2 Debt Service	\$ 18,325.00			\$ 18,325.00
Water #3 Debt Service	\$ 32,220.75			\$ 32,220.75
Water #4 Debt Service	\$ 64,431.25			\$ 64,431.25
Water #5 Debt Service	\$ 26,592.88			\$ 26,592.88
Water #6 Debt Service	\$ 13,996.88			\$ 13,996.88
Water #7 Debt Service	\$ 6,539.25			\$ 6,539.25
Water #8 Debt Service	\$ 9,795.25			\$ 9,795.25
Water #9 Debt Service	\$ 5,469.30			\$ 5,469.30
Water #10 Debt Service	\$ 14,020.00			\$ 14,020.00
Water #11 Debt Service	\$ 1,977.50			\$ 1,977.50
Water #12 Debt Service	\$ 14,754.81			\$ 14,754.81
Water #13 Debt Service	\$ 11,489.38			\$ 11,489.38
TOTALS	\$2,359,427.25	\$ 602,358.00	\$ 298,421.00	\$ 1,458,648.25

SHELBY

General	\$1,214,985.00	\$ 286,475.00	\$ 345,000.00	\$ 583,510.00
General Outside Village	\$ 146,065.00	\$ 62,617.00	\$ 36,800.00	\$ 46,648.00
Highway Townwide	\$ 515,812.00	\$ 168,700.00	\$ 208,019.00	\$ 139,093.00
Highway Outside Village	\$ 579,991.00	\$ 252,102.00	\$ 33,322.00	\$ 294,567.00
Shelby Center Light	\$ 3,000.00		\$ 450.00	\$ 2,550.00
Millville Light	\$ 1,500.00		\$ 220.00	\$ 1,280.00
Shelby Fire Co.	\$ 306,718.00		\$ 50,000.00	\$ 256,718.00
Cemetery	\$ 10,000.00	\$ 9,200.00	\$ 800.00	
Water District No. 1	\$ 100,398.00	\$ 102,192.00	\$ (1,794.00)	
Water District No. 2	\$ 27,513.00	\$ 27,477.00	\$ 36.00	
Water District No. 3	\$ 76,866.00	\$ 76,762.00	\$ 104.00	
Water District No. 4-A	\$ 62,604.00	\$ 62,530.00	\$ 74.00	
Water District No. 4-B	\$ 59,980.00	\$ 59,641.00	\$ 339.00	
Water District No. 5	\$ 5,117.00	\$ 5,106.00	\$ 11.00	
Water District No. 6	\$ 64,226.00	\$ 64,158.00	\$ 68.00	

*Town Budgets/Salaries
2019*

Water District No. 7	\$ 62,253.00	\$ 62,194.00	\$ 59.00	
Water District No. 8	\$ 67,311.00	\$ 67,248.00	\$ 63.00	
Water District No. 9	\$ 59,758.00	\$ 59,690.00	\$ 68.00	
Water District No. 10	\$ 61,690.00	\$ 61,623.00	\$ 67.00	
Water District No. 11	\$ 45,937.00	\$ 45,868.00	\$ 69.00	
Water District No. 12	\$ 89,090.00	\$ 88,863.00	\$ 227.00	
TOTALS	\$3,560,814.00	\$1,562,446.00	\$ 674,002.00	\$ 1,324,366.00

YATES

General	\$ 468,769.00	\$ 83,900.00		\$ 384,869.00
General Outside Village	\$ 26,804.00	\$ 4,775.00	\$ 7,204.00	\$ 14,825.00
Highway Townwide	\$ 379,078.00	\$ 143,000.00	\$ 224,413.00	\$ 11,665.00
Highway Outside Village	\$ 449,041.00	\$ 107,200.00	\$ 111,663.00	\$ 230,178.00
Fire Protection District	\$ 89,300.00			\$ 89,300.00
Water District No. 2	\$ 129,600.00	\$ 135,418.70	\$ (5,818.70)	
Water District No. 4	\$ 368,629.08	\$ 124,588.50	\$ 46,646.58	\$ 197,394.00
TOTALS	\$1,911,221.08	\$ 598,882.20	\$ 384,107.88	\$ 928,231.00

SALARIES OF TOWN OFFICERS - 2019

TOWN	SUPERVISOR	HIGHWAY	TOWN	JUSTICES	COUNCILMEN
		SUPER.	CLERK		
Albion	\$6,102.00	\$58,170.00	\$38,556.00	\$18,198.00	\$3,931.00
Barre	\$9,000.00	\$58,366.00	\$29,548.00	\$12,600.00	\$2,244.00
Carlton	\$10,646.00	\$55,586.00	\$29,424.00	\$10,318.00	\$3,343.00
Clarendon	\$10,200.00	\$62,684.00	\$39,832.00	\$14,396.00	\$3,732.00
Gaines	\$5,500.00	\$59,602.00	\$32,726.00	\$15,943.37	\$2,800.00
Kendall	\$8,400.00	\$54,250.00	\$29,000.00	\$14,539.92	\$3,120.00
Murray	\$8,500.00	\$64,571.00	\$31,370.00	\$26,357.00	\$3,400.00
Ridgeway	\$12,500.00	\$60,847.00	\$36,000.00	\$27,730.00	\$5,000.00
Shelby	\$10,878.00	\$65,892.00	\$34,144.50	\$22,576.68	\$4,712.40
Yates	\$8,000.00	\$65,756.00	\$45,477.00	\$8,670.00	\$3,275.00

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PROCEEDINGS
of the
Orleans County Legislature
2019



PROCEEDINGS
of the
LEGISLATURE
of
ORLEANS COUNTY

2019

Donald J. Allport
E. John DeFilipps
Merle Draper
William H. Eick
Lynne M. Johnson
Fred Miller
Kenneth DeRoller

Member at Large
Member at Large
Member at Large
District No. 1
District No. 2
District No. 3
District No. 4

Lynne M. Johnson
Donald J. Allport
Charles H. Nesbitt, Jr.
Nadine P. Hanlon
Lisa Stenshorn

Chairman
Vice-Chairman
Chief Administrative Officer
Clerk of Legislature
Deputy Clerk of the Legislature

By Order
of the
Legislature

COUNTY OF ORLEANS)

ss:

STATE OF NEW YORK)

I hereby certify that the following Proceedings of the Legislature of Orleans County by the authority of said Legislature are a true statement of the record of such proceedings as filed in this office.

Nadine P. Hanlon
Clerk of the Legislature



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FRONT ROW: Donald J. Allport, Vice Chairman, At Large – Central; Lynne M. Johnson, Chairman, District 2. BACK ROW: E. John DeFilipps, At Large – East; Kenneth A. DeRoller, District 4; Merle L. Draper, At Large – West; David C. Schubel, County Attorney; Charles H. Nesbitt, Jr., Chief Administrative Officer; William H. Eick, District 1; Fred Miller, District 3; Nadine P. Hanlon, Clerk of the Legislature.

County Officials of Orleans County for 2019

Aging, Office for the, Director	Melissa Blonar
Assistant Director	Susan Miller
Budget Officer	Charles H. Nesbitt Jr.
Deputy Budget Officer	Kimberly DeFrank
Chief Administrative Officer	Charles H. Nesbitt, Jr.
Clerk of the Legislature	Nadine P. Hanlon
Deputy Clerk of the Legislature	Lisa Stenshorn
Computer Services, Director	Edwin L. Moss
Coroner, Chief	Scott M. Schmidt, CFSP
Coroners	Rocco Sidari
	Charles Smith, RN

County Attorney	Katherine Bogan
Assistant County Attorney	John C. Gavenda
	James D. Bell/Dana Graber
County Clerk	Karen Lake-Maynard
Deputy County Clerk	Diane L. Shampine
Deputy County Clerk – DMV	Pamela Boyer
Development, Industrial/Economic	James Whipple
District Attorney	Joseph V. Cardone
1 st Assistant District Attorney	Susan Howard
2 nd Assistant District Attorney	John Gavenda
3 rd Assistant District Attorney	John Sansone
Election Commissioners	Kathleen Case (R)
	Janice Grabowski (D)
Deputy Commissioners	Christine Pask (R)
	Eileen Aina (D)
Emergency Management, Director	H. Dale Banker
Health, Director	Paul A. Pettit
Highway Superintendent	John Papponetti
Deputy Highway Superintendent	Peter Houseknecht
Buildings and Grounds Assist. Super.	James J. Noreck
Historian	Matthew Ballard
Job Development, Director	Kelly Kiebal
Mental Health Services, Director	Mark O'Brien
Personnel and Self Insurance, Director	John C. Welch, Jr.
Planning and Development, Director	James Bensley
Probation, Director	Luci Welch
Public Defender	Joanne Best
1 st Assistant Public Defender	Patricia Pope
2 nd Assistant Public Defender	Dominic Saraceno
3 rd Assistant Public Defender	Nathan D. Pace
Real Property Tax, Director	Dawn M. Allen
Records Management Officer	Charles H. Nesbitt, Jr.
Sheriff	Randall Bower
Undersheriff	Christopher Bourke
Chief Deputy	Michael Mele
Jail Superintendent	Scott Wilson
Social Services, Commissioner	Thomas Kuryla
Tourism, Director	Dawn Borchert
Treasurer	Kimberly DeFrank
Deputy Treasurer	Melynda Brown
Veterans, Director	Earl Schmidt/Nancy Traxler
Youth Bureau, Director	Jocelyn Sikorski

LEGISLATIVE STANDING COMMITTEES-2019

LEGISLATIVE

Johnson, Allport

Chief Administrative Officer
Clerk of Legislature
County Attorney
Historian
Emergency Management
Employee Assistance Program
Fire Advisory Board
Off Track Betting
Safety Committee

PUBLIC SAFETY

Allport, Draper, Johnson

District Attorney
Probation
Public Defender
Sheriff
Courts
Emergency Medical Services
Stop DWI

HEALTH

Draper, Allport, Johnson

Mental Health
Public Health
ARC

ELECTIONS

Miller, Eick, Johnson

Board of Elections

EDA

DeFilipps, DeRoller, Johnson

LDC

Eick, Miller, Johnson

ADMINISTRATION & FINANCE

DeFilipps, DeRoller, Johnson

Budget Officer
Computer Services
County Clerk
Personnel & Self-Insurance
Records Management
Real Property Tax Services
Treasurer
Education (Community Colleges,
Medical Scholarship, Libraries)

HOME & COMMUNITY SERVICES

DeRoller, DeFilipps, Johnson

Planning & Development
Soil and Water Conservation
Solid Waste
Tourism
Cooperative Extension
Gen/F. Lakes Regional Planning Council
Go Art!
Orleans Sportsman Federation
Parks

**ECONOMIC ASSISTANCE
& OPPORTUNITY**

Miller, Eick, Johnson

Housing - Section 8
Job Development Agency
Office for the Aging
Social Services
Veterans Service Agency
Youth Board

HIGHWAY

Eick, Miller, Johnson

Buildings & Grounds
Highway
Genesee Transportation Council
RGRTA - Rochester Genesee Regional
Transportation Authority

LEGISLATURE MEETING

January 23, 2019

Chairman Johnson called the meeting to order at 4:28 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Orleans County Treasurer Kimberly DeFrank has filed the list of Inter-Fund loans issued from October 19, 2018 to December 20, 2018 as directed in Resolution No. 175-418 in the Clerk of the Legislature Office. The Albion Strawberry Festival Committee, under the authority of the Village of Albion, is requesting permission to hold its 33rd annual festival on the Courthouse Lawn on June 7th and June 8th, 2019. Hours of operation will be 11 a.m. to 9 p.m. on Friday and 9 a.m. to 7 p.m. on Saturday. As in the past, the Courthouse grounds will be used for the same purposes, which include arts and crafts and entertainment. They are also requesting a 5'x 12' banner to be hung on the courthouse lawn from May 31, 2019 through June 9, 2019. They are also requesting use of electric. The Board approved these requests. Letter received from Mercy Flight thanking the County for their generous support and are honored to serve the residents of Orleans County.

Town/Village resolutions that have been received

<u>Town/Village</u>	<u>Resolution Title</u>
T/Shelby	Supporting Orleans County Legislature Reaffirming their Support of the 2 nd Amendment

Treasurer DeFrank distributed an Analysis of Monthly Cash Receipts and Disbursements through December 2018. She reported that the year-end cash flow is stable. There were a couple loans that carried into 2019 but have now been paid back. In December there was a \$2.5 million retirement bill that was paid. Treasurer DeFrank stated that with CD rates on the rise, she looks forward to investing this year and she reported financially the county is in good shape. Legislator DeRoller commended Treasurer DeFrank for adding financial institutions so she can reach out to the marketplace and get the best returns on our money.

Legislator DeRoller briefed everyone on the solid waste and recycling program that is forthcoming. He will be working with others on rolling out to all the municipalities a sample of the new recycling cart and information to start the educational process. Gradually we will be transitioning from

our 15-gallon bin to our 95-gallon cart. There will be a whole series of steps for this roll out and last evening at the Association of Municipalities meeting attendees have already been briefed. We will be bringing in Cooperative Extension, Public Schools, and our municipalities to help with the education process and help reach out to make our recycling program successful with no additional costs.

David Kusmierczak expressed his appreciation for the PFC Dwyer program and his involvement. Today's resolution on the agenda is just one of many events that brings comrades together to help each other as veterans, he stated. Chairman Johnson shared her appreciation in him promoting the program.

Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 1-119

AUTHORIZING CREATING AND FILLING POSITION IN THE COUNTY CLERK'S OFFICE

RESOLVED, that this Legislature does hereby authorize the creation of a full-time Index Clerk position in the County Clerk's Office at grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of this newly created position, effective January 24, 2019.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 2-119

GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND WATER SYSTEMS

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina and Lyndonville located outside their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant or reservoir, including necessary connections and

appurtenances, shall be wholly exempt from County taxation for the year 2019 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 3-119

**AUTHORIZING PAYMENT FOR REAL PROPERTY SYSTEM
LICENSING FEE**

RESOLVED, that this Legislature authorizes payment to the Office of Real Property Tax Services NYS Department of Taxation and Finance, W.A. Harriman State Campus, Albany, NY 1227 in the amount of \$10,200 (PO 58536) for the Annual Real Property System Licensing Fee (RPS) which will be charged back to the Towns in the 2019 Tax Bills to be paid from the 2018 budget funds from account Town Expenses Budget Account A1970.432 – Misc Contracts.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 4-119

**AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL
MASTER LEASE**

WHEREAS, this Legislature approved a Dell Master Lease # 810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 60 desktop computers and e laptop computer w/Dock to be added to the Dell Master Lease as # 810-6457612-011 throughout the County effective March 2, 2019 through March 1, 2023, four (4) annual payments of \$10,240.59 with a \$1 buyout option at the end; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

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Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 5-119

**APPROVING THE EMPLOYEE ASSISTANCE PROGRAM BUDGET
AND PLAN FOR 2019**

WHEREAS, the Employee Assistance Program (EAP) Committee has been authorized to operate an Employee Assistance Program (EAP) and other related programs for the County; and

WHEREAS, the Legislature requires the EAP Committee to submit for approval a plan of operations, together with a proposed budget for the year 2019; be it

RESOLVED, that this Legislature does hereby authorize the Orleans County Employee Assistance Program budget and plan of operations for the year 2019 as follows:

**EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PROGRAM
PLAN**

Program Revenues:

Commissions/Deposits 2019	\$3,425.00
Raffles	\$1,271.00
Fund Balance	\$584.00
Total	\$5,280.00

Program Expenditures:

GCASA Contract	\$1,600.00
Employee of the Month Program	\$900.00
Summer Picnic	\$1,380.00
Holiday Luncheon	\$1,400.00
Miscellaneous	\$0.00
Total	\$5,280.00

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 6-119

APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

RESOLVED, that this Legislature does hereby authorize the following appointments to the Employee Assistance Program Committee for the following terms:

Nadine Hanlon	Clerk of the Legislature – Management	1/1/19-12/31/20
Nola Goodrich-Kresse	Public Health – GCASA Liaison	1/1/19-12/31/20
Nicole Spohr	Sheriff’s Office – OCSEA Rep.	1/1/19-12/31/20

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 7-119

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND ROYAL EMPLOYER SERVICES

RESOLVED, that this Legislature approves a renewal agreement with Royal Employer Services, 430 East Main St., Batavia, NY 14020 for the provision of an Employee Assistance Program, at a cost \$6,400, with cost of agreement to be apportioned at 50% from Mental Health; 25% from Personnel; and 25% from Employee Assistance Program and said agreement effective from January 1, 2019 through December 31, 2019.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 8-119

AMENDING RESOLUTION NO. 458-1118 THAT AUTHORIZED SALARY SCHEDULES FOR MANAGEMENT, CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES

RESOLVED, that the following additional salaries, effective January 1, 2019, are authorized for certain part-time and unclassified employees:

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Hourly (Part-Time Employees)
Voting Machine Technician

1/1/19-12/31/19
\$18.69

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 9-119

AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY TAX CORRECTIONS AND REFUNDS

WHEREAS, the New York State Real Property Tax Law, Sections 554 and 556, provides an administrative correction of error process to assist the property owner in obtaining real property corrections and tax refunds caused by certain clerical errors, unlawful entries and errors in essential fact; and

WHEREAS, Real Property Tax Law, Sections 554 and 556 provides that the tax levying body may delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body; and

WHEREAS, the Administration and Finance Committee does recommend that the Treasurer be delegated to perform said duties; now therefore be it

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 554 and 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a refund and said refund is two-thousand five hundred dollars or less; and be it

FURTHER RESOLVED, that on the fifteenth day of each month, the Orleans County Treasurer shall submit a report to the Orleans County Legislature of the refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund and when no refunds are given no report will be issued.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 10-119

AUTHORIZING SETTING UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT

WHEREAS, the energy savings realized in 2018 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the Treasurer has made the Lease payment and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

RESOLVED, that the County Treasurer is authorized to set up the funds as follows:

From:		
Reserve for Debt		\$35,000
To:		
A9901.556	Transfer to Debt Service	\$35,000

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to approve a grant application to assist in our e-waste supplement to our household hazardous waste state assistance program; second by Legislator DeFilipps. Legislator DeRoller stated we have an estimate of 13,500 hours for this e-waste program with the collection to date of 690,724 pounds since starting this program in 2015. Electronic waste collection is well received and tonnage continues to roll in. The following resolution was adopted:

RESOLUTION NO. 11-119

AUTHORIZING GRANT APPLICATION BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT FOR E-WASTE SUPPLEMENT TO THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM.

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WHEREAS, the State of New York, as a supplement its household hazardous waste program, provides financial assistance to municipalities for e-waste disposal and recycling; and

WHEREAS, the County of Orleans has incurred disposal and recycling costs and is thus eligible to apply for partial reimbursement to the State of New York under said program for the period commencing January 1, 2018 through December 31, 2018, be it

RESOLVED, that this Legislature authorizes the Orleans County Department of Planning and Development to apply to the State Hazardous Waste Assistance Program for up to 50% of its costs incurred for e-waste disposal and recycling during the forenamed period.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 12-119

AUTHORIZING FILLING OF A VACANCY IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT

RESOLVED, due to a resignation, this Legislature hereby authorizes the filling of a vacant full-time Planner position (8020.02) in the Department of Planning and Development at Grade 20 of the CSEA salary schedule effective January 24, 2019.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 13-119

APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY BLANKET BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

WHEREAS, the County of Orleans has appropriated the sum of \$6,647 as its share of the year 2019 operating funds of the Genesee Finger Lakes Regional Planning Council, and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the

payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore, be it

RESOLVED, that the Orleans County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Moved; DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 14-119

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

RESOLVED, that this Legislature approves the following appointment to the Orleans County Planning Board:

<u>NAME</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Daniel Strong 1150 Sawyer Road Kent, New York 14477	Town of Albion	12/31/21
Kevin Parker 3512 Keitel Road Albion, New York 14411	Town of Albion (Alternate)	12/31/21
Ronald Vendetti 26 Park Place Holley, New York 14470	Village of Holley	12/31/21

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Monica Seeler 53 South Main St Holley, NY 14470	Village of Holley (Alternate)	12/31/21
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Bruce Kirby 3120 Densmore Road Albion, NY 14411	Town of Gaines	12/31/21
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Christopher Watt 3174 Densmore Road Albion, NY 14411	Town of Gaines (Alternate)	12/31/21
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Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 15-119

APPROVING AGREEMENT WITH SOIL AND WATER CONSERVATION DISTRICT

RESOLVED, that this Legislature authorizes the agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, New York, for the provision of services by “Soil and Water” for the calendar year 2019, at a cost of \$92,500, to be paid in quarterly payments of \$23,125.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 16-119

APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL COOPERATIVE EXTENSION

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$240,000 for the calendar year 2019, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$60,000.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 17-119

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Intermunicipal Agreement between Monroe County and Orleans County (Tuberculosis Control Program) at 39 West Main Street, Rochester, New York 14614. This Contract is to provide a Tuberculosis Control Program with consulting pulmonary and critical care physicians and certified infection control practitioners for providing comprehensive medical and nursing / case management consultative services under the statutory jurisdiction of the Department of Public Health. A flat fee of \$4,714.76 is paid for electronic health record access, VNP services, IT consultations and continuing Ed, telemedicine access, and ongoing clinical support. A fee of \$200.00 an hour for physician consults, and \$50.00 an hour for RN consults. 100%/36% reimbursement from State Aid.

Oak Orchard Community Health Center at 300 West Avenue, Brockport, New York 14420. Contract to provide for translation services and liaison between the Orleans County Health Department and the Migrant population. Contract funded through New York State Migrant Grant \$16,000.00 Reimbursement. Contract period to run concurrent with the New York State Contract. No Cost to County.

Monroe County Public Health – Medical Examiner at 39 West Main Street Room 307, Rochester, New York 14614. Forensic Pathology services for 14 full autopsy examinations and 5 blood/description type autopsies in the amount of \$30,275.00, and for any additional costs necessary for overage and volume exceeding the contract. All laboratory testing (including toxicology), laboratory analysis for the presence of LSD, analyses for unusual toxins and requests for rare or unusual toxins that cannot be performed at the Monroe County Office of the Medical Examiner facilities will be referred to a reference laboratory with the cost being billed separately to Orleans County.

Venesky and Company at 6114 Rt. 31, Cicero, New York 13039. Contract to Compile and prepare Diagnostic and treatment center cost report per NYS and Federal guidelines. This project will be at \$7,500.00 for 3yrs consecutively. Reimbursement from State aide Article 6 100%/36%.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 18-119

AUTHORIZING PAYMENT TO MONROE COUNTY PUBLIC HEALTH – MEDICAL EXAMINER FROM HEALTH DEPARTMENT BUDGET

WHEREAS, Resolution No. 342-818 approved an agreement with Monroe County Public Health Department – Medical Examiner’s Office for services in the amount of \$30,275; now be it

RESOLVED, that this Legislature does hereby approve payment to the Monroe County Public Health Department – Medical Examiner’s Office in the amount of \$21,225 from 2018 budget funds for necessary overage and volume that exceeded the contract.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 19-119

AUTHORIZING PURCHASE FROM HEALTH DEPARTMENT BUDGET FOR RABIES VACCINE

WHEREAS, the Orleans County Health Department needs to purchase Human Rabies Vaccine for post exposure treatment to the residents of Orleans County; now, therefore be it

RESOLVED, that this Legislature allows the Health Department to make purchases of human rabies vaccine, when needed, up to the amount of \$100,000.00 from budget account line 4010.409 as approved in the 2019 Orleans County Budget.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 20-119

**AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH
DEPARTMENT EMPLOYEES**

RESOLVED, that this Legislature does hereby authorize out of state travel by Michelle Troup and Ronald Mannella, to attend Strategic National Stockpile Preparedness training at the Center for Domestic Preparedness in Anniston, Alabama from February 3, 2019 to February 9, 2019 or the next available class if this one is cancelled as a result of the government shutdown. All costs are covered by FEMA. No County Cost.

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Mary Ellen Messmer, Supervising Public Health Nurse, to attend the 2019 Midwest Stream Forum for Agricultural Worker Health in Denver, Colorado from September 24, 2019-September 27, 2019. All costs covered with NYS Migrant Health Grant funds. No County Cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 21-119

**AUTHORIZING THE CONTINUATION OF THE CONTINUITY OF
GOVERNMENT ADVISORY COMMITTEE FOR ORLEANS COUNTY**

WHEREAS, Resolution No. 323-808 authorized the establishment of a Continuity of Government Advisory Committee to create a Continuity of Operations Plan (COOP) to ensure the continued performance of essential functions and services when normal, standard operations become overwhelmed, regardless of the emergency; therefore be it

RESOLVED, that this Legislature re-authorizes the continuation of the Continuity of Government Advisory Committee, members include: Paul Pettit, Dale Banker, Chuck Nesbitt, Mark O'Brien, Jack Welch, Peter Houseknecht, Al Cheverie, and Eddie Moss, as established and will be subject to reauthorization at the end of calendar year 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 22-119

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APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the period of January 1, 2019 to December 31, 2019:

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main Street, Batavia, NY 14020 providing substance abuse/dependency and prevention services, as well as gambling treatment services at a cost of \$343,118. County cost is \$35,167.

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main Street, Batavia, NY 14020 providing chemical dependency services for inmates at the Orleans County Jail at a cost of \$5,000. County cost is \$5,000.

TheraManager, LLC, 1800 Dual Highway, Suite 306, Hagerstown, MD 21740 providing software support maintenance and support for the QuicDoc Enterprise Edition, which is computer software utilized by the Department of Mental Health for the client electronic health record at a cost of \$50,500. County cost is \$3,535.

Living Opportunities of DePaul, 2475 George Urban Blvd, Suite 201, Depew, NY 14043 providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services at a cost of \$188,481. County cost is 0.

Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611 providing specialized financial management services and preparation and submission of CFR reports at a cost of \$32,000. County cost is \$2,240.

Spectrum Human Services, Inc. 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127 providing a mobile mental health crisis intervention team at a cost of \$82,564. County cost is 0.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 23-119

AMENDING AGREEMENT BETWEEN MENTAL HEALTH
DEPARTMENT AND GREATER ROCHESTER REGIONAL HEALTH
INFORMATION ORGANIZATION

WHEREAS, Resolution No. 285-813 approved an Agreement between Mental Health and Greater Rochester Regional Health Information Organization, 150 State Street, Suite 400, Rochester, NY 14614 providing electronic sharing of PHI (Personal Health Information) between the department's Care Coordination Program and external physical and behavioral health providers (a requirement of being a participating Care Coordination Provider by HHUNY—Health Homes of Upstate NY—the contractor) at a cost of \$336.00 per year, which will increase when the number of users is increased to meet the demands of increased referrals. At present county cost is \$336.00, and

WHEREAS, this Agreement has been reviewed by the Health Committee and has authorized a renewal for a period of another five years; be it

RESOLVED, that this Legislature approve the extension of this Agreement between the Mental Health Department and Greater Rochester Regional Health Information Organization for the period from October 5, 2018 to October 4, 2023.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 24-119

AMENDING RESOLUTION NO. 139-318 BETWEEN MENTAL
HEALTH DEPARTMENT AND LINDA KOVAC-TANTALO, NPP

WHEREAS, Resolution No. 139-318 approved an Agreement between Mental Health and Linda Kovac-Tantalo, NPP providing services as Psychiatric Nurse Practitioner from April 1, 2018 to December 31, 2018 for up to 378 hours at an hourly rate of \$99.89 with a County cost of \$2,643; and

WHEREAS, contractor worked an additional 36.25 hours in 2018 at a rate of \$99.89 per hour for a total of \$3,621; be it

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RESOLVED, that this Legislature does hereby authorize the additional \$3,621 increase to this Agreement, now totaling \$41,381 with a County cost of \$2,897.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 25-119

AUTHORIZING FILLING VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a Clinic Therapist position (Position No. 4310.48) in the Mental Health Department at Grade 22 of the CSEA Salary Schedule, effective February 4, 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 26-119

AUTHORIZING PURCHASE FROM MENTAL HEALTH BUDGET AND AUTHORIZING TREASURER TO SET UP FROM MISCELLANEOUS RESERVE

RESOLVED, that this Legislature authorizes the purchase of 16 Dell Latitude 5590 laptops at a cost of \$17,015.84 and 22 Dell Business Dock – WD15 with 180W adapter with DiB mDP to DP cable at a cost of \$2,712.82, for a total of \$19,728.66 (Req #22) all to be paid from Mental Health Account Number 4310.220 – Office Equipment; and be it

FURTHER RESOLVED, that the Treasurer is authorized to set up monies from the Miscellaneous Reserve to Mental Health Budget to pay for these new laptops and docking stations as follows:

From:		
Miscellaneous Reserve		\$19,728.66
To:		
A4310.220	Office Equipment	\$19,728.66

Moved, Draper; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 27-119

**APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE/JAIL
AND WESTWOOD PHARMACY**

RESOLVED, that this Legislature does hereby approve a new agreement between Orleans County Sheriff's Office/Jail and MAO Pharmacy t/a Westwood Pharmacy, 5823 Patterson Avenue, Richmond, VA 23226, to provide pharmaceutical services to Orleans County Jail, per fee schedule, for period January 15, 2019 through December 31, 2021; and be it

FURTHER RESOLVED, that this Legislature also approves the option to extend and renew agreement for two additional one-year terms upon the review and approval of the Orleans County Jail Superintendent, Orleans County Sheriff, Chief Administrative Officer, and County Attorney.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 28-119

**APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE/JAIL
AND CERTIFIED DIETITIAN FOR JAIL**

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office/Jail and Certified Dietitian-Nutritionist Michele Memmo, 812 Tiff Street, Buffalo, NY, for services as dietary consultant and nutritionist to the dietary and food service program at the county jail effective through December 11, 2021, at an hourly rate of \$35.00.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 29-119

**APPROVING RENEWAL AGREEMENTS BETWEEN SHERIFF'S
OFFICE/JAIL AND VARIOUS AGENCIES**

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RESOLVED, that this Legislature does hereby approve renewal agreements between the Sheriff's Office/Jail and the following agencies:

Dr. Mark Rumble, DDS, 243 South Main Street, Albion, NY 14411 for dental services provided to inmates at the Orleans County Jail, as per rates set forth in the fee schedule, effective January 1, 2019 through December 31, 2020.

Leads Online, 6900 Dallas Parkway, Plano, Texas, for an electronic reporting and investigation support system, at an annual cost of \$2,128.00, effective March 1, 2019 through February 28, 2022.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 30-119

APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN NYS DOCCS AND ALBION CORRECTIONAL FACILITY

RESOLVED, that this Legislature does hereby approve a Memorandum of Understanding between New York State Department of Corrections and Community Supervision and Albion Correctional Facility, in collaboration with Orleans County Sheriff's Office/Animal Shelter and Kelly Kukucka, for the Canine Training Program, a mutually beneficial program designed to enhance vocational skills to inmates and to make possible the adoption of trained canines.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 31-119

AUTHORIZING GRANT ACCEPTANCE AND AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Resolution #238-617 authorized the Sheriff's Office to apply for grant funding with the New York State Division of Homeland Security and Emergency Services, now be it

RESOLVED, that the Orleans County Sheriff's Office is authorized to accept the grant agreement between the NYS Division of Homeland Security and Emergency Services and the Orleans County Sheriff's Office for Operation Stonegarden FY2017, and the grant award of \$61,832; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SG17-1014-D00, Contract #C838779 in the amount of \$61,832 for the Sheriff's Office to enhance cooperation and coordination between Federal, State, local and tribal law enforcement agencies in joint operations to secure our borders, effective September 1, 2017 through August 31, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 32-119

AUTHORIZING ACCEPTANCE OF SCAAP FY 17 FUNDING FOR SHERIFF'S OFFICE

WHEREAS, Resolution No. 420-1018 authorized the Jail Superintendent to apply for federal funding assistance through the FY2017 State Criminal Alien Assistance Program (SCAAP); now be it

RESOLVED, that this Legislature approves the funding award, in the amount of \$4,382, for the FY2017 State Criminal Alien Assistance Program, reporting period July 1 2015 through June 30, 2016, through the Office of Justice Programs, Bureau of Justice Assistance, 810 Seventh Street, Washington, DC.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 33-119

AUTHORIZING GRANT ACCEPTANCE AND AGREEMENT BETWEEN SHERIFF'S OFFICE AND NEW YORK STATE STOP-DWI FOUNDATION, INC.

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WHEREAS, Resolution #312-718 authorized the Sheriff's Office to apply to the NYS STOP-DWI Foundation, Inc. for Crackdown Grant funding; and

WHEREAS, the NYS STOP-DWI Foundation, Inc., as participant in the New York State Governor's Traffic Safety Committee's Highway Safety Program, has informed the Orleans County Sheriff's Office that it has been awarded grant money, in the amount of \$12,300, for use in their 2018-2019 Crackdown Enforcement Program; now be it

RESOLVED, that this Legislature accepts this grant award and authorizes the Chairman to execute the appropriate grant award documents of Contract #C002396 with the New York State Governor's Traffic Safety Committee and the New York State STOP-DWI Foundation, Inc., to provide reimbursement to the Sheriff's Office and local law enforcement agencies for increased STOP-DWI patrols during peak holiday times of the year, to be conducted during the period October 1, 2018 through September 30, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 34-119

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY DISTRICT ATTORNEY'S OFFICE AND THE U.S. DEPARTMENT OF JUSTICE

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement between the District Attorney's Office and the U.S. Department of Justice effective January 1, 2019 through December 31, 2019 allowing receipt of seized funds on Federal forfeitures; and be it

FURTHER RESOLVED, that this Legislative body does hereby authorize the Chairman of the Legislature to execute this agreement as approved by the Orleans County Attorney.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 35-119

APPROVING EXPENDING SICG FY18 FORMULA GRANT FUNDS
AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 477-1118 approved accepting the 2018
State Interoperable Communications “**Formula**” Grant (SICG); be it

RESOLVED, that this Legislature authorizes the Director of
Emergency Management to expend SICG FY18 “**Formula**” Grant Funds in
the amount of \$209,956.90 to replace 120 end of life portable radios from
Castner Communications, 2525 County Road 28, Canandaigua, NY; now be
it

FURTHER RESOLVED, that this Legislature authorizes the
Treasurer to set up 2018 State Interoperable Communications “**Formula**”
Grant Funds in the Emergency Management budget as follows:

Revenue:

A4309.1874	State Interoperable Communication Formula Grant	\$209,956.90
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Appropriation:

3640.486.1874	Special Grants- DHSES FY2018 Formula Grant	\$209,956.90
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 36-119

APPROVING EXPENDING SICG FY18 FORMULA GRANT FUNDS
AND SETTING UP NEW MONEY IN THE EMERGENCY
MANAGEMENT BUDGET

WHEREAS, Resolution No. 531-1218 authorized the agreement for
maintenance with EXACOM Inc., 99 Airport Rd., Concord, NH for the
period of January 1, 2019 through December 31, 2019; be it

RESOLVED, that this Legislature authorizes Emergency
Management to expend SICG FY18 “**Formula**” Based Grant funds in the
amount of \$13,190.45 for this Exacom agreement; now be it

FURTHER RESOLVED, that this Legislature authorizes the
Treasurer to set up new 2018 State Interoperable “**Formula**”

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Communications Grant funds in the Emergency Management budget as follows:

Revenue:		
A4309.1874	Statewide Interop Communications Formula Grant SI18	\$13,190.45

Appropriation:		
3640.486.1874	Special Grants—State Interop SI18 Formula Grant	\$13,190.45

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 37-119

AUTHORIZING TREASURER TO SET UP MONEY FROM MISCELLANEOUS RESERVE INTO THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 385-918 authorized the Emergency Management Office to purchase a 2019 Chevrolet Tahoe and 2018 monies were placed in miscellaneous reserve to be used in 2019 for this purchase; now be it

RESOLVED, that the County Treasurer is authorized to set up money from Miscellaneous Reserve into the Emergency Management budget as follows:

Revenue:		
Miscellaneous Reserve		\$9,320.80

Appropriation:		
A3640.250	Other Equipment	\$9,320.80

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to approve State Marchiselli Program Aid for the four bridge Preventative Maintenance Project with our Highway Department; second by Legislator Miller. CAO Nesbitt explained that Marchiselli funding is a State match for federal bridge projects that amounts

to about 15 percent of the total project. The projects are 80% Federal, 15% Marchiselli and 5% local funded. The following resolution was adopted:

RESOLUTION NO. 38-119

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Four-bridge Preventative Maintenance Project, Contract #D035655, P.I.N. 4OR0.00 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$21,854.00 for Preliminary "Engineering" Row Acquisition and "Final Design".

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$109,270.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$109,270.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the County of Orleans Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Supplemental Agreement #2 to amend previous resolution #157-318 to add additional Funding design for a total cost of \$109,270.00; Federal reimbursement \$87,416.00; State Marchiselli Funding \$16,391.00 and Local Share \$5,463.00; effective through March 21, 2027. Resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 39-119

AUTHORIZING PAYMENT TO SOIL AND WATER CONSERVATION DISTRICT

RESOLVED, that this Legislature authorizes payment to the Orleans County Soil and Water Conservation District, 446 West Ave, Albion, NY 14411 in the amount of \$15,000 for 2018 rental of the Boom Mower to be paid from 2018 budget funds from Road Fund Account D5110.442 – Equipment Rental.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 40-119

APPROVING GLOW WORKFORCE DEVELOPMENT BOARD LABOR ORGANIZATION MEMBER NOMINATION

RESOLVED, that this Legislature does hereby approve the nomination of Tom Thomus as a Labor Organization Member of the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Board, for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 41-119

APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR THE AGING DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby authorize the following agreements between the Office for the Aging and various agencies:

Center for Elder Law Justice, Inc. 438 Main Street, Suite 1200 Buffalo, NY 14203 to provide legal services for Orleans County residents age 60 and older from January 1, 2019 to December 31, 2019 at a cost of \$7,000. County cost is \$700.

Embrace Home Care, LLC, 6558 4th Section Road, #227, Brockport, NY 14420 to provide housekeeping services for Orleans County residents 60 and older from January 1, 2019 to December 31, 2019 at a cost of \$23,435. County cost is \$4.75/hour.

Ellen Foster, RD of 33 Willmont Street, Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2019 to December 31, 2019 at a cost not to exceed \$14,263. County cost \$651.

Community Action of Orleans and Genesee, Inc 409-411 E. State Street, Albion, NY to provide transportation services for Orleans County residents

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age 60 and older from January 1, 2019 to December 31, 2019 at a cost of \$25,500. County cost is \$3,159.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 42-119

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby authorize the renewal agreement between the Orleans County Department of Social Services and the following agencies:

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance, and consultation services; to be effective January 1, 2019 through December 31, 2019 at a cost of \$67,914. County cost \$23,770.

Building and Grounds, A Division of the Highway Department, Albion, NY for the provision of Messenger and Custodial Services; to be effective January 1, 2019 through December 31, 2019 at a cost of \$59,460. County cost is \$20,811.

Job Development Agency, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2019 through December 31, 2019 at a cost of \$355,268. County cost is \$84,563.

Orleans County Attorney, Medina, NY for the provision of 1.25 part-time attorneys assigned to Social Services to be effective January 1, 2019 through December 31, 2019 at a cost of \$96,086. County cost is \$30,431.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 43-119

AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as a result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0104) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective January 24, 2019.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 44-119

AUTHORIZING PURCHASE FOR THE PFC JOSEPH P DWYER PEER TO PEER PROGRAM

WHEREAS, our local Veterans & Families are very important and should be afforded the opportunity to have provided to them the services of the PFC. Joseph P. Dwyer Peer to Peer Program; and

WHEREAS, the PFC. Joseph P. Dwyer Peer to Peer Program is designed to bring Veterans & Their families together in NON-Clinical setting providing them social events to reconnect with themselves, their families and the communities in which they live; and

WHEREAS the PFC. Joseph P. Dwyer Peer to Peer would like to purchase 150 tickets for the July 21, 2019 Bisons Baseball Game that will also include food for an all American past time sport; and

WHEREAS, The Veterans & Families of Orleans County will be acknowledged as a group during the game on the big game visual board; now be it

RESOLVED, that this Legislature approves the purchase of 150 tickets with food provided to Bison Baseball Inc., One James D. Griffin Plaza, Buffalo, NY 14203 in the amount of \$5,450 (PO#60448/60449) and to be paid from the Veterans Service budget Account A6510.486 - Special Grants; and be it

FURTHER RESOLVED, that the Treasurer is authorized to set up monies from the Miscellaneous Reserve to Veteran's Service Agency to be used by the PFC Dwyer Peer to Peer in 2019 as follows:

From:	
Miscellaneous Reserve	\$38,642.77

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To:		
A6510.486	Special Grants	\$38,642.77

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 45-119

**APPROVING AGREEMENT BETWEEN THE BOARD OF ELECTIONS
AND PITNEY BOWES**

RESOLVED, that this Legislature approves an agreement between the Orleans County Board of Elections and Pitney Bowes, 3001 Summer Street, Stamford CT 06926, for the rental of a postage mailing system to be used by the Board of Elections for its daily office mailings contracted for a period of 60 months, February 2, 2019 through January 31, 2024 at \$55.45 per month, billed quarterly at \$166.35.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 46-119

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER
INTO AN AGREEMENT WITH THE COUNTY OF ORLEANS
INDUSTRIAL DEVELOPMENT AGENCY [COIDA] FOR THE YEAR
2019**

WHEREAS, it is in the best interest of the County that the many advantages of Orleans County be publicized to those who may be interested in establishing, maintaining, or expanding business and industry in the County of Orleans, in order to create new jobs and keep a healthy economy; and

WHEREAS, equally as important, is the ability to retain within the county the jobs already located here; and

WHEREAS, among the most important tasks facing New York State are the need to increase jobs and encourage higher levels of private capital investment in business and industry, thereby improving the general

prosperity and economic welfare of the people of New York State and its constituent municipalities; and

WHEREAS, the County recognizes that the Agency is a community-wide organization with the expertise and capacity to improve the general prosperity and economic welfare to the people of the County; and

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County; and

WHEREAS, New York State Public Officers Law Section 18 states that a county legislative body may provide for the defense and indemnification of the officers and employees of a public entity and additional indemnification of said Agency may be contracted in return for services; and

WHEREAS, the County has, by Resolution adopted by the Orleans County Legislature, authorized the execution of this contract and the indemnification agreement herein between the County and the Agency; now, therefore be it

RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with the County of Orleans Industrial Development Agency [COIDA] to provide the services as set forth in the agreement at an annual cost of \$190,000, to be paid in quarterly payments of \$47,500 for the period of January 1, 2019 through December 31, 2019.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 47-119

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND COMMUNITY ACTION OF ORLEANS & GENESEE

RESOLVED, that this Legislature approves the agreement between the County of Orleans and Community Action of Orleans & Genesee, 409 East State Street, Albion, NY 14411 to provide services for an Orleans

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County leadership development program (Leadership Orleans). Leadership Orleans is a year-long education program focused on building leadership skills while exposing participants to the necessary knowledge, experiences and people that make a community work. This contract will encompass program development and implementation to ensure a successful 2019 Leadership Orleans program with a class size of 26, subject to County Attorney approval; effective January 1, 2019 through December 31, 2019 at a cost of \$16,000 to be paid from Undistributed Expense Account A1910.418 – Other Contractual. County cost \$16,000

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 48-119

**APPROVING PAYMENT TO NYSAC FOR GOVERNMENT
CONSULTATION SERVICES**

RESOLVED, that this Legislature does hereby approve a payment to NYSAC in the amount of \$6,439 for Orleans County shared cost of government consultation in Albany, NY and Washington D.C. Services include: State budget advocacy, legislative advocacy, legal and technical assistance, training and educational programs, policy analysis, research, daily news clips, electronic newsletters, NYSAC news, other programs and services of benefit to the county.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 49-119

**AUTHORIZING OUT OF STATE TRAVEL FOR CHIEF
ADMINISTRATIVE OFFICER FOR NYSAC**

WHEREAS, the Chief Administrative Officer of Orleans County is the elected President for NYSAC for a 2019 term; now be it.

RESOLVED, that this Legislature does hereby approve our Chief Administrative Officer to travel out of state to attend the following NYSAC conferences as listed at no cost to the County:

January 9 – 11, 2019, NCCAE Presidents & Executive Directors Meeting,
Washington DC

March 2 – 6, 2019, NACo Legislative Conference, Washington DC

July 11 – 15, 2019, NACo Annual Conference & Exposition, Las Vegas
Nevada

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 50-119

AUTHORIZING OUT OF STATE TRAVEL FOR LEGISLATORS

RESOLVED, that this Legislature does hereby approve Chairman Lynne M. Johnson and Legislator Merle “Skip” Draper to travel out of state to attend the NACo Legislative Conference in Washington DC on March 2 – 6, 2019, with necessary expenses to be paid from the Legislative budget account A1010.463 – Travel – other than Mileage.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 51-119

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$72,361.62	Michael A. Ferraiulo Plumbing & Heating	Payment #8, Work performed 12/1/18-12/31/18, HVAC
\$233,317.15	Suburban Electric, Inc.	Payment #8, Work performed 12/1/18-12/31/18, Electrical
\$35,275.40	MKS Plumbing Corp	Payment #8, Work Performed 12/1/18-12/31/18, Plumbing
\$447,038.27	Holdsworth Klimowski Construction	Payment #8, Work Performed 12/1/18-12/31/18, General Construction
\$11,977.00	All State Fire &	Payment #7, Work Performed

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\$49,566.27	Security Wendel A/E/S/LA, PC	WD	12/1/18-12/31/18, Fire Protection Professional Services, 11/1/18- 11/30/2018, Inv #350566 – Construction Admin, Door Slider/Security Revisions, Project Coordination Labor, Project Coordination Fee, DOH Grant Admin Assistance, Reimbursable Expenses
\$1,800.00	Premier Printing Inc.		Services Rendered – Bond Anticipation Note 2018
\$5,800.00	Fiscal Advisors and Marketing Inc.		Services Rendered – Bond Anticipation Note 2018
\$3,557.00	Orrick, Herrington, & Sutcliffe LLP		Professional Services – Bond Anticipation Note 2019

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 52-119

APPROVING AGREEMENT WITH MERCY FLIGHT

RESOLVED, that this Legislature approves an agreement with Mercy Flight, Inc. for the provision of necessary air medical transfers; Orleans County to pay \$5,000 for the 2019 calendar year; no increase from 2018.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 53-119

AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 February 13, 2019:

Fund/Department	Check Number (s):	Amount:
General	638-646; 651-813	\$487,248.59
Highway	1377-1385; 3102-3130	\$65,628.52
Job Development	2973-1982	\$8,220.21
Self Insurance	60612; 60659; 1219-1220	\$20,431.18

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 Superintendent of Highways, 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 February 27, 2019:

Fund/Department	Check Number (s):	Amount:
General	647-650; 818-940	\$354,727.91
Highway	1386-1392; 3131-3138	\$5,647.36
Job Development	2985-2992	\$8,590.57
Self Insurance	60733-60734; 60789; 1221-1224	\$4,224.95

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 54-119

CALLING FOR A PUBLIC HEARING REGARDING THE USE OF
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
INCOME

RESOLVED, that this Legislature hereby calls for a public hearing to obtain the views of citizens, public agencies, and other interested parties on the housing and community development needs of the County and the County's submission of a request to the New York State Office of

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Community Renewal for approval of the use of Community Development Block Grant Program Income to provide funding to the Village of Medina to improve pedestrian access and connectivity along the Maple Ridge Road corridor, such public hearing to be held at 4:20 p.m. on February 27, 2019 at 3 South Main Street, Suite 2, Courthouse Square, Albion, New York in the Legislative Chambers.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 55-119

AUTHORIZING TREASURER TO MAKE A REVENUE AND EXPENSE BUDGET ADJUSTMENT FOR THE MENTAL HEALTH DEPARTMENT

WHEREAS, Mental Health Department has changed contractual arrangements from ARC-OMH to Restoration Society for supported employment; now be it

RESOLVED, that this Legislature authorizes the Treasurer to make a revenue and expense budget adjustment to the 2019 budget for the Mental Health Department as follows:

From: (Revenue)		
3494	ARC-OMH	\$52,587
To:		
3494.4325	Restoration Society	\$52,587
From (Expense)		
4321.467	ARC - Programs	\$52,587
To:		
4325.467	Restoration Society - Programs	\$52,587

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 56-119

AMENDING RESOLUTION NO. 398-918 AND 498-1118 TO CHANGE VENDOR NAME FOR OFFICE FURNITURE AND EQUIPMENT

PURCHASE FOR THE COUNTY OFFICE BUILDING ADDITION
CAPITAL PROJECT.

WHEREAS, Resolution No. 398-918 and 498-1118 authorized various vendors of assigned purchase orders for the purchase of Office Furniture and Equipment Purchase for the County Office Building Addition Capital Project; now be it

RESOLVED, that this Legislature amends Resolution No. 398-918 and 498-1118 to change vendor name to PRENTICE OFFICE ENVIRONMENTS for the following Purchase Orders:

<u>Purchase Orders</u>	<u>Amount Authorized</u>	<u>Amended Vendor Name</u>
PO # 60234. (res 398-918)	\$320,383.35	Prentice Office Environments 42 Franklin Street
PO# 60235. (res 398-918)	\$19,439.94	Buffalo, NY 14202
PO# 60387. (res 498-1118)	\$947.83	

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Miller.

Chairman Johnson opened the floor for public comment. With there being none, Legislator DeFilipps moved to adjourn; second by Legislator Draper. Meeting adjourned at 4:55 p.m.

LEGISLATURE MEETING

February 27, 2019

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present with the exception of Legislator Eick.

The Clerk did not have any communications. Treasurer DeFrank reported that receipts were down in January mostly due to federal aid and tax collection which weather may have played a part in. Tax collection has totaled \$11.5 million in February. CD rates are still good so will see more interest earned in the next few months and cash flow seems to be on the upswing for February. Treasurer DeFrank distributed her Analysis of Monthly Cash Receipts and Disbursements through January 2019.

Chairman Johnson opened the floor for Legislator comment. Legislator Allport commended and thanked our Emergency Management Department and first responders for all the work they put into our recent windstorm.

Chairman Johnson called upon Dale Banker, Director of Emergency Management to provide an update on lake levels. As everyone is aware of the event two years ago with our lake levels and the devastation that left behind and properties still have not seen repair, Mr. Banker reported the current lake level at 246.03 feet and last month it was report at 245.50 feet with the 2018 average was 245.73 feet. National Weather service is reporting that it is fifteen inches above the long-term average. Army Corp of Engineers said 6 month projection could peak anywhere from 2 feet above average to nearly 1 foot below average. Mr. Banker stated it continues to be a hot topic amongst his counterparts that are along the lakeshore. This year we have not had a planning meeting like we did in 2017 but may need to call one in March or April should we get to an emergency state. Mr. Banker stated they will continue to monitor and stay on top of it with appropriate planning.

Chairman Johnson called for public comment from those present today concerning any resolutions on today's agenda. With there being no comment, Legislator Miller moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 57-219

APPROVING AGREEMENT BETWEEN SPECTRUM
COMMUNICATIONS AND COMPUTER SERVICES

WHEREAS, this Legislature approved an agreement between Time Warner Cable Business Class and Computer Services, Resolution 367-1016 and amended in Resolution 105-317 for a SIP (Session Initiation Protocol) circuit for VOIP phone operations and a PRI (Primary Rate Interchange) circuit for fax and alarm operations 13925 Route 31 (Public Safety Building) for county operations; and

WHEREAS, this Legislature is aware of the creation of a secure Data Center in the new County Office Building being created at 14016 Route 31 West, Albion, NY 14411, and the move of the Computer Services Department to that location; and

WHEREAS, this Legislature is committed to streamlining the capabilities of the Computer Services Department to improve technical response times and minimize downtime for both phone, fax and alarm operations; now be it

RESOLVED, that the Orleans County Legislature authorizes the initiation of SIP and PRI circuits at the 14016 Route 31 West, Albion, NY 14411 location to be installed in the new secure Data Center. The circuits at 13925 Route 31 West (Public Safety Building) will be left operational for up to 2 months while testing is performed to insure continued phone, fax and alarm operations. The duplicate costs will be paid by the New Building Capital Project budget (H1610.250) and normal, full annual payments be equalized in cost for Internet services across all departments and computers at a cost of \$11,160. Term of the contract shall be effective May 6, 2019 through May 5, 2024.

Moved DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 58-219

APPROVING AGREEMENT BETWEEN SPECTRUM
COMMUNICATIONS AND COMPUTER SERVICES

WHEREAS, this Legislature approved an agreement between Time Warner Cable Business Class and Computer Services, Resolution 366-918 for

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a 200 X 200 FIA circuit at 13925 Route 31 (Public Safety Building) for county operations; and

WHEREAS, this Legislature is aware of the creation of a secure Data Center in the new County Office Building being created at 14016 Route 31 West, Albion, NY 14411, and the move of the Computer Services Department to that location, and

WHEREAS, this Legislature is committed to streamlining the capabilities of the Computer Services Department to improve technical response times and minimize downtime for our production operations, now be it

RESOLVED, that the Orleans County Legislature authorizes the initiation of a 200 X 200 Internet FIA circuit at the 14016 Route 31 West, Albion, NY 14411 location to be installed in the new secure Data Center. The circuit at 13925 Route 31 West (Public Safety Building) will be left operational for up to 2 months while testing is performed to insure continued production operations and Internet Access capabilities. The duplicate costs will be paid by the New Building Capital Project budget (H1610.250) and normal, full annual payments be equalized in cost for Internet services across all departments and computers at a cost of \$13,320.00. Term of the contract shall be effective May 6, 2019 through May 5, 2024.

Moved, DeFilipps: second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 59-219

AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE 2019 VMHOST UPGRADE PROJECT

WHEREAS, that this Legislature is aware of the aging hardware currently being utilized for our Virtual Infrastructure and the evolution of virtual environment capabilities as well as the critical nature of the production environment, now be it

RESOLVED, that this Legislature authorizes the purchase of assorted equipment from Networking Technologies, 300 International Drive, Suite # 100, Williamsville, NY 14221 for the Computer Services Capital Project VMHost Upgrade Project in the amount of \$38,481.48

(Quote # 006387 v1) to be paid from Computer Services Account A1680.270 — Capital Equipment which will increase data transfer speeds, maximize the VMHost architecture to minimize data loss, provide greater backup and superior failover tolerances and provide a greater fault tolerance and user accessibility. Purchase Order and pricing under NYS OGS Contract PM20850, Group 73600, Award 22802, IT Umbrella Contract; and be it

FURTHER RESOLVED, that this Legislature does hereby approve the HPE Foundation Care Support and service agreement for this VMHost upgrade with HPE, 3000 Hanover St, Palo Alto CA, 94304-1112 effective May 1, 2019 through April 30, 2022.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 60-219

AMENDING BY-LAWS OF THE EMPLOYEES ASSISTANCE PROGRAM COMMITTEE

WHEREAS, the EAP committee is representative of the employees of Orleans County, and

WHEREAS, the EAP committee is the service staff for events for the employees including the summer picnic, holiday luncheon as well as other activities, now be it

RESOLVED, that this Legislature amends the By-Laws to increase the number of members from seven to nine with a quorum of five and be it

FURTHER RESOLVED, that the By-Laws shall be amended to allow for the alternate members to be able to vote in situations as outlined and be it

FURTHER RESOLVED, that the aforementioned By-Laws is to be filed with the Clerk of the Legislature by the Director of Personnel and Self Insurance and that the provisions of the By-Laws as filed are incorporated herein by reference as if fully set forth in this resolution.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 61-219

APPROVING SOFTWARE SUBSCRIPTION BETWEEN THE PERSONNEL AND SELF INSURANCE DEPARTMENT AND J.J. KELLER

WHEREAS, the Department of Personnel and Self Insurance has been using software from J.J. Keller to manage and track Family Medical Leave Act (FMLA) time, and

WHEREAS, the maintenance of this FMLA information is a critical function and needs to be efficiently performed, now be it

RESOLVED, that this Legislature approves a software subscription for FMLA Manager between the Department of Personnel and Self Insurance and J.J. Keller, P.O. Box 368 Neenah WI 54957-0368, for a three year subscription which will include one license at a total cost of \$1,590 beginning March 1, 2019 through February 19, 2022.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 62-219

APPROVING AGREEMENT BETWEEN THE COUNTY OF ORLEANS AND HEALTH ECONOMICS GROUP INC

RESOLVED, that this Legislature does hereby approve an agreement between the County of Orleans and Health Economics Group, Inc, 1050 University Ave, Ste A, Rochester, NY 14607 for the provision of a Flexible Benefits Program with a cost pepm (per employee per month) of \$3.40 in 2019; \$3.50 in 2020; and \$3.50 in 2021, with a monthly minimum charge of \$75 and the annual fee will remain at \$100 and debit card fee of \$2.50/pepm effective January 1, 2019 through December 31, 2021.

Moved, DeFilipps, second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 63-219

**AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE
FOR REPAIRS TO CENTRAL OFFICE EQUIPMENT REPAIRS
ACCOUNT AND COMMUNICATION REPAIR ACCOUNT**

WHEREAS, funds in the amount of \$46,252.27 from the 2018 Equipment Repair/Communications Repair Accounts have been reverted to the County's Reserve Account; and

WHEREAS, said funds must be segregated and carried forward to meet state auditing requirements; be it

RESOLVED, that the County Treasurer is hereby authorized to set up funds from the reserve for repairs account in the amount of \$20,393.59 to Central Office Equipment Repair Account A1615.443, and the amount of \$25,858.68 to Account A1615.453 – Communications Repair Account.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 64-219

**SETTING DATE AND TERMS FOR AUCTION OF COUNTY-OWNED
TAX PROPERTIES NOTWITHSTANDING ANY RESOLUTION
HERETOFORE ADOPTED**

RESOLVED, that the following terms of auction for County-owned property for the auction to be held Wednesday, May 22, 2019 at 10:00 a.m. at the Albion Elk Lodge #1006, 428 West State Street, Albion, New York, be approved by this Legislature as follows:

TERMS OF AUCTION
ORLEANS COUNTY TAX PROPERTY AUCTION
ALBION ELK LODGE#1006
ALBION, NEW YORK
May 22, 2019
10:00 AM

This is the sale at public auction of various parcels of real property, which have been conveyed in the County of Orleans by final judgment under the so-called In Rem Tax Foreclosure Proceedings. This sale is ordered by various resolutions of the Orleans County Legislature and is in accordance

with the appropriate provisions of the Real Property Tax Law. This sale and sale of each and every parcel herein is upon the following terms:

TERMS AND CONDITIONS
OF THE
ORLEANS COUNTY AUCTION OF TAX FORECLOSED PROPERTY

1. Orleans County acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings; and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose: (b) applicable zoning/land use/building regulations; (c) water assessments are the responsibility of the purchaser, whether they are received or not; (d) the levied 2019 Town and County tax bill including any releived taxes, 2018/2019 village taxes, 2018/2019 school tax, any village or town water and sewer rents and assessments, in addition to any other applicable charges (including, but not limited to, omitted and pro rata taxes, demolition charges, interest and penalties); and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the public auction.
4. The purchaser shall be solely responsible for the payment of: the levied 2019 Town and County tax bill including any releived taxes; any Village taxes levied after May 31, 2019, the 2019/2020 school taxes, the 2020 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.
5. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date of the auction. Upon delivery of the quitclaim deed by the County of Orleans to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
6. No personal property is included in the sale of any of the parcels owned by Orleans County, unless the former owner or occupant has abandoned same. The disposition of any personal property located

on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.

7. All informational tools, such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. THE COUNTY, THE AUCTIONEER, AND THE AUCTION SERVICE MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.
8. The County of Orleans reserves the right, in its sole discretion, to withdraw from the auction any of the properties listed on the schedule of real property.
9. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and sold subject to the provisions of law applicable thereto.
10. All bidders are required to register and provide suitable personal identification prior to the auction. Auctioneer reserves the right to decline registration if identification is not sufficient.
11. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.
12. Bidder acknowledges receipt of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Bidder also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards, mold, asbestos or any other hazardous substances.
13. The former owner of the property, or his agent, shall not be deemed to be the successful bidder on the property or purchase same at the public auction, unless the bid amount exceeds the amount of the purchase price to affect the release of County's interest. If the former owner or his agent reacquires the property, all liens existing prior to the foreclosure, will be reinstated and the purchaser (former owner) must sign the deed to reinstate the liens.
14. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for recording the deed in the Orleans County Clerk's Office. The purchaser executing the auction terms and conditions of sale may not assign or otherwise transfer his right to complete the bid, unless the County

- agrees in writing. The deed prepared will be in the name of the successful bidder (and spouse) only. No third party bidding will be accepted, unless the bidder identifies that he is bidding as an agent for a disclosed principal.
15. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.
 16. The Purchaser will execute an Offer to Purchase form immediately upon being declared the high bidder. The approval of each bid by Resolution of the County Legislature *will not constitute a Contract of Sale* and the County reserves the right to reject any bid prior to the closing of title and the recording of the deed.
 17. The Purchaser shall be responsible for the payment of an eleven percent (11%) buyer's premium should buyer be paying by credit card or a ten percent (10%) buyer's premium should the buyer be paying by cash or by bank check in addition to the accepted purchase price and the closing fees/costs. The "buyer's premium" is the fee/commission earned by the auctioneer. An additional one and one half percent (1.5%) of the purchase price will be added to each parcel for advertising expenses. Accepted purchase price is the amount bid by a perspective bidder, which has been approved by the Orleans County Legislature.
 18. All required deposits must be paid in full for all successful bids immediately upon being declared the successful bidder. Any successful bidder, who fails to tender the deposit immediately upon being declared the successful bidder, will be forbidden to participate in this or any other auction. Any parcels which the County did not receive deposits for, as per these terms and conditions, will be considered to be defaulted, and resold and the bidder will be disqualified from further bidding.
 19. 25% of the total contract price (total contract price is the combination of the high bid and the buyer's premium, as defined in section 17 of these terms and conditions), shall be paid as a down payment on the day of the auction upon execution of an Offer to Purchase Form. Total contract prices selling for \$250.00 or less must be paid in full at auction, including all closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax [\$4.00 for the first \$1,000; \$2.00 for each \$500 thereafter of the purchase/bid price]; (b) Filing Fee for the Real Property Transfer Report [\$125.00 if the parcels classification code is 100-199, 200-299 or 411-C; \$250.00 for all parcels otherwise classified]; (c)

Filing Fee for combined Gains Transfer Tax Affidavit [\$5.00]; (d) all fees required by the Orleans County Clerk for recording of the deed [\$50.00 to record a one page deed; \$5.00 for each additional page] *Closing costs may be subjected to an increase in fees as required by law, without notice.* All deposits must be made in cash or guaranteed funds payable to the “Orleans County Treasurer” and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No exceptions.

20. All bids shall be subject to approval by the Orleans County Legislature, which shall have the right, in the Legislature’s sole discretion, to reject any bid for any reason whatsoever.
21. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all deposits tendered, and you will not be permitted to close on any other parcels for which you are the successful bidder.
22. The entire balance of the accepted purchase price, the buyer’s premium, as defined in section 17 of these terms and conditions, and all closing costs/fees must be paid by cash or guaranteed funds payable to received by the Orleans County Treasurer’s Office on or before June 28, 2019. The County is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the total contract price plus closing costs and fees as herein provided, the deposit shall be forfeited. The County reserves the right, in its sole discretion, to extend the time of payment upon such terms and conditions it deems appropriate.
23. If the successful bidder fails to tender such amount due by the close of business on June 28, 2019, then the County may, but is not obligated to offer any unsold property to the second highest bidder. All terms and conditions for the sale set forth herein above shall apply to the second highest bidder and/or any other purchaser.
24. All sales shall be final, absolute and without recourse, once title has closed and the deed has been recorded. In no event, shall Orleans County and/or Absolute Auctions & Realty, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, success or assigns, against Orleans County and/or Absolute Auctions & Realty, Inc. arising from this sale.
25. The County of Orleans will execute no warranties concerning the parcel or title thereto and will not deliver or be responsible for

- abstracts, title insurance, title searches, surveys, maps or other documents concerning a parcel whatsoever.
26. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the accepted purchase price, buyer's premium, and closing fees/costs. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE ORLEANS COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording the deed.
27. A quitclaim deed issued as a result of the auction shall contain the following provisions: (a) "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein;" (b) Orleans County shall in no event be or become liable for any defect in the title so conveyed for any cause whatsoever, or for any encroachments or disputed boundaries; and that no claim or demand of any nature shall ever be made against said Orleans County arising from such sale or conveyance or any proceedings leading thereto.
28. Evictions, if necessary, are solely the responsibility of the successful purchaser after closing and recording of the deed.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 65-219

APPROVING AGREEMENT BETWEEN THE OFFICES OF DISTRICT ATTORNEY AND ORLEANS COUNTY ATTORNEY

WHEREAS, Resolution No. 409-1007 authorized the District Attorney to handle and prosecute juvenile delinquency proceedings and further authorized an agreement between the offices of the County Attorney and District Attorney; be it

RESOLVED, that this Legislature approves a renewal agreement between the offices of County Attorney and District Attorney for attorney

and staff services in handling juvenile delinquency proceedings in the amount of \$11,585 for the 2019 calendar year.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 66-219

APPROVING AGREEMENT FOR DOCK WORKER/CUSTODIAL SERVICES AT ORLEANS COUNTY MARINE PARK

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Ronald Bierstine, 2038 Peter Smith Road, Kent, NY 14477, to provide dock worker and custodial services at Orleans County Marine Park from April 15, 2019 to October 31, 2019 at a cost not to exceed \$16,511 to be paid from Account A7180.432-Misc. Contracts/Agreements.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeRoller moved to authorize the purchase and approving the lease agreement with Orleans County and Municipal Leasing Consultants, which moves us forward with our new recycling program with our County; seconded by Legislator DeFilipps. Legislator Miller stated, he knows there is a savings with this new program but with the cumbersome feeling of this bin, he hoped that other options could be offered to help people move them around, therefore he stated he is not comfortable supporting this at this time. Legislator DeRoller added that this is a challenge because currently we recycle 20% of our waste stream in Orleans County. As we look out into our future, it will be a challenge in moving this forward. Legislator DeRoller has been working with our fourteen towns and villages, with the assistance of Modern Disposal, to provide sample carts and educational materials at these locations by March 11th. Legislator DeRoller is also linking up with our Planning Department to make sure we have an educational process and deployment. We are also going to engage, especially concerning those soft spots that Legislator Miller is concerned about, within our Villages and along our shoreline parcels regarding deployment of this cart, even if it is only once a month or more for some. We are saving the county substantial money as we move forward. The marketing and the recycling entity is going to change over time and we need

to be innovative and this is not a day one solution, stated Legislator DeRoller. The following resolution was adopted:

RESOLUTION NO. 67-219

**AUTHORIZING PURCHASE AND APPROVING LEASE AGREEMENT
BETWEEN ORLEANS COUNTY AND MUNICIPAL LEASING
CONSULTANTS**

WHEREAS, Resolution No. 442-1018 approved an agreement with Modern Disposal Services for the collection of solid waste and recycling services; now be it

RESOLVED, that this Legislature authorizes purchase from Rehrig Pacific Company, 1738 W. 20th St, Erie, PA 16502 (Proposal #011219) of 15,444 recycling carts at a total cost of \$776,500.84; and be it

FURTHER RESOLVED, that this Legislature does hereby approve an agreement between Orleans County and Municipal Leasing Consultants, 7 Old Town Lane, Grand Isle, VT 05458 to lease 15,444 ninety-five (95) gallon recycling carts with a tax exempt lease purchase of \$776,500.84 payable over four years at an annual advance with first payment due of \$400,000 due upon acceptance followed by three (3) payments of \$134,719.87 due annually thereafter; and be it

FURTHER RESOLVED, that this Legislature authorizes payment of an administration fee of \$625 to Municipal Leasing Consultants.

Moved, DeRoller; second, DeFilipps.
Adopted. 5 ayes; 1 nays, Miller; 1 absent, Eick.

RESOLUTION NO. 68-219

**APPROVING ADVERTISING PACKAGE THROUGH OUTDOOR
NEWS PUBLICATIONS FOR ORLEANS COUNTY TOURISM**

RESOLVED, that this Legislature approves the 2019 Advertising Package through The Outdoor News Publication, 310 E. Cortland Street, Groton, NY 13073 for the purpose of having 7 ads in the New York Outdoor News, 8 ads in the Pennsylvania Outdoor News, and 6 ads in the Ohio Outdoor News in the amount of \$5,380.90 to be paid from Tourism

Account A6410.468 – I Love New York. 50% Reimbursement from the I Love NY Matching Funds.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 69-219

AUTHORIZING PAYMENT OF TOURISM MATCHING FUNDS TO GREATER NIAGARA REGION

WHEREAS, Resolution No. 411-1018 authorized application for, and receipt of, State I Love New York Matching Funds, which, in part, are committed to regional tourism promotion; now be it

RESOLVED, that this Legislature hereby authorizes payment of \$37,278 to the Greater Niagara Region, c/o Orleans County Tourism, 14016 Rte. 31 W, Albion, NY 14411, to be paid from Tourism Account 6410.468 - I Love New York Matching Funds, as it becomes available, with said amount to be expended for regional tourism promotion programs which may include the following:

- 4-County Country Byways
- 5-County Greater Niagara Region
- Lake Ontario Sportfishing Promotion
- Canal New York Business Alliance
- Haunted History Trail
- Seaway Trail National Scenic Byway

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 70-219

APPROVING GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH AND ORLEANS COUNTY FOR THE STATEWIDE HEALTH CARE FACILITY TRANSITION PROGRAM

WHEREAS, Resolution No. 292-816 authorized Orleans County to apply for a Capital Project grant through the New York State Department of Health of Primary Care and Health Systems Management Grant for a capital project for the Public Health and Mental Health Departments; now be it

RESOLVED, that this Legislature does hereby approve a fixed term grant agreement (DOHO1-C32801GG-3450000) between the New York State Department of Health and Orleans County in the amount of \$3,682,748 for the infrastructure improvement to the existing County Office Building, with current contract term May 1, 2017 through April 30, 2022; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute all necessary documents pertaining to this grant subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 71-219

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve agreements between the Health Department and the following agencies:

Erie County Public Health Lab, Lab Services at 503 Kensington Avenue, Buffalo, New York 14214 to provide lab services for Public Health Nursing and the Environmental Health Water Program effective January 1, 2019 through December 31, 2020. Reimbursement from NYS Drinking Water Enhancement Grant and State Aid Article 6 at 100/36%. Reimbursement in accordance with the most current fee schedules for environmental and clinical testing services. No County Cost.

Timothy Hens, PE, Engineering Services at 7319 Quinlan Road, LeRoy, New York 14482. Contract to Provide Engineering Services for the Orleans County Environmental Department effective January 1, 2019 through December 31, 2019 at a cost of \$90/hour. Reimbursement from New York State Drinking Water Enhancement grant and State Aid Article 6 at 100/36%. No County Cost.

Holley Central School District, 3-5 Center based Program/Evaluations at 3800 North Main Street, Holley, New York 14470 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 effective November 1, 2018 through October 31, 2021. Partial reimbursement from New York State Education Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. Reimbursement from State Aid 59.5% and 40.5% Cost to County.

Katherine Bogan, County Attorney at 517 Main Street, Medina, New York 14103 to provide Attorney services to the Orleans County Health Department and its various programs for 2019 calendar year at a cost of \$15,500. Contract to follow terms of Legislature. Reimbursement from various grants and Article 6 State Aid 100/36%. No County Cost.

Christopher Mitchell Funeral Home, Transporter service at 21 West Avenue, Albion, New York 14411 to provide transporter services for deaths in Orleans County for the 2019 calendar year. Contract amounts are at \$175.00 per removal and \$1.50 per mile. Cost to County 100%.

3-D Delivery, Inc. c/b/a Genesee Delivery, Delivery services at 58 Kingsbury Avenue, Batavia, New York 14020 to provide Delivery services for the Orleans County Health Department various programs regarding Lab samples taken within the Environmental and Nursing Divisions. Contract amount of \$1.70 per mile reimbursement through Article 6 State Aid 100/36%. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 72-219

ACCEPTING GRANT AWARD, AUTHORIZING THE COUNTY TREASURER TO SET UP NEW MONEY, AND APPROVE OUT OF STATE TRAVEL

RESOLVED that the Orleans County Health Department has been awarded the following two grants from the Association of Food and Drug Officials, Voluntary National Retail Food Regulatory Program Standards Grant Program:

Temporary Event Kit and Educational Materials (G-SP-1810-06658)	\$1,525
Northeast FDA Regional Retail Food Safety Seminar (G-T-1810-06219)	\$2,700

FURTHER RESOLVED, that the County Treasurer is authorized to set up the following new monies in the Public Health Department budget as a result of two grant awards:

Revenue:		
A4403	Association of Food and Drug Officials	\$4,225
Appropriations:		
A4010.463	Travel Other than Mileage	\$2,700
A4010.487	Environmental Health Supplies	\$1,525

FURTHER RESOLVED, that this Legislature does hereby approve Shannyn Sanger, Senior Public Health Sanitarian and Cierra Lang, Public Health Sanitarian, to travel as part of this grant to the 2019 FDA Northeast Annual Food Protection Seminar to be held in Portsmouth, New Hampshire, September 18, 2019 – September 20, 2019. All travel expenses are covered by the Association of Food and Drug Official grant. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 73-219

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

WHEREAS, this Legislature approved an agreement between Orleans County Health Department and the Kresge Foundation to participate in the Emerging Leaders in Public Health Initiative; now be it

RESOLVED, that the legislature does hereby approve Paul Pettit, Public Health Director, and Brenden Bedard, Director of Community Health Services/Deputy Director to travel as part of this agreement to the 2019 Northwest Regional Telehealth Resource Center Conference held in Anchorage, Alaska, August 28-30, 2019 and the American Public Health Association Annual Meeting & Expo to be held in Philadelphia, PA, November 2-6, 2019. All costs are covered by the Kresge Foundation grant. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 74-219

**AUTHORIZING CREATING AND FILLING POSITION IN THE
PUBLIC HEALTH DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the creation of a part-time Registered Nurse [Public Health] in the Public Health Department at Grade 19 of the CSEA schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of this newly created vacant part-time Public Health Nurse position effective February 28, 2019.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 75-219

**APPROVING RE-APPOINTMENT TO THE ORLEANS COUNTY
BOARD OF HEALTH**

RESOLVED, that this Legislature authorizes the re-appointment of Paul Grout to the Genesee - Orleans County Board of Health representing Orleans County as an at-Large representative for a six year term effective January 1, 2019 through December 31, 2024.

Moved; Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 76-219

**AMENDING RESOLUTION NO. 472-1217 BETWEEN MENTAL
HEALTH DEPARTMENT AND EFPR GROUP, LLP**

WHEREAS, Resolution No. 472-1217 approved an Agreement between Mental Health and EFPR Group, LLP providing 2017 Consolidated Fiscal Report compliance review/audit at a cost of \$6,000.00 with a County cost of \$420.00; and

WHEREAS, professional services rendered regarding final billing for the examination of the CFR UPL (Upper Payment Level) for the year ended December 31, 2017 included an additional amount of \$1,200.00; be it

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RESOLVED, that this Legislature does hereby authorize the additional \$1,200.00 increase to this Agreement, now totaling \$7,200.00 with a County cost of \$504.00.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 77-219

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND HILLSIDE CHILDREN'S CENTER

RESOLVED, that this Legislature approves the following Agreements for Hillside Children's Center for the 2019 calendar year, beginning January 1, 2019 and ending December 31, 2019.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing a program of family resiliency as a community support service for individuals with mental and emotional problems who are living in the community at a cost of \$81,929 at no County cost.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a cost of \$17,000. County cost is \$6,544.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 78-219

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND OAK ORCHARD COMMUNITY HEALTH CENTER

RESOLVED, that this Legislature approves an agreement between Mental Health and Oak Orchard Community Health Center, 300 West Ave, Brockport, NY 14420 providing part-time Clinic Therapist and Care Manager to provide services at Oak Orchard under contract utilizing the IMPACT model of integrated behavioral health and primary care. Reimbursement schedule: Clinic Therapist -- \$62.00 per hour; Care Manager -- \$52.00 per hour for all scheduled hours at Oak Orchard for a

term commencing January 1, 2019 and ending February 28, 2019. No County cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 79-219

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM MISCELLANEOUS REVENUE TO THE MENTAL HEALTH BUDGET

RESOLVED, that the County Treasurer is authorized to set up funds from miscellaneous reserve in the Mental Health budget to pay for a switch, cables and doors for new training room as follows:

Revenue:		
Miscellaneous Revenue		\$1,493.24
<u>Appropriation:</u>		
A4310.418	Other Contractual Expenses	\$546.24
A4310.405	Building Project	\$947.00

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 80-219

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE/JAIL AND LEXIS NEXIS

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office/Jail and Lexis Nexis Legal Research Solutions for Prisons which will allow inmates of the jail to access an electronic law library for legal research, at a monthly cost of \$150, for term April 1, 2019 through March 31, 2021.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 81-219

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**AUTHORIZING ACQUISITION OF PATROL VEHICLES FOR THE
SHERIFF'S OFFICE AND APPROVING LEASE AGREEMENT
BETWEEN SHERIFF'S OFFICE AND BANCORP LEASING**

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to acquire two (2) 2019 Chevrolet Tahoe 4WD vehicles at a price of \$51,023.00 each and one (1) 2019 Chevrolet Tahoe 4WD vehicle at a price of \$44,408.05 from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY, to be paid from Sheriff's account A3110.270 Capital Equipment (PO#); and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the leasing of these three (3) 2019 Chevrolet Tahoe 4WD vehicles; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute two (2) three-year lease agreements with Bancorp Leasing, 2127 Espey Court, Suite 208, Crofton, MD, authorizing each lease agreement to have annual lease payments in 2019, 2020 and 2021 of \$18,693.00 with an interest rate of 5.25% subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute one (1) four-year lease agreement with Bancorp Leasing, 2127 Espey Court, Suite 208, Crofton, MD, authorizing annual lease payments in 2019, 2020, 2021 and 2022 of \$12,697.00 with an interest rate of 5.25% subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 82-219

**AUTHORIZING CREATING, FILLING AND ABOLISHING
TEMPORARY FULL TIME POSITION AT THE ORLEANS COUNTY
SHERIFFS OFFICE**

WHEREAS, a Corrections Officer employed at the Orleans County Jail is out on a medical leave, and

WHEREAS, to help keep the cost of overtime at a minimum, it is requested that a temporary Correction Officer position be created until such time the full-time employee returns to full duty; now be it

RESOLVED, that this Legislature authorizes the creation of one temporary full-time Correctional Officer position in the Sheriff's Office at grade 5 Step 1 of the Orleans County Sheriff's Employees Association salary schedule effective February 28, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this temporary full-time Correctional Officer; and therefore be it

FURTHER RESOLVED, this temporary position shall be abolished once the aforementioned employee returns to work.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 83-219

**APPROVING FEE SCHEDULE FOR THE ORLEANS COUNTY
SHERIFF'S OFFICE**

RESOLVED, that this Legislature approves the following fee schedule for civil service processing performed by the Sheriff's Office, effective April 1, 2019:

*All fees for service must be paid in advance.

Fees for service are for each person to be served. When multiple types of process are served simultaneously, the statutory fee for each type of process will be charged.

Mileage and notary fees will be added to all services EXCEPT Income Executions.

Notary Fee – per affidavit	\$ 2.00
Mileage Rates per town, based on round trip:	
Town of Albion	\$ 9.00
Town of Barre	\$ 15.00
Town of Carlton	\$ 16.00
Town of Clarendon	\$ 21.00
Town of Gaines	\$ 12.00
Town of Kendall	\$ 24.00

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Town of Murray	\$ 20.00
Town of Ridgeway	\$ 23.00
Town of Shelby	\$ 20.00
Town of Yates	\$ 28.00
Income Execution, 1 st and 2 nd stage	\$ 86.00
Property Execution:	
Straight/Demand & Levy	\$ 85.00
Real Property	\$ 55.00
Third Party Tangible Property	\$ 55.00
Third Party Intangible Property	\$ 40.00
Notice of Petition with/without Petition	\$ 57.00
Eviction	
For first tenant, incl Standby Fee	\$ 107.00
For each additional tenant	\$ 32.00
Arrest Order or Warrant	\$ 32.00
Summons and/or Summons & Complaint	\$ 12.00
Subpoena	\$ 12.00
Restraining Notice	\$ 12.00
Order	\$ 32.00
Order to Show Cause	\$ 32.00
Notice of Motion	\$ 32.00
Mandate	\$ 32.00
Surrogate Citation & Will	\$ 42.00
Postings, per Town	\$ 60.00
Order of Attachment or Notice of Attachment:	
Personal Property: For Each Levy	\$ 72.00
For Each Additional Defendant	\$ 32.00
Real Property: Notice of Attachment	\$ 80.00
Order of Seizure: For First Defendant	\$ 122.00
For Each Additional Defendant	\$ 57.00

and be it

FURTHER RESOLVED, that the following fees be established for services provided by the Sheriff's Office:

Pistol Permit Applications	\$ 10.00
Incident/Accident Reports-Processing Fee	\$ 3.00
Photos, released by CD only	\$ 40.00
Duplicate Copy of Bail Receipt	\$ 5.00
Copy Fee	\$ 1.00

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 84-219

**AUTHORIZING EXECUTION OF JUSTICE COURT LIAISON
CONTRACT FOR ORLEANS COUNTY PUBLIC DEFENDER**

RESOLVED, that this Legislature approves an agreement between the Public Defender's Office and Sandra Gapa for a Justice Court Liaison for the Public Defender's Office, at an annual cost of \$18,200; said amount to be paid in equal monthly installments of \$1,516.67, upon the submission of a County Voucher at the end of each month; agreement to be effective March 1, 2019 through February 29, 2020.

FURTHER RESOLVED, that this agreement will terminate when the grant funding ceases to pay for the cost of this contract.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 85-219

**APPROVING AGREEMENT BETWEEN EMERGENCY
MANAGEMENT AND NEW YORK STATE DIVISION OF
HOMELAND SECURITY**

WHEREAS, Resolution No. 352-818 authorized the Emergency Management Office to apply for the 2018 Statewide Interoperable Communication "Targeted" Grant (SICG); be it

RESOLVED, that this Legislature approves the SICG "Targeted" grant acceptance agreement in the amount of \$5,897,141 between the Office of Emergency Management and the New York State Division of Homeland Security and Emergency Services (DHSES) for a contract period of December 1, 2018 to November 30, 2022 ; and be it

FURTHER RESOLVED, that the Chairman is authorized to electronically sign e-grant ST18-1002-D00, Contract No. C198033 for the amount of \$5,897,141, and be it

FURTHER RESOLVED, that this Legislature authorizes Tim Warth dba Radio Technologies to create and issue a civil RFP for site development at the new locations and any required modifications to existing sites.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Allport moved to accept the proposal and agreement for professional services to be completed by Radio Technologies concerning the \$5,897,141 State Interoperable Targeted Grant awarded to Orleans County; second by Legislator Draper. He thanked the Emergency Management Department and the Radio Advisory Committee for their hard work in obtaining this grant. Chairman Johnson invited Mr. Banker to explain our tower project. Mr. Banker stated that this has been a two-year project that have identified coverage issues concerning radio communications. Towers will be constructed in the Town of Kendall, Village of Lyndonville (West Ave), enhancements on top the Holley Water Tower and a new tower at the Public Safety Building. All these towers will be one hundred and eighty feet tall. Currently our Public Safety Building is connected to EMO by fiber optic line so if something should happen with that line; our communications is severed to our two key points. The new tower at Public Safety Building, will have a redundant microwave link therefore our radio system will remain operable should something happen to our other location. Mr. Banker stated that this is Phase I. Phase II could entail another tower at the Town of Carlton therefore making a rectangular connection through our county providing microwave connection to Niagara County, possibly area of Barker Fire Hall, and a connection through the Kendall Tower into Monroe County/Hamlin Area. This has been a great two-year project that our Radio Advisory Board and our Consultant has made possible. The following resolution was adopted:

RESOLUTION NO. 86-219

ACCEPTING RADIO TECHNOLOGIES PROPOSAL FOR THE 2018 STATEWIDE INTEROPERABLE COMMUNICATIONS “TARGETED” GRANT AND AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH RADIO TECHNOLOGIES

WHEREAS, Resolution No 85-219 accepted the FY18 State Interoperable “Targeted” Grant from New York State Department of Homeland Security and Emergency Services in the amount of \$5,897,141, now be it

RESOLVED, that this Legislature accept the proposal from Radio Technologies for the Statewide Interoperable Communications “Targeted” Grant, and be it

FURTHER RESOLVED, that this Legislature does hereby approve a Professional Services Agreement with Timothy Warth; d/b/a Radio Technologies, 15 Pamda Dr, Rochester, NY 14617 to design, provide project management and technical resources for the design and installation of the proposed communications system identified in the 2018 “Targeted” Statewide Interoperable Communications Grant at a total cost of services not to exceed \$393,000; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this professional services agreement subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 87-219

AUTHORIZING THE OPTION TO EXTEND GROUND LEASE AGREEMENTS WITH THE TOWN OF CLARENDON AND VILLAGE OF MEDINA FOR COMMUNICATION FACILITIES

WHEREAS, Resolution No 293-813 authorized the execution of Ground Lease agreements with the Town of Clarendon and the Village of Medina; now be it

RESOLVED, that this Legislature authorizes the option to extend the term of the ground lease agreements for communications facilities with the Town of Clarendon and Village of Medina for a five-year period from October 1, 2018 through September 31, 2023 per terms and conditions of agreement authorized in the adoption of Resolution No. 293-813.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 88-219

APPOINTING MEMBERS TO THE RADIO SYSTEM ADVISORY BOARD

WHEREAS, the Orleans County Radio System Advisory Board, per grant guidelines, must organize one time per year, now be it

RESOLVED, that this Legislature appoints the following members to the Radio System Advisory Board for a one year term beginning January 1, 2019 through December 1, 2019:

Lynne M. Johnson	Legislative Chairman
Donald Allport	Legislative Vice Chairman
Skip Draper	Vice Chair, Public Safety Committee
Chuck Nesbitt	Chief Administrative Officer
H. Dale Banker	Director of Emergency Management
Randy Bower	Sheriff
Peter Houseknecht	Deputy Highway Superintendent
Allen Turner	Dispatch
Roland D. Nenni	Chief of Police – Albion/Holley
Kevin Doherty	Radio System Manager
Gerald Bentley	Fire Chief’s Association
Jon Higgins	Fire Advisory Board
Chad Kenward	Chief of Police - Medina

Moved Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 89-219

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS OF A FEDERAL-AID AND/OR STATE-AID TRANSPORTATION PROJECT, AND APPROPRIATING FUNDS

WHEREAS, Sponsor will design, let and construct the “BRIDGE NY PROJECT”; and

WHEREAS, a Project for the Replacement of Monroe-Orleans County Line Road Bridge over East Branch Sandy Creek in the Town of Murray, PIN # 4BNY.11 (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 Legislature of Orleans County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Monroe-Orleans County Line Road Bridge over East Branch Sandy Creek; and be it

RESOLVED, that the Orleans County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Orleans County Legislature hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of the Replacement of Monroe-Orleans County Line Road Bridge over East Branch Sandy Creek or portions thereof; and it is further

RESOLVED, that the Orleans County Legislature hereby agrees that the County of Orleans shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans; and it is further

RESOLVED, that the sum of \$1,115,175.00 is hereby appropriated from Orleans County and made available to cover the cost of Preliminary "Engineering" and "ROW Incidentals" and "Construction" in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification from the New York State Department of Transportation thereof, and it is further

RESOLVED, that Orleans County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and it is further

RESOLVED, that the Chairman of the Legislature of the County of Orleans be and is hereby authorized to execute all necessary Agreements, Certification or reimbursement requests for Federal Aid and/or State-aid on behalf of the County of Orleans with the NYS Department of

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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 Commission of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 90-219

AUTHORIZING FILLING OF VACANCY IN THE HIGHWAY DEPARTMENT

RESOLVED, this this Legislature does hereby authorize the filling of a vacant permanent part-time Account Clerk position (D5110.04) in the Highway Department at Grade 9 of the CSEA Contract salary schedule effective March 4, 2019.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 91-219

APPROVING NOMINATION TO GLOW WORKFORCE DEVELOPMENT BOARD FOR ORLEANS COUNTY PRIVATE SECTOR MEMBER

RESOLVED, that this Legislature does hereby approve the nomination of Sean Casher, Human Resources Manager for Claims Recovery Financial Systems, to represent Orleans County as a Private Sector Member on the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Board for the purpose of organizing and implementing activities pursuant to the Workforce Innovation and Opportunity Act (herein referred to as 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, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 92-219

APPROVING AN ADDENDUM BETWEEN OFFICE FOR THE AGING AND EMBRACE HOME CARE, LLC.

WHEREAS, Resolution #41-119 approved a renewal contract with Embrace Home Care, Llc, 6558 4th Section Road, #227, Brockport, NY 14420 to provide housekeeping/chore services for older adults from January 1, 2019 through December 31, 2019; now be it

RESOLVED, that this Legislature approves an addendum to add Personal Care Level 2 Services at a rate of \$25/hour starting March 1, 2019. County cost is \$6.25/hour.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 93-219

AUTHORIZING OFFICE FOR THE AGING TO REAPPLY FOR THE MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA) FUNDING

RESOLVED, that this Legislature authorizes Office for the Aging to apply for the MIPPA grant in the amount of \$13,317 to educate and assist Medicare beneficiaries with limited incomes, outreach and assistance with Medicare Part D for beneficiaries in rural areas, and assist with Low Income Subsidy and Medicare Savings Applications effective September 30, 2018 through September 29, 2019; No County Cost,

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 94-219

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements between the Orleans County Department of Social Services and the following agencies:

The House of the Good Shepherd, Utica, NY for the provision of “Raise the Age” residential foster care services; to be effective January 1, 2019 through December 31, 2019, 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.

Orleans County Attorney, Medina, NY for the provision of 0.75 part-time attorney assigned to Social Services; to be effective January 1, 2019 through December 31, 2019 at a cost of \$57,653. County cost is \$19,602.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 95-219

AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as a result of a promotion, this Legislature does hereby authorize the filling of a vacant full-time Clerk (6010.0409) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective February 28, 2019.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 96-219

APPROVING SUBMISSION OF THE ANNUAL PLAN OF THE CHILD AND FAMILY SERVICES CONSOLIDATED SERVICE PLAN TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES ON BEHALF OF SOCIAL SERVICES

WHEREAS, New York State Office of Children and Family Services requires each local district to submit an Annual Plan update

describing and explaining all available services provided to the public and changes made since the last submission was made; and

WHEREAS, the Child and Family Services plan covers the period of April 1, 2018 to March 31, 2023; and

WHEREAS, the Child and Family Update describes any changes to the comprehensive plan, progress in implementation and strategies for improved service provision; and

WHEREAS, this present plan provides explanatory procedures and policy to those within the realm of needing services and assistance for their families; now be it

RESOLVED, that this Legislature does hereby approve the complete submission of the Annual Plan Update of the Children and Family Services Consolidated Services Plan as required to the State of New York.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 97-219

AUTHORIZING A GRANT OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME TO THE VILLAGE OF MEDINA TO IMPROVE PEDESTRIAN ACCESS AND CONNECTIVITY ALONG THE MAPLE RIDGE CORRIDOR

WHEREAS, the County of Orleans (the “County”) was the recipient of grants from the New York State Housing Trust Fund Corporation represented by the Governor’s Office for Small Cities through the Community Development Block Grant (CDBG) Program (the “CDBG Grants”); and

WHEREAS, the County entered in agreements with the County of Orleans Industrial Development Agency (“COIDA”) and The Orleans County Local Development Corporation (“LDC”) (the “Subrecipient Agreements”) pursuant to which the County provided the proceeds of the CDBG Grants to COIDA and the LDC for the purpose of making loans to businesses; and

WHEREAS, pursuant to the Subrecipient Agreement with COIDA, any Program Income, as defined in the CDBG regulations (“Program Income”), resulting from the use of the CDBG Grant was to be used by COIDA to administer a revolving loan fund which was designated as the Orleans Revolving Loan Fund (“ORLF”), which loan fund was also to be partially funded with Program Income resulting from the use of CDBG grants made to the Towns of Albion, Shelby and Yates and the Village of Holley, which also entered into Subrecipient Agreements with COIDA; and

WHEREAS, pursuant to the Subrecipient Agreement with the LDC, any Program Income resulting from the use of the CDBG Grant was to be used by the LDC to administer a microenterprise revolving loan fund (the “MLF”); and

WHEREAS, the use of Program Income is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter “HUD”) and the New York State Office of Community Renewal (hereinafter “OCR”); and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019; and

WHEREAS, any proposed use of Program Income prior to March 31, 2019 must be approved by OCR; and

WHEREAS, in response to OCR’s directive, the County authorized certain actions with respect to the ORLF and MLF, including the use of Program Income for any eligible CDBG activity, and approved amendments to the Subrecipient Agreements, including changes to provide for the remittance to the County of its share of Program Income; and

WHEREAS, the Village of Medina (the “Village”) has determined that the construction of certain improvements along the north side of Maple Ridge Road east of Route 63, including the construction of a pedestrian bridge where the road crosses Oak Orchard Creek and, if sufficient funds are available, the construction of a sidewalk (referred to herein as the “Improvements”), would provide increased access and connectivity and enhance the mobility of residents of a low-income census tract in the Village of Medina; and

WHEREAS, the County proposes to use a portion its Program Income, as remitted to it by COIDA and the LDC, to make a grant to the Village to fund the CDBG-eligible Improvements; and

WHEREAS, the County held a public hearing regarding the proposed use of its Program Income on February 27, 2019;

NOW, THEREFORE, BE IT

RESOLVED, that, subject to the approval of OCR, the County utilize a portion of the County's Program Income, as remitted to the County by COIDA and the LDC, in an amount not to exceed \$129,000, to provide a grant to the Village (the "Grant") to be used to fund the CDBG-eligible Improvements;, and be it further

RESOLVED, that the County enter into a Grant Agreement with the Village, which shall provide for the disbursement and use of the Grant proceeds to fund the Improvements in a manner consistent with CDBG program requirements and applicable statutes, rules and regulations, such Grant Agreement to be subject to the approval of the County Attorney; and be it further

RESOLVED, that following the County Attorney's review, the Chair of the Legislature be, and hereby is, authorized to execute the Grant Agreement with the Village and such other documentation as is required to effectuate the actions approved in this Resolution; and be it further

RESOLVED, that the Chair of the Legislature is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the project.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 98-219

CALLING FOR A PUBLIC HEARING REGARDING THE USE OF
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
INCOME

RESOLVED, that this Legislature hereby calls for a public hearing to obtain the views of citizens, public agencies, and other interested parties on the housing and community development needs of the County and the County's submission of a request to the New York State Office of Community Renewal for approval of the use of Community Development Block Grant Program Income to provide funding to the Village of Albion to make eligible improvements Bullard Park and to provide funding to the Village of Holley to make eligible waterline improvements on Thomas Street such public hearing to be held at 11:00 a.m. on March 7, 2019 at 3 South Main Street, Suite 2, Courthouse Square, Albion, New York in the Legislative Chambers.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 99-219

SETTING DATE OF SPECIAL MEETING TO APPROVE THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT INCOME

RESOLVED, that this Legislature will call a special meeting on Thursday, March 7, 2019 at 11:10 a.m at the Orleans County Legislative Chambers to approve the use of Community Development Block Grant Income.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 100-219

AUTHORIZING PAYMENT FOR 2019 LEADERSHIP ORLEANS PARTICIPANTS

RESOLVED, that this Legislature authorizes payment to Leadership Orleans c/o Community Action of Genesee Orleans 409 East State Street, Albion, NY 14411 in the amount of \$5,850 (PO #60478) for three (3) Leadership Orleans 2019 Program Participant Tuition for Orleans County Employees to be paid from Unassigned Unallocated Expense Account A1910.418 – other contractual expenses.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 101-219

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$80,353.06	Michael A. Ferraulo Plumbing & Heating	Payment #9, Work performed 1/1/19-1/31/19, HVAC
\$173,951.65	Suburban Electric, Inc.	Payment #9, Work performed 1/1/19-1/31/19, Electrical
\$11,191.00	MKS Plumbing Corp	Payment #9, Work Performed 1/1/19-1/31/19, Plumbing
\$257,112.80	Holdsworth Klimowski Construction	Payment #9, Work Performed 1/1/19-1/31/19, General Construction
\$97.85	All State Fire & Security	Payment #8, Work Performed 1/1/19-12/31/19, Fire Protection
\$35,423.65	Wendel WD A/E/S/LA, PC	Professional Services, 12/1/18- 12/31/2018, Inv #350811 – Construction Admin, Move Management Plan; Project Coordination Labor, Project Coordination Fee, DOH Grant Admin Assistance, Reimbursable Expenses

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 102-219

**OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE
STATE BUDGET IMPACTING AID AND INCENTIVES TO
MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES**

WHEREAS, on February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2020 Executive Budget making impacted towns

and villages whole from changes to Aid and Incentives for Municipalities (AIM) funding by utilizing revenue from county sales tax; and

WHEREAS, instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties; and

WHEREAS, already-existing unfunded State mandates are the cause of high local taxes in New York State; and

WHEREAS, Counties were granted the authority to levy a local sales tax in the late 1960s to help pay for Medicaid, indigent legal defense services, and other state mandates on counties; and

WHEREAS, requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation; and

WHEREAS, currently nine state mandated programs placed on counties equals more than 90 percent of the typical county property tax levy, and these mandated costs continue to grow; and

WHEREAS, cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes; and

WHEREAS, the Fiscal Year 2020 Executive Budget recommends a reduction in AIM funding for towns and villages in Orleans County, cutting a total of \$290,276; and

WHEREAS, replacing what had been State AIM assistance with funding from county revenues is simply a tax-shift that ultimately will result in higher property taxes; now, therefore, be it

RESOLVED, that the Orleans County Legislature supports the full restoration of this state aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019/2020 state budget; and be it

FURTHER RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate

Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblyman Michael Norris, Orleans County Village Mayors and Town Supervisors, the New York State Association of Counties, and all others deemed necessary and proper.

Moved, DeFilippis; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 103-219

URGING NEW YORK STATE TO FUND ALL COSTS ASSOCIATED WITH NEW STATE-ENACTED VOTING REFORMS IMPLEMENTED AT THE COUNTY LEVEL

WHEREAS, New York State has some of the lowest voter turnout rates in the nation; and

WHEREAS, state lawmakers have passed and the Governor has enacted a series of reforms to state election law and the voting process, including early voting, consolidating the federal and state primary dates, voter registration transfers, and same day voter registrations; and

WHEREAS, counties, through local Boards of Elections, are responsible for managing election operations, and paying for all or most of the costs of these operations; and

WHEREAS, the State's new early voting law requires counties to open polling sites for early voting for 10 days prior to any primary or general election, starting during the 2019 general election; and

WHEREAS, another state proposal would allow for same day voter registration, which would enable voting-age residents to register to vote and vote on Election Day, and

WHEREAS, these reforms will likely require counties to purchase and use electronic polling books, and make other investments in their election systems; now, therefore, be it

RESOLVED, the Orleans County Legislature calls upon Governor Andrew M. Cuomo, and the New York State Legislature to create a task

force of state and local officials to determine the costs associated with implementing these voting reforms; and be it

FURTHER RESOLVED, that the state fund the costs associated with the new reforms; and be it

FURTHER RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Robert Ort and Assemblyman Steve Hawley, Assemblyman Michael Norris, the New York State Association of Counties and all others deemed necessary and proper.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Note: Election Office was commended for meeting the new time lines that have been imposed on them by the State.

RESOLUTION NO. 104-219

AUTHORIZING PAYMENT OF CLAIMS FOR MARCH AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 13, 2019:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	941-1101	565,700.87
Highway	1393-1398; 3139-3167	\$151,481.11
Job Development	2996-3003	\$914.67
Self Insurance	60788-60791; 60854	\$50,446.81

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for March 27, 2019:

Fund/Department	Check Number (s):	Amount:
General	817; 1102-1196	\$214,544.78
Highway	1399-1405; 3168-3182	\$92,329.05
Job Development	3006	\$14,835.34
Self Insurance	60853; 60855; 1225	\$329.98

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 105-219

APPROVING TITLE VI NONDISCRIMINATION PLAN

WHEREAS, Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not; and

WHEREAS, Orleans County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not; and

WHEREAS, A committee, which was comprised of the Chief Administrative Officer, Director of Personnel and Self Insurance, Highway Superintendent, County Attorney, and additional County support staff, did review each component of the Title VI Plan and does recommend the County adopting said plan; and

WHEREAS, Pursuant to the Orleans County Title VI Plan, the Chief Administrative Officer Director will act as the Orleans County Civil Rights Coordinator; now therefore be it

RESOLVED, that the Orleans County Legislature does hereby adopt the Orleans County Title VI – Nondiscrimination Plan and the Title VI Assurances submitted by the Orleans County Compliance Officer, and be it

FURTHER RESOLVED, that the Orleans County Chief Administrative Officer will act as the County Civil Rights Coordinator.

Moved, Miller; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Note: County Attorney and Highway Department was commended for working on this Title VI Plan.

Legislator Johnson called upon the many uniformed Firefighters that were present at today's meeting and asked them to come forward. She thanked them for coming today. They were also thanked for all that they have done during our recent windstorm; and for so many other things they do for this county all the time. All present thanked them by applause. Legislator Allport presented, in its entirety, a resolution opposing Assembly Bill A1413, which is an Act to Amend the General Municipal Law, in Relation to Prohibiting Firearms as Prizes in any Game of Chance; seconded by Legislator Draper. The following resolution was adopted:

RESOLUTION NO. 106-219

OPPOSING ASSEMBLY BILL A1413 AN ACT TO AMEND THE GENERAL MUNICIPAL LAW, IN RELATION TO PROHIBITING FIREARMS AS PRIZES IN ANY GAME OF CHANCE

WHEREAS, the assault on the rights and culture of upstate New Yorkers has reached a breakneck pace under the New York City-centric leadership of New York State's Legislative and Executive branches; and

WHEREAS, Fire Departments and charitable organizations in Orleans County very often carry out gun raffles in which the common instruments of game hunting are raffled off to benefit the first responders of the community as they attempt to equip their volunteer citizens with

suitable equipment to save lives and property when pressed into service;
and

WHEREAS, New York State has already eliminated the bake sale of Mom's Apple Pie as a possible form of fundraising for Fire Departments and charitable organizations through Public Health regulations; and

WHEREAS, the rationale of the bill's sponsor linking fire department fund raising to gun violence is non-scientific, completely unproven and amounts to anecdotal grandstanding at the expense of real people carrying out real service to the community; and

WHEREAS, the continued oppression of upstate culture and values by the government of the state of New York is a form of tyranny and is entirely unacceptable in any form; now be it

RESOLVED, that the Orleans County Legislature opposes Bill A1413 and the tyranny it represents; and be it further

FURTHER RESOLVED, that certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Robert Ort and Assemblyman Steve Hawley, Assemblyman Michael Norris, the New York State Association of Counties, Association of Municipalities and all others deemed necessary and proper.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Dale Banker, Emergency Management Director, thanked the board for passing this resolution and stated that eight of our eleven volunteer fire departments hold gun raffles. Chief of the Shelby Department just informed Mr. Banker that they along with Ridgeway hold two gun raffles per year. These are major fundraisers for our volunteer departments, which would be devastating if not allowed to hold these and those costs will then be responsible for the taxpayers to pay for their fire protection. Chairman Johnson wanted to make sure that our firefighters are supported by this board 100% and believes we are the first county to pass a resolution opposing this Assembly Bill.

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Chairman Johnson opened the floor for public comment. Steve Colon, Lyndonville, addressed home rule and article 9 concerning many counties are doing a second amendment sanctuary, that is where they stand behind their sheriff, if laws are in a gray area or are unconstitutional, puts no pressure on the sheriff to arrest people.

Legislator Allport stated that he received Mr. Colon's correspondence on Home Rule.

Howard Watts, Shelby, thanked everyone, from the bottom of their hearts, for passing today's resolution concerning gun raffle fundraisers. This brings in tens of thousands of dollars to our fire company that could be lost if this cannot be a fundraiser for us, he expressed.

Legislator Miller moved to enter into executive session at 5:05 per Open Meetings Law §105 (f) to discuss a personnel issues as it pertains to their employment history, second by Legislator Allport. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:35 p.m.; second by Legislator DeFilipps. Motion Carried. With no further business conduction, Legislator Allport moved to adjourn, second by Legislator Draper. Meeting adjourned at 5:36 p.m.

SPECIAL LEGISLATURE MEETING

March 7, 2019

Chairman Johnson called the special meeting to order at 11:09 AM. After the pledge to the flag, the Clerk called the roll. All Legislators were present with the exception of Legislators DeFilipps and Eick.

The following resolutions were presented for adoption:

RESOLUTION NO. 107-219

AUTHORIZING A GRANT OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME TO THE VILLAGE OF ALBION TO FUND CONSTRUCTION OF ELIGIBLE IMPROVEMENTS TO BULLARD PARK

WHEREAS, the County of Orleans (the “County”) was the recipient of grants from the New York State Housing Trust Fund Corporation represented by the Governor’s Office for Small Cities through the Community Development Block Grant (CDBG) Program (the “CDBG Grants”), and

WHEREAS, the County entered in agreements with the County of Orleans Industrial Development Agency (“COIDA”) and The Orleans County Local Development Corporation (“LDC”) (the “Subrecipient Agreements”) pursuant to which the County provided the proceeds of the CDBG Grants to COIDA and the LDC for the purpose of making loans to businesses, and

WHEREAS, pursuant to the Subrecipient Agreement with COIDA, any Program Income, as defined in the CDBG regulations (“Program Income”), resulting from the use of the CDBG Grant was to be used by COIDA to administer a revolving loan fund which was designated as the Orleans Revolving Loan Fund (“ORLF”), which loan fund was also to be partially funded with Program Income resulting from the use of CDBG grants made to the Towns of Albion, Shelby and Yates and the Village of Holley, which also entered into Subrecipient Agreements with COIDA, and

WHEREAS, pursuant to the Subrecipient Agreement with the LDC, any Program Income resulting from the use of the CDBG Grant was to be used by the LDC to administer a microenterprise revolving loan fund (the “MLF”), and

WHEREAS, the use of Program Income is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter “HUD”) and the New York State Office of Community Renewal (hereinafter “OCR”), and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and

WHEREAS, any proposed use of Program Income prior to March 31, 2019 must be approved by OCR, and

WHEREAS, in response to OCR’s directive, the County authorized certain actions with respect to the ORLF and MLF, including the use of Program Income for any eligible CDBG activity, and approved amendments to the Subrecipient Agreements, including changes to provide for the remittance to the County of its share of Program Income, and

WHEREAS, as part of the rebuilding of Bullard Park, the Village of Albion (the “Village”) intends to construct improvements which will provide increased recreational opportunities for low-income residents of the Village, and

WHEREAS, the County proposes to use a portion of its Program Income, as remitted to it by COIDA and the LDC, to make a grant to the Village to fund the CDBG-eligible improvements, and

WHEREAS, the County held a public hearing regarding the proposed use of its Program Income on March 7, 2019.

NOW, THEREFORE, BE IT

RESOLVED, that, subject to the approval of OCR, the County utilize a portion of the County’s Program Income, as remitted to the County by COIDA and the LDC, in an amount not to exceed \$111,500, to provide a grant to the Village (the “Grant”) to be used to fund CDBG-eligible improvements to Bullard Park, and be it further

RESOLVED, that the County enter into a Grant Agreement with the Village which shall provide for the disbursement and use of the Grant

proceeds to fund CDBG-eligible improvements in a manner consistent with CDBG program requirements and applicable statutes, rules and regulations, such Grant Agreement to be subject to the approval of the County Attorney, and be it further

RESOLVED, that following the County Attorney's review, the Chair of the Legislature be, and hereby is, authorized to execute the Grant Agreement with the Village and such other documentation as is required to effectuate the actions approved in this Resolution, and be it further

RESOLVED, that the Chair of the Legislature is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the project.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Eick and DeFilipps.

RESOLUTION NO. 108-219

AUTHORIZING A GRANT OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME TO THE VILLAGE OF HOLLEY TO FUND CONSTRUCTION OF ELIGIBLE WATERLINE IMPROVEMENTS

WHEREAS, the County of Orleans (the "County") was the recipient of grants from the New York State Housing Trust Fund Corporation represented by the Governor's Office for Small Cities through the Community Development Block Grant (CDBG) Program (the "CDBG Grants"), and

WHEREAS, the County entered in agreements with the County of Orleans Industrial Development Agency ("COIDA") and The Orleans County Local Development Corporation ("LDC") (the "Subrecipient Agreements") pursuant to which the County provided the proceeds of the CDBG Grants to COIDA and the LDC for the purpose of making loans to businesses, and

WHEREAS, pursuant to the Subrecipient Agreement with COIDA, any Program Income, as defined in the CDBG regulations ("Program Income"), resulting from the use of the CDBG Grant was to be used by COIDA to administer a revolving loan fund which was designated as the

*March 7, 2019
Resolutions 107-108*

Orleans Revolving Loan Fund (“ORLF”), which loan fund was also to be partially funded with Program Income resulting from the use of CDBG grants made to the Towns of Albion, Shelby and Yates and the Village of Holley, which also entered into Subrecipient Agreements with COIDA, and

WHEREAS, pursuant to the Subrecipient Agreement with the LDC, any Program Income resulting from the use of the CDBG Grant was to be used by the LDC to administer a microenterprise revolving loan fund (the “MLF”), and

WHEREAS, the use of Program Income is subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter “HUD”) and the New York State Office of Community Renewal (hereinafter “OCR”), and

WHEREAS, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and

WHEREAS, any proposed use of Program Income prior to March 31, 2019 must be approved by OCR, and

WHEREAS, in response to OCR’s directive, the County authorized certain actions with respect to the ORLF and MLF, including the use of Program Income for any eligible CDBG activity, and approved amendments to the Subrecipient Agreements, including changes to provide for the remittance to the County of its share of Program Income, and

WHEREAS, the Village of Holley (the “Village”) proposes to construct certain waterline improvements along Thomas Street to provide improved service to low-income residents of the Village, and

WHEREAS, the County proposes to use a portion of its Program Income, as remitted to it by COIDA and the LDC, to make a grant to the Village to fund the CDBG-eligible improvements, and

WHEREAS, the County held a public hearing regarding the proposed use of its Program Income on March 7, 2019.

NOW, THEREFORE, BE IT

RESOLVED, that, subject to the approval of OCR, the County utilize a portion of the County's Program Income, as remitted to the County by COIDA and the LDC, in an amount not to exceed \$28,990.00, to provide a grant to the Village (the "Grant") to be used to fund CDBG-eligible waterline improvements on Thomas Street within the Village, and be it further

RESOLVED, that the County enter into a Grant Agreement with the Village, which shall provide for the disbursement and use of the Grant proceeds to fund CDBG-eligible improvements in a manner consistent with CDBG program requirements and applicable statutes, rules and regulations, such Grant Agreement to be subject to the approval of the County Attorney, and be it further

RESOLVED, that following the County Attorney's review, the Chair of the Legislature be, and hereby is, authorized to execute the Grant Agreement with the Village and such other documentation as is required to effectuate the actions approved in this Resolution, and be it further

RESOLVED, that the Chair of the Legislature is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the project.

Moved, DeRoller; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent, Eick and DeFilipps.

With there being no further business, Legislator Allport moved to adjourn; second by Legislator Draper. Meeting adjourned at 11:10 a.m.

LEGISLATURE MEETING

March 27, 2019

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak.

District Attorney concluded his discussion on Bail Reform and asked that a resolution be adopted today to address the concerns as discussed during today's conference session.

The Clerk called the roll at 4:38 p.m. and all Legislators were present with the exception of Legislator DeRoller.

The Clerk presented the following communications:

Town/Village resolutions that have been received

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Shelby	<ul style="list-style-type: none">• Opposing The Proposed And Amended 2020 Executive State Budget Impacting Aid And Incentives To Municipalities And State Cost Shifts To Counties• Urging New York State To Fund All Costs Associated With New State-Enacted Voting Reforms Implemented At The County Level• Opposing Assembly Bill A1413 An Act To Amend The General Municipal Law, In Relation To Prohibiting Firearms As Prizes In Any Game Of Chance

Orleans County Treasurer Kimberly DeFrank has filed the list of an Inter Fund loan issued from January 1, 2019 to date. The Town of Murray will be holding a public hearing on April 9, 2019 at 7 p.m. at the Murray Town Hall to consider the adoption of a proposed Local Law No. 1 of 2019 entitled "A Local Law Providing for the Regulation of Special Events at Farms and Wineries in the Town of Murray".

Treasurer DeFrank distributed an Analysis of Monthly Cash Receipts and Disbursements through February 2019. In reviewing the report, she reported that the cash flow looks great this month and will notice that federal aid came in nicely in February and also taxes collected by the towns. Interest earned is up as well as sales tax. The cash balance at the end of February was up almost \$2 million over last year.

Chairman Johnson called for open discussion as it related to the resolutions. No comments were made by the Legislators, nor the public. Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 109-319

APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

WHEREAS, resolution 60-219 amended the By-Laws of the Employee Assistance Program Committee to increase the number of members from seven to nine, now be it

RESOLVED, that this Legislature authorizes the following appointments to the Employee Assistance Program Committee for the following terms:

Merle L. Draper	Legislature	1/1/19-12/31/20
Michele L. Sargent	Office for the Aging	1/1/19-12/31/20

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 110-319

APPROVING SOFTWARE LICENSE AND SUPPORT AGREEMENT BETWEEN THE COUNTY TREASURER AND LOGICS, LLC

RESOLVED, that this Legislature approves the annual applications software license and support agreement between the County Treasurer and Logics, LLC, PO Box 20283, Raleigh, NC 27619 covering maintenance and support of all modules relating to the Treasurer's Office, Personnel Office and Budget Officer at a cost not to exceed \$12,506.00; effective January 1, 2019 through December 31, 2019, to be paid from the respective budgets, as applicable.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 111-319

APPROVING INVESTMENT POLICIES AND GUIDELINES FOR THE COUNTY OF ORLEANS

WHEREAS, rules and regulations on investment allowances have evolved over the years and

WHEREAS, the County Treasurer would like the opportunity to maximize the taxpayers' dollars in other allowable types of investments; now be it

RESOLVED, that this Legislature does hereby approve and adopt the following "Investment Policy and Guidelines for County of Orleans, NY" as submitted by the Orleans County Treasurer as follows:

Investment Policy and Guidelines for County of Orleans, NY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by the County of Orleans on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the County of Orleans investment activities are, in priority order:

- To conform with all applicable federal, State and other legal requirements (legality);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity) and
- To obtain a reasonable rate of return (yield).

To appropriately meet these objectives, the County of Orleans will make investment decisions based on categories of cash with which the time horizon is continually calculated using a liquidity analysis of past and anticipated future financial requirements.

III. DELEGATION OF AUTHORITY

The Orleans County Treasurer maintains responsibility for administration of the investment program who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to

provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Orleans to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County of Orleans to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The County Treasurer shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. INTERNAL CONTROLS

It is the policy of the County of Orleans for all moneys collected by any officer or employee of the government to transfer those funds to the County Treasurer within five days of deposit, or within the time period specified in law, whichever is shorter.

The Orleans County Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. AUTHORIZED FINANCIAL INSTITUTIONS AND

DEALERS

The County of Orleans shall maintain a list of financial institutions and dealers approved for investment purposes. The Orleans County Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians.

VI. COLLATERALIZATION

All demand and time deposits of the County of Orleans in excess of the amount insured under the provision of the Federal Deposit Insurance Act-

\$250,000 Transaction Accounts \$250,000 Time Deposits
\$500,000 Total Coverage

shall be secured by eligible collateral, consisting of any one, or combination, of the following:

- 1) A pledge of eligible securities, as provided in General Municipal Law, Section 10, which is provided in Appendix A.

VIII. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the County of Orleans that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by New York State Law in appendix A) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within New York State at the bank or trust company.
3. An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and

conditions of the surety bond.

4. An "eligible letter of credit," payable to the County of Orleans as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An "eligible letter of credit" shall be an irrevocable letter of credit issued in favor of the County of Orleans, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
5. An "irrevocable letter of credit" issued in favor of the County of Orleans by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

X. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of the County of Orleans shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the County of Orleans, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Orleans or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a

federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, the County of Orleans, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the County of Orleans with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

XI. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, the Orleans County Legislature authorizes the Orleans County Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
2. Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
3. Obligations of the United States of America;
4. Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
5. Obligations of the State;
6. With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any

municipality, school district or district corporation in the State other than the County of Orleans

All investment obligations shall be payable or redeemable at the option of the County of Orleans within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the County of Orleans within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections IX and X herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the County of Orleans authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the County of Orleans within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the County of Orleans transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the County of Orleans. The Orleans County Treasurer shall evaluate the financial position and maintain a listing of proposed depositaries, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers.

The County of Orleans shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to

the amounts of investments that can be made with each financial institution or dealer.

XIII. PURCHASE OF INVESTMENTS The Orleans County Treasurer is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Orleans by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the County of Orleans, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the County of Orleans with a perfected interest in the securities.

The Orleans County Treasurer, where authorized, can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when

held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIV. DEFINITIONS

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

Appendix A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in excess of FDIC Coverage (see Investment Policy, Section VIII)

[Note: This is not a list of Permitted Investments. Please see Investment Policy, Section X for Permitted Investments. Moreover, this list is for purposes of illustration only. Governing boards, in the exercise of their prudent discretion, must determine which types of eligible securities, authorized by law, to list as permitted.]

Eligible Securities" for Collateral	For purposes of determining aggregate "market value," eligible
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government- sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.	100%

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%

(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of no longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS."	80%

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 112-319

AUTHORIZING FILLING VACANCY IN THE COUNTY ATTORNEY'S OFFICE

WHEREAS the 2nd Assistant County Attorney has tendered his resignation effective April 16, 2019, now be it

RESOLVED, that this Legislature authorizes filling a vacant part-time 2nd Assistant County Attorney position (1420.04) for 21 hours per week at a Grade 7 of the Management Compensation Plan effective April 17, 2019.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 113-319

APPROVING AGREEMENT WITH VICK'S PLOWING, LANDSCAPING AND REMOVAL FOR MOWING AT ORLEANS COUNTY PARK

RESOLVED, that this Legislature hereby approves an agreement with Vick's Plowing, Landscaping, and Removal, 2910 Lattin Rd, Albion, NY 14411 for mowing and trimming at the Orleans County Marine Park, Point Breeze site, boat dock rental site, and Rte. 98/18 site at a cost of \$250

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per mowing at all sites, to be paid from Marine Park Account A7180.432-Misc. Contracts/Agreements; 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, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 114-319

AUTHORIZING PURCHASE OF REPLACEMENT UTILITY VEHICLE FOR COUNTY MARINE PARK

WHEREAS, the existing utility vehicle that services facilities and provides transport within and between sites at the Orleans County Marine Park is 19 years old, subject to increasing maintenance costs and decreasing reliability, be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to purchase a new John Deere TS (Model Year 2019) utility vehicle in the amount of \$6,283.43 after trade-in from Deere & Company, 2000 John Deere Run, Cary, NC 27513 pursuant to New York State Landscaping Grounds Contract PC68131 (PG XN CG 22) to be paid from Equipment Account A7180.270.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 115-319

AUTHORIZING ABOLISHING, CREATING, AND FILLING POSITION FOR THE PLANNING AND DEVELOPMENT DEPARTMENT

WHEREAS a Senior Account Clerk Typist has retired effective March 22, 2019; now, therefore be it

RESOLVED, that this Legislature authorizes the abolishing of a vacant full time Senior Account Clerk Typist position (8020.03) in the Planning and Development Department, Grade 10 in the CSEA Salary Schedule effective March 28, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a permanent full time Account Clerk position in the Planning and Development Department, Grade 9 in the CSEA Salary Schedule effective March 28, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this vacant Account Clerk position in the Planning and Development Department effective March 28, 2019.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 116-319

OPPOSING GOVERNOR CUOMO’S 2019 BUDGET PROPOSAL TO EXPAND THE NEW YORK STATE RETURNABLE CONTAINER ACT TO INCLUDE SPORT AND ENERGY DRINKS, FRUIT AND VEGETABLE BEVERAGES AND READY-TO- DRINK COFFEES AND TEAS

WHEREAS, Governor Cuomo and the State Legislature majority have proposed an expansion of the Returnable Container Act (also known as the “Bottle Bill”) which would add a deposit to sports drinks, energy drinks, fruit and vegetable beverages, and ready-to-drink coffees and teas; and

WHEREAS, Orleans County endeavors to continue operating a viable recycling program pursuant to General Municipal Law 120-aa, requiring source separation and segregation of recyclable or reusable materials from solid waste for which economic market for alternate uses exist; and

WHEREAS, the County’s recycling program has already been adversely affected by global recycling volatility and policy changes implemented principally by China, resulting over the last two years in a 90% reduction in the value of paper and a 63% loss in value of the traditional recycling stream; and

WHEREAS, the proposed expansion of the Act would put the County’s recycling program at further economic risk by removing as much

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as 50% of valuable plastic and aluminum containers from the recycling stream; now therefore be it

RESOLVED, that this County opposes the proposed expansion of the New York State Returnable Container Act in current form and urges Governor Cuomo and the State Legislature majority to cease its further consideration; and be it

FURTHER RESOLVED, that this County Legislature urges the Governor and State Legislature, as an alternative measure, to add a deposit to the Act for additional glass beverage containers, including wine and liquor bottles, hard cider bottles, and non-alcoholic class beverage containers since such items cause problems in the recycling stream due to breakage and contamination of other recyclables; now be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; New York Association of Counties; and all others deemed necessary and proper.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 117-319

AWARDING BID FOR PRINTING 2019 COUNTY TRAVEL GUIDE
AND APPROVING AGREEMENT WITH DUAL PRINT AND MAIL
INC

WHEREAS, advertisement for printing bids occurred and two bids were received and opened on March 18, 2019; now, be it

FURTHER RESOLVED, that this Legislature approves an agreement with Dual Print and Mail, Inc, 340 Nagel Dr, Cheektowaga, NY 14225 in the amount of \$14,450.82 for 40,000 Travel Guides consisting of 40 pages to be printed on 60# paper, which are to be paid from Account A6410.468 I Love New York Matching Funds and is partially funded by I Love NY and subsidized by \$10,400 in advertising sales; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute this agreement subject the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 118-319

RE-APPOINTING MEMBERS TO SOIL AND WATER DISTRICT BOARD

RESOLVED, that this Legislature approves the following re-appointments to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
E. John DeFilipps	Legislature	1/1/2019-12/31/2019
William Eick	Legislature	1/1/2019-12/31/2019

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 119-319

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Med-Assets Performance Management Solutions, Inc., 250 East John Carpenter Freeway, Irving Texas 75082 for a participation agreement with Med Assets to allow for procurement of supplies, services, and equipment, medical/surgical products with distributor Booth Medical Equipment, Inc. effective initial term of March 4, 2019 through March 3, 2020 and will renew annually for additional one year terms until its review in 2024 by the Health Department to renew. No County Cost.

Sanofi Pasteur, Discovery Drive, Swiftwater, Pennsylvania 18370, as a Minnesota Multi-state Contracting Alliance for Pharmacy member; Orleans County Health Department will be able to receive vaccine at a reduced rate

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for use in our clinics to the public effective April 1, 2019 through March 31, 2022. No County Cost.

Quickseries Publishing, 5100 NW 33rd Ave, Suite 247, Ft. Lauderdale, FL 33309, for the provision of a service application agreement to continue with EOC Ready System App License with Spanish translation effective July 1, 2019 through June 30, 2020 at a cost of \$4,975 which is to be shared equally with the Emergency Management Office. Public Health reimbursement from State Aid. EMO cost reimbursed from SHSP 2018 Grant Funds.

VMC Group Inc., 9701 Niagara Falls Blvd, Suite 1A Niagara Falls, NY 14304 to provide third party billing to the Health Department and to provide transportation management services to Orleans County for children with special needs program for the period March 1, 2019 through August 30, 2021. The cost to the county in 2019 will be approximately \$24,550; and in 2020 and 2021 the cost to the county would be approximately \$64,783 per year.

Bogan & Tuttle Funeral Home at 226 Pearl St Medina, NY 14103 to provide transporter services for deaths in Orleans County, contract amounts remain the same at \$175.00 per removal and \$1.50 per mile. Contract period January 1, 2019 through December 31, 2019. 100% County cost.

Cooper Funeral Home at 215 West Center St, Medina, NY 14103 to provide transporter services for deaths in Orleans County, contract amounts remain the same at \$175.00 per removal and \$1.50 per mile. Contract period January 1, 2019 through December 31, 2019. 100% County cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 120-319

APPROVING AGREEMENT HEALTH DEPARTMENT/MARLOWE THOMPSON, CENTER FOR DISEASE CONTROL PUBLIC HEALTH ASSOCIATE PROGRAM (PHAP) FELLOW

WHEREAS, the Orleans County Health Department is collaborating with the Genesee County Health Department to co-host a Center for Disease Control Public Health Associate Program (PHAP) Fellow for a 2-year period, and

WHEREAS, the fellow, Marlowe Thompson, will be integrated into both Health Departments with recognition by Genesee County of the formal agreement between Orleans County and the CDC, and

WHEREAS, the Public Health Associate Program (PHAP) Agreement specifies that any in-state or local travel by an associate that is required by host agency will be paid by the host agency as well as reimbursement for expenses related to host site required or sponsored training, and

WHEREAS, the Public Health Director did present an agreement with Marlowe Thompson, Center for Disease Control Public Health Associate Program Fellow, and

WHEREAS, the Legislature does hereby authorize the agreement and does recommend approval at this time; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized to execute the necessary documents to enter into an agreement with Marlowe Thompson for the period March 1st, 2018 through December 30th, 2020 to allow for utilization of the Health Department's Fleet vehicles or be reimbursed at the County's mileage reimbursement rates when a vehicle is not available for work related travel and eligible for expenses related to required and approved meetings or trainings.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 121-319

ACCEPTING PERFORMANCE INCENTIVE AWARD FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND SETTING UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT BUDGET

WHEREAS, the Orleans County Health Department has successfully demonstrated complete response to the coordination for Legionella Outbreak response and evaluating Maintenance of Effort through e-Forms; now be it

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RESOLVED, the Orleans County Health Department has been awarded \$22,000 to support costs associated with Article 6 programs in 2019; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department as a result of the award from the New York State Department of Health:

Revenue:		
A3401	State Aid	\$22,000
Appropriations:		
A4010.220	Office Equipment	\$18,000
A4010.411	Office Supplies	\$ 1,000
A4010.487	Environmental Health Supplies	\$ 1,500
A4010.489	Nursing Supplies	\$ 1,500

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 122-319

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

WHEREAS, we have been award a scholarship for one nurse to attend the TB Intensive Workshop presented by the Global Tuberculosis Institute

RESOLVED, that this Legislature does hereby authorize out of state travel by Melissa Pless, Public Health Nurse, to attend the TB Intensive Workshop in Newark, New Jersey from April 8, 2019 to April 12, 2019. All costs are covered by NYS Department of Health Bureau of Tuberculosis Control. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Legislator Draper presented in its entirety the resolution Opposing Adult Use Regulated Cannabis Proposal in Orleans County with Request to State Lawmakers to take a Slow and Cautious Approach with the Intent to Protect the Health and Safety of our Residents; second by Legislator Allport.

Legislator DeFilipps expressed that his mother and father told him not to do drugs, we told our children not to do drugs. He stated he is sure that everyone in this room told their kids not to do drugs. Our Canadian neighbors legalized marijuana and its derivatives. Massachusetts legalized derivatives of marijuana. Legislator DeFilipps stated he firmly supports this resolution but needs to note that if something is passed in the future we need to seriously look into the future and how we are going to vote for opting in or out, sales tax and NYSAC involvement. It will be tough if our neighbors opt in and we opt out, stated Legislator DeFilipps.

Legislator Allport stated that back in his school days, tenth grade, Biology was a required science course during the “Peace, love, dove” days. The state also in its wisdom required everyone to attend a Health Class. They were taught during that class about drug use and sexually transmitted diseases. He was taught by a state program that every joint was equal to sixteen cigarettes. That using marijuana lead to using stronger drugs, such as LSD and Heroine. He doesn’t recall anyone overdosing in this county back in those days. We now have a crisis with fentanyl and opioids, and not the marijuana like it was back in the “love generation”; it is some serious marijuana these days. If he has the numbers correct, Legislator Allport reported we had 38 overdoses in this county and seven deaths. The fact that our state who required a health class to his generation on the dangers on this is now promoting the use of a drug all for money is ludicrous and hypocritical. Our Legislators in Albany are putting money above the health and welfare of the individuals in our state that they claim they care so much about. Legislator Allport expressed that in no way should the State of New York legalize any type of drug, especially this because it is not back yard grown marijuana.

Legislator Draper wanted to clarify that this resolution is asking for research and a cautious approach. It is not an opt in or opt out.

Chairman Johnson read a quote from JP Kennedy, the US attorney for the Western District of NY that noted: "...it remains a federal crime to possess, distribute or manufacture marijuana. Secondly, any property used to facilitate the manufacture or distribution of marijuana remains subject to federal seizure or forfeiture, as does any property that directly or indirectly constitutes proceeds derived from the manufacture or sale of marijuana." Chairman Johnson stated that she believes that Orleans County should not knowingly violate federal law and for that reason and others I oppose the sale of marijuana in Orleans County. The following resolution was adopted:

RESOLUTION NO. 123-319

OPPOSING ADULT-USE REGULATED CANNABIS PROPOSAL IN ORLEANS COUNTY WITH A REQUEST TO STATE LAWMAKERS TO TAKE A SLOW AND CAUTIOUS APPROACH WITH THE INTENT TO PROTECT THE HEALTH AND SAFETY OF OUR RESIDENTS

WHEREAS, the State of New York and Legislative body is considering legalizing adult-use regulated cannabis; and

WHEREAS, the New York State Association of County Health Officials (NYSACHO), The New York Medical Association, The New York State Sheriff's Association, The New York State District Attorney's Association and The New York State Association of Chiefs of Police maintain strong opposition to legalized adult use cannabis, based on the quantifiable adverse impact it will have on public health and safety; and

WHEREAS, legal cannabis access is strongly associated with increased numbers of unintentional exposures in children, which can lead to hospitalizations. In Colorado, at least 14,000 children are at risk of accidentally eating cannabis products such as candies and cookies that are not safely stored or identified, and at least 16,000 are at risk of being exposed to secondhand cannabis smoke in the home; and

WHEREAS, a study out of the Lancet Psychiatry Journal shows daily cannabis users are three times more likely to have a diagnosis of first episode psychosis. This risk rises to five times more likely with daily use of high potency cannabis; and

WHEREAS, medical studies so far have shown that medicinal marijuana only is beneficial to the extent that it may aid some children suffering from seizures for which there are far superior pharmaceutical medications that have been developed which could eliminate the burden upon government and society of having to control the problems created by the existence of the medicinal marijuana industry; and

WHEREAS, this Legislature is concerned with the lack of research available to demonstrate *long-term* health outcomes of such a program. This gap in evidence could hinder our ability to stand prepared to mitigate unforeseen health consequences at local levels; and

WHEREAS, the legalization of marijuana in other jurisdictions have created an uncontrollable black market sale of marijuana in those communities which has increased homelessness, substantially increased motor vehicle fatalities; and in addition, the production of various forms of marijuana (i.e. wax and vapors) that are being consumed by under aged individual in a manner which is difficult to detect, and

WHEREAS, both immediate exposure and long term exposure to cannabis impair driving ability; cannabis is the illicit drug most frequently reported in connection with impaired driving and accidents, including fatal accidents; and

WHEREAS, detection of impairment by drugs on the roadside must be performed by a certified Drug Recognition Expert, which is a law enforcement officer that has undergone at least two weeks of classroom training and an additional one week of practical field training. It is anticipated that law enforcement would have to add approximately 650 new Drug Recognition Experts to handle the necessity of the increase in suspected impaired drivers; and

WHEREAS, most law enforcement agencies within New York State have twenty or less members. Without the appropriate funding from the State, the financial impact could be crippling to some municipalities; and

WHEREAS, legalizing regulated marijuana would necessitate retiring a large majority of Police K-9 dogs that are trained to detect marijuana, as their detection capabilities would no longer be admissible in court and the replacement of these K-9 officers could easily take 5-7 years at great cost to taxpayers; and

WHEREAS, even assuming law enforcement is capable of absorbing this additional burden and expense in detecting the possible consumption of marijuana by a driver, such cases are difficult to prosecute without the expense and placing further burden on our Forensic Labs to produce certified lab reports and testimony from experts that have quantified the active amount of THC in an individual at the TIME OF OPERATION of the vehicle, without which no conviction will be obtained, and

WHEREAS, this State has gone to considerable measure to prevent the medical complications and costs to society created by the inhalation of

cigarette smoke but is completely disregarding those same, if not worse dangers, imposed by the unfiltered ingestion of marijuana smoke, and

WHEREAS, there has not been ample time or studies conducted in order to see what pitfalls may arise should marijuana be legalized in the State of New York; only after bringing all stakeholders together for meetings, studies and dialog can an educated, informed decision be made; and

WHEREAS, absent our State government taking appropriate measures to research and study all of the significant legal, health, financial, ethical and moral repercussions the legalization of marijuana will have on the citizens, health institutions and law enforcement agencies of this State that it will appear that our State government is concerned more about financial gain than the best interests and future of our society, now therefore be it

RESOLVED, the Orleans County Legislature stands in firm opposition to an adult-use regulated cannabis proposal in Orleans County, New York with a request to the State and Legislature take a slow and cautious approach, starting with removal of this proposal from the State Budget with the intent of protecting the health and safety of all citizens of New York State; and be it

FURTHER RESOLVED if legalized, local health departments, mental health providers and law enforcement agencies must be funded to adequately address any increase in workload due to a regulated recreational marijuana program; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; New York Association of Counties; and all others deemed necessary and proper.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 124-319

APPROVING AGREEMENT BETWEEN MENTAL HEALTH
DEPARTMENT AND TENELEVEN GROUP, LLC

RESOLVED, that this Legislature approves an Agreement between Mental Health and TenEleven Group, LLC, 6047 Transit Road, E. Amherst, NY 14051 to provide Electronic Health Records (EHR) services including an Active Chart structure, Scheduler, Billing and Financial Management, and Reporting and Analytics at an upfront cost of \$136,000 plus eight months licensing fee at \$1,750 per month (\$14,000) for a total of \$150,000 for a period of March 28, 2019 to December 31, 2019. Starting in 2020 payment will be \$43,000 per year for five years. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 125-319

AMENDING RESOLUTION NO. 290-816 APPROVING
MEMORANDUM OF AGREEMENT BETWEEN MENTAL HEALTH
AND THE SUICIDE PREVENTION COALITION

WHEREAS, Resolution No. 290-816 approved a Memorandum of Agreement between Mental Health and the Suicide Prevention Coalition (SPC), 14012 Route 31 West, Albion, NY 14411 for the SPC to engage in community forums, support and advocacy, and public awareness of suicide and prevention; and

WHEREAS, Resolution No. 290-816 referenced \$3,500 for NYS Suicide Prevention Grant and \$7,500 (for 2019-2023) for NYS OMH Article 28 Medicaid Reimbursement Funds for a total of \$11,000; and

WHEREAS, the \$3,500 for NYS suicide Prevention Grant no longer applies; and

WHEREAS, this Agreement, is now written as a five-year Agreement from January 1, 2018 to December 31, 2022; for a total of \$7,500; now be it

RESOLVED, that this Legislature does hereby approve this five-year agreement with the Suicide Prevention Coalition for a total of \$7,500 per year effective for the calendar years 2019 through 2022.

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Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 126-319

**AUTHORIZING TREASURER TO SET UP FROM RESERVE INTO
MENTAL HEALTH BUDGET**

RESOLVED, that the County Treasurer is authorized to set up funds from Miscellaneous Reserve into the Mental Health Department budget to pay for materials and equipment for two new offices and training room as follows:

From:		
Miscellaneous Reserve		\$8,351.00
To:		
A4310.210	Furniture/Furnishings	\$430.95
A4310.405	Building Projects	\$5,977.55
A4310.418	Other Contractual	\$1,942.50

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 127-319

**APPROVING AGREEMENT BETWEEN PROBATION DEPARTMENT
AND AUTOMON CORPORATION**

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 6621 N. Scottsdale Rd. Scottsdale, AZ 85250, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2019 through June 20, 2020 at a cost of \$7,042.44.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 128-319

APPROVING AGREEMENTS BETWEEN LIVINGSTON COUNTY
SHERIFF'S OFFICE AND ORLEANS COUNTY SHERIFF'S OFFICE

RESOLVED, that this Legislature approves the cooperative agreements between the Counties of Orleans and Livingston, and their respective County Sheriffs, for the housing of Orleans County prisoners in the Livingston County Jail at a cost of \$85.00 per inmate/per day for period January 1, 2018 through December 31, 2018 and at a cost of \$100 per inmate/per day for period January 1, 2019 through December 31, 2021.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 129-319

AUTHORIZING THE SHERIFF'S OFFICE TO CONTINUE WITH THE
ALTERNATIVES TO INCARCERATION PROGRAM AND
APPROVING APPOINTMENTS TO THE ALTERNATIVES TO
INCARCERATION BOARD, AND APPROVING THE CONTINUED
APPLICATION FOR GRANT FUNDING FOR THIS PROGRAM

RESOLVED, that this Legislature authorizes the Sheriff's Office to continue with the Alternatives to Incarceration Program and also authorizes its continued application to NYS Division of Criminal Justice Services (DCJS) for grant funding available for Article 13-A Classification Alternatives to Incarceration (ATI) Programs, at a reimbursable cost to the county of \$10,762, effective for the grant period July 1, 2019 through June 30, 2020; and be it

FURTHER RESOLVED, that upon approval by NYS DCJS, the Chairman is hereby authorized to execute grant agreement CL-17-1032-D01, Contract #C523944, and all related documents associated with this grant; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the county's Alternatives to Incarceration Board, term expiring June 30, 2020.

<u>NAME</u>	<u>REPRESENTATION</u>
Lynne Johnson	Chairman, Orleans County
Sanford Church	County & Supreme Court Judge
Joseph Cardone	District Attorney
Joanne Best	Public Defender

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Dawn Keppler	Magistrates
Luci Welch	Probation Director
Charles Nesbitt Jr.	Chief Administrative Officer
Randall Bower	County Sheriff
Donald Allport	County Legislator/Public Safety Committee Chairman
Merle Draper	County Legislator/Public Safety Committee Co-Chairman
Michael Mele	Chief Deputy/ATI Coordinator
Connie Whittier	Crime Victim
Mark O'Brien	Director of Mental Health
Kathy Hodgins	GCASA

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 130-319

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH WALMART FOUNDATION

RESOLVED, that this Legislature does hereby authorize the Sheriff's Office to apply to Walmart Foundation for 2019 Community Grant funds, with possible grant awards ranging from \$250 to \$5,000, that would enable the Sheriff's Office to participate in a local outreach program that would benefit children and families within our community.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 131-319

AUTHORIZING SHERIFF TO APPLY FOR GRANT FUNDING WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that the Sheriff is authorized to apply for the 2020 New York State Governor's Traffic Safety Committee's Child Passenger Safety Incentive Grant (CPS) in the amount of \$6,000 for funding period of October 1, 2019 through September 30, 2020 to support educational activities for child passenger safety programs through initiatives including fitting stations, training and education programs, child passenger safety check events and car seat distribution programs for low-income families; and be it

FURTHER RESOLVED, that the Sheriff is authorized to apply for the 2020 New York State Governor's Traffic Safety Committee's Police Traffic Services Grant (PTS) in the amount of \$6,500 for funding period of October 1, 2019 through September 30, 2020 to provide funding to conduct traffic safety initiatives and enforcement, including participation in the national Click it or Ticket seat belt enforcement mobilization, in an effort to improve motorist behavior and traffic safety within local communities.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 132-319

**APPROVING AGREEMENT WITH ORLEANS COUNTY SHERIFF'S
EMPLOYEES ASSOCIATION**

RESOLVED, that this Legislature approves an agreement with the Orleans County Sheriff's Employees Association (OCSEA) covering the years 2019 through 2021; said agreement includes a 2% increase for 2019, 2020, and 2021, a new High Deductible Health Plan will be implemented and new employees shall contribute to their health insurance at the 20% level, and shifts will be re-bid in the Dispatch Center.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 133-319

**AUTHORIZING DISTRICT ATTORNEY TO APPLY FOR GRANT
AWARD AND APPROVING AGREEMENT WITH THE NEW YORK
OFFICE OF VICTIM SERVICES**

WHEREAS, the District Attorney is applying to the NYS Office of Victim Services for a Grant Award of \$ 354,133.92 for three years with the possibility of a one-time two year renewal, (Grant Year One 10/1/2019 – 9/30/2020 for \$101,032.67; Grant Year Two 10/1/2020 – 9/30/2021 for \$125,800.08; and Grant Year Three 10/1/2021 – 9/30/2022 for \$127,301.17)

RESOLVED, that the District Attorney is authorized to submit this grant request for proposal with funding to be used for the Crime Victims Assistance Program, and be it

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FURTHER RESOLVED, that this Legislature does hereby authorize the Chairman to execute the grant agreement with the New York State Office of Victim Services, for a term effective October 1, 2019 through September 31, 2022, for the continuation of the Crime Victims Assistance Program grant funding, subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 134-319

AUTHORIZING SETTING UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 424-1018 authorized the Emergency Management Office to accept the EMPG FY18 Grant from the New York State Division of Homeland Security and Emergency Services and to purchase a replacement vehicle; now be it

RESOLVED, that this County Treasurer is authorized to set up new EMPG FY18 Grant money in the amount of \$20,925 in the Emergency Management budget, as follows:

Revenue		
A4305.0018	Emergency Management Program Grant	\$20,925
Appropriation		
A3640.486.0018	Special Grants – EMPG FY 18	\$20,925

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 135-319

AUTHORIZING EXPENDING GRANT FUNDS AND SETTING UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that the Legislature authorizes the Director of Emergency Management to expend SHSP FY17 Grant Funds in an amount not to exceed \$8,000.

- \$4,000 for Chairman Johnson and Legislator Draper to attend the National Homeland Security Conference in Phoenix, AZ, June 17- June 19, 2019.
- \$4,000 for three SWAT Medics to attend Basic Tactical Operations Medic Support Course in Delaware County from April 8-April 13, 2019;and be it
-

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up 2017 State Homeland Security Grant Program funds as follows:

Revenue:

A4309.2017 State Homeland Security Grant Program \$8,000

Appropriation:

A3640.486.2017 Special Grants – SHSP FY2017 \$8,000

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 136-319

**AUTHORIZING EXPENDING GRANT FUNDS AND AUTHORIZING
TREASURER TO SET UP NEW MONEY IN EMERGENCY
MANAGEMENT BUDGET**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend 2017 State Interoperable Communication Grant Funds (SICGFY17) in the amount of \$1,632 for three Harris 6 Bay radio chargers from Castner Communications; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up SICGFY17 Grant funds as follows:

Revenue:

A4309.1774 2017 State Interoperable Communication Grant \$1,632

Appropriation:

A3640.486.1774 Special Grants – State Interop SI17 \$1,632

A3640.486.0748 Special Grants-ST18 “Targeted” \$1,600,000

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 138-319

**AWARDING BIDS FOR VARIOUS MATERIALS AND
COMMODITIES FOR HIGHWAY DEPARTMENT**

WHEREAS, the Orleans County Highway Department sought bids for various materials and commodities for the years 2019-2020; and

WHEREAS, such bids have been received, opened and reviewed to determine the lowest responsible bidder for each material and commodity; be it

RESOLVED, that the bids for the various materials and commodities be awarded to the low bidders named on schedules for the dollar amounts per unit shown on such schedules, subject to the approval of the County Attorney.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 139-319

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT
AND LABELLA ASSOCIATES FOR REPLACEMENT OF MONROE-
ORLEANS COUNTY LINE BRIDGE**

RESOLVED, that this Legislature does hereby approve a Supplemental #1 agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Construction Support and Construction Inspection for the Replacement of Monroe-Orleans County Line Bridge over East Branch of Sandy Creek in the Town of Murray. Bin #3319420, Contract #D035538, Pin 4BNY.11; and be it

FURTHER RESOLVED, this agreement is effective January 1, 2019 at a cost not to exceed \$129,900.00 and is 95% reimbursable through

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the “Bridge NY” Funding; county cost \$6,495.00; to be paid out of the D5120.470.2283 Budget Account.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 140-319

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES FOR CLARENDON CULVERT REPLACEMENT PROJECT

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to provide Professional Services under resolution #47-217 for design and construction phase for the “Bridge NY” Clarendon Road Culvert Replacement Project in the Town of Albion. Pin 4BNY.18; and be it

FURTHER RESOLVED, that this Legislature approves an addendum to the Shared Services Agreement with the Town of Albion who is seeking assistance from the County to complete the project through the Shared Services Agreement resolution #121-417; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute this agreement with Labella Associates and the addendum with the Town of Albion subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Legislator Eick stated with great honor he moved to appoint John Papponetti as our next Superintendent of Highways; seconded by Legislator Miller. Legislator Eick introduced Mr. Papponetti who expressed his excitement about providing him this opportunity and providing faith in him, along with Pete Houseknecht his deputy, to take over the Highway and Buildings and Grounds department and feels that they will continue to do a great job in providing these services. Chairman Johnson also announced that John will be serving as our Engineer. She said that he is an asset not only to our County but also to our Towns. Chairman Johnson also commended Pete Houseknecht for being our interim Highway

Superintendent and she looks forward to the two of them making a wonderful team and welcomed John to Orleans County. She stated that he is joining a superb team of Department Heads. John was welcomed with applause the following resolution was adopted:

RESOLUTION NO. 141-319

APPOINTING SUPERINTENDENT OF HIGHWAYS

WHEREAS, Gerald Gray has retired as the Orleans County Highway Superintendent effective December 30, 2018; therefore be it

RESOLVED, that this Legislature appoints John M. Papponetti to the position of Orleans County Highway Superintendent, effective April 8, 2019, to be appointed at Grade 12, Step 5 of the Management Compensation Plan Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature also appoints John Papponetti to the position of Orleans County Engineer, effective April 8 2019, and establishes a stipend of \$20,500; and be it

FURTHER RESOLVED, that this Legislature establishes a stipend of \$400 per month in lieu of a traditional take home vehicle; and be it

FURTHER RESOLVED, that the appointee will be eligible for paid health coverage as an employee hired prior to December 31, 2007 and for the purposes of earning annual leave will be treated as an employee that has completed six years of service or the actual years of service whichever is greater; and be it

FURTHER RESOLVED, that the appointee must establish residency in Orleans County within six months of the appointment date.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 142-319

AUTHORIZING FILLING, CREATING AND ABOLISHING POSITIONS IN THE JOB DEVELOPMENT AGENCY

WHEREAS, the Job Development Agency continuously reviews

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staffing to provide more efficient operation of County business due to recent resignations; now be it

RESOLVED, that this Legislature authorizes the filling of a vacant Employment and Training Counselor position (6210.12) at grade 15 of the CSEA Salary Schedule effective March 28, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Senior Employment Representative position, in the Job Development Agency, at Grade 13 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full time Senior Account Clerk Position in, the Job Development Agency, at Grade 10 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created Senior Employment Representative position effective March 28, 2019 and the Senior Account Clerk position in the Job Development Agency, effective April 1, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishment of a full-time Account Clerk position, (6210.16) effective April 1, 2019.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 143-319

APPROVING APPOINTMENTS TO THE AGING ADVISORY COUNCIL

RESOLVED, that this Legislature approves the following appointments to the Office for the Aging Advisory Council for a three year term, effective April 1, 2019 through March 31, 2022.

Jeanne Martilotta, 343 S. Clinton Street, Albion, NY 14411
Emily Cebula, 15 Miller Drive, Lyndonville, NY 14098

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 144-319

**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 operations of county business due to recent retirement, resignations and reorganizations; now be it

RESOLVED, that this Legislature does hereby abolish a full-time Account Clerk Typist position (6010.2009) effective March 29, 2019; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Account Clerk position at Grade 9 of the CSEA salary schedule effective April 1, 2019; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Child Support Specialist position (6010.0805) at Grade 11 of the CSEA salary schedule effective April 1, 2019.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 145-319

**AUTHORIZING MODIFYING RESOLUTION 330-718 FOR
TEMPORARY SOCIAL WELFARE EXAMINER FOR HEAP**

WHEREAS resolution 330-718 authorized the creation of a temporary Social Welfare Examiner for the Home Energy Assistance Program (HEAP) through April 1, 2019 in the Department of Social Services; and

WHEREAS the Governor has extended the HEAP season as well as funding for implementation of the Home Energy Assistance Program (HEAP); therefore be it

RESOLVED, that this Legislature hereby authorizes the extension of the temporary Social Welfare Examiner for the Home Energy Assistance

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Program (HEAP) until such time as funding for this program ceases for this year.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 146-319

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective May 6, 2019 through May 5, 2020 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.

ARC of Orleans County, Albion, NY for the provision of Consumer Directed Personal Care Assisted Program; to be effective May 1, 2019 through April 30, 2020 at rates established by the NYS Department of Health. County cost is \$0

Villa of Hope Youth and Family Services, Rochester, NY for the provision of "Raise the Age" residential foster care services; to be effective January 1, 2019 through December 31, 2019, 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.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 147-319

APPROVING THE 2019 YOUTH BUREAU RESOURCE ALLOCATION PLAN

WHEREAS, The Orleans County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid from the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines, and

WHEREAS, The Orleans County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county comprehensive youth services planning efforts during 2019 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Orleans County appropriation, and

WHEREAS, Guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Orleans County Youth Bureau and the Committee on Economic Assistance and Opportunity does recommend approval at this time; now be it

RESOLVED, That the Orleans County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2019 Orleans County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 148-319

APPROVING AGREEMENT EXTENSIONS BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND NEW YORK STATE BOARD OF ELECTIONS

RESOLVED, that this Legislature approves the Appendix X agreement extensions between the Orleans County Board of Elections and the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2019 through March 31, 2020 that funds are available to the local board of elections for the following:

Contract #C003236 – HAVA Operations Expenses Shoebox Program – Original Funding amount of \$179,599.49 (Res. No. 160-412); current balance \$62,622.35.

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Contract #T002560 – Voter Education and Poll Worker Training Program-Original Funding amount of \$23,131.00 (Res. No. 123-307); current balance \$4,159.07.

FURTHER RESOLVED, that this Legislature does hereby authorize the Chairman to execute the Appendix X extensions and acknowledges that all other provisions of said agreements shall remain in full force and effect.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 149-319

AUTHORIZING SETTING UP NEW MONEY IN THE HISTORIAN BUDGET

RESOLVED, that the Treasurer is authorized to set up new money in the Historian Budget for a donation from the Orleans County Genealogical Society to care for collections as follows:

Revenue		
A2705	Gifts and Donations	\$237.78
Appropriation		
A7510.411	Office Supplies	\$237.78

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 150-319

OPPOSING GOVERNOR CUOMO’S RED FLAG GUN SEIZURE PROPOSAL

WHEREAS, the Second Amendment to the Constitution of the United States clearly states that “the right of the people to keep and bear Arms, shall not be infringed,” and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, “The defense and protection of the state and of the United States is an obligation of all persons within the state,” and

WHEREAS, the “Red Flag” proposal is in clear violation of our constitutionally afforded Second Amendment rights, as well as the right to due process of law, and

WHEREAS, the Orleans County Legislature has consistently gone on record unanimously opposing New York State’s infringement on an individual's Second Amendment "right of the people to keep and bear arms", and

WHEREAS, the “Red Flag” proposal would permit family members, teachers or any other parties to petition the state court to order the temporary removal of firearms from a person who may present a danger to others or themselves, and

WHEREAS, the rationale that the “Red Flag” proposal would prevent a criminal from harming the public, is doubtful due to the fact that criminals, by definition, do not abide by the law and use illegal means in which they obtain firearms, regardless of the temporary gun seizure that this proposal calls for, and

WHEREAS, there are over 5,800 registered gun owners in Orleans County who could therefore be subject to the seizure of their legally obtained firearms if a person deems them to be a threat to themselves or the public, and

WHEREAS, any new state legislation responding to firearm violence should focus on increasing penalties for criminals who use firearms to harm or threaten law abiding citizens and address the issues of mental illness related to violence, now, therefore, be it

RESOLVED, the Orleans County Legislature goes on record opposing Governor Andrew M. Cuomo’s Red Flag Gun Seizure proposal, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ortt; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; and all others deemed necessary and proper.

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Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 151-319

**AUTHORIZING OUT OF STATE TRAVEL FOR ORLEANS COUNTY
LEGISLATORS**

RESOLVED, that this Legislature does hereby authorize out of state travel for Chairman Lynne M. Johnson and Legislator Skip Draper to attend the 2019 National Homeland Security Conference in Phoenix, Arizona from June 17, 2019 to June 21, 2019. All costs are covered by Emergency Management Grant Funds. No County Cost.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 152-319

**RE-APPOINTING MEMBER TO THE ORLEANS COUNTY BOARD OF
ETHICS**

WHEREAS, this Legislature adopted Resolution No. 171-408 enacting Local Law 3 of 2008, Providing for a County Board of Ethics consisting of five members with staggered terms; and

RESOLVED, that this Legislature does hereby re-appoint the following member to the County Board of Ethics with the following term expiration:

Name:	Address:	Term expires:
Julie Christensen	c/o 1932 Kendall Road, Kendall NY	12/31/2021

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 153-319

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$246,762.38	Michael A. Ferraulo Plumbing & Heating	Payment #10, Work performed 2/1/19-2/28/19, HVAC
\$165,817.75	Suburban Electric, Inc.	Payment #10, Work performed 2/1/19-2/28/19, Electrical
\$276,231.69	Holdsworth Klimowski Construction	Payment #10, Work Performed 2/1/19-2/28/19, General Construction
\$1,068.75	All State Fire & Security	Payment #9, Work Performed 2/1/19-2/28/19, Fire Protection
\$74,341.50	Wendel A/E/S/LA, PC	WD Professional Services, 1/1/19- 1/31/2019, Inv #351047 – FF&E Design, Construction Admin, Mechanical Room Boiler Dampers, Legislative Desk Extension, Move Management Plan, Project Coordination Labor, Project Coordination Fee, Commissioning Services, DOH Grant Admin Assistance, Reimbursable Expenses, Special Inspections: SJB, TyLin International.
\$801.60	Wendel A/E/S/LA, PC	WD Invoice 350811 – Missed payment for direct travel expense
\$666.22	Graybar Electric	Invoice #9308720711- Corning Optical Fiber Cable
\$7,291.25	CDW-G	Invoices: QTL5949, QTL1576, QWZ8475 – Cable and misc. computer supplies for Technology Construction

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 154-319

AUTHORIZING PAYMENT OF CLAIMS FOR APRIL AGAINST THE
COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 10, 2019:

Fund/Department	Check Number (s):	Amount:
General	1197-1201; 1209-1354	\$384,832.03
Highway	1406-1408; 3183-3188	\$40,026.36
Job Development	3026-3041	\$4,548.70
Self Insurance	60920-60922; 1226-1227	\$17,850.46

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for April 24, 2019:

Fund/Department	Check Number (s):	Amount:
General	1202-1205; 1207-1208; 1356-1361; 1363-1520	\$1,055,640.53
Highway	1409-1411; 3189-3217	\$28,082.14
Job Development	3045-3056	\$13,199.23
Self Insurance	1228-1230	\$56.46

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 155-319

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

WHEREAS the Director of Community Health Services, Brenden Bedard, has been invited to participate in an interview with NACCHO (National Association of County and City Health Officials) regarding our collaborative tuberculosis efforts with Oak Orchard Community Health Center and Monroe County Health and attend the National TB Controllers Association (NTCA) Conference;

RESOLVED, that this Legislature does hereby authorize out of state travel by Brenden Bedard to attend the NTCA Conference from April 23-26, 2019 at the Atlanta Marriot Marquis in Atlanta, Georgia. All costs covered by NACCHO. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 156-319

OPPOSING NEW LEGISLATION THAT NEGATIVELY IMPACTS OUR COURTS FROM IMPOSING BAIL ON INDIVIDUALS ARRESTED FOR CRIMES OR THAT IN ANY WAY ALTERS NEW YORK STATE'S CURRENT LAWS WITH RESPECT TO THE IMPOSITION OF BAIL ON A CRIMINAL DEFENDANT

WHEREAS, the State of New York is considering reform which places extreme limitations on the use of bail in the State of New York, and

WHEREAS, numerous State and County law enforcement agencies, associations, and county governments have expressed their concerns and opposition to Bail "Reform" as proposed in New York State and, instead, view the so-called "Reform" as a measure to virtually eliminate bail in many circumstances that compromises the functioning of our Criminal Justice System, and

WHEREAS, the proposed Legislation will effectively remove discretion from the Judiciary to apply bail in situations where Judges are currently able to impose bail when they deem it necessary and, instead, replaces their Judicial discretion for which they have been elected and invades province of the balance of power provided for in the State and Federal Constitution, and

WHEREAS, the so-called Bail Reform legislation is likely to have a

significant financial impact on County governments, which will be mandated to establish and fund positions for newly established Pre-Trial agencies that do not currently exist, and

WHEREAS, the need for so-called “Bail Reform” as proposed is even less needed now that defendants throughout the State are guaranteed immediate legal representation through the newly established and funded Statewide Counsel at Arraignment Program that will be present to ensure that Judges are aware of all bail factors favorable to defendants when exercising their discretion to determine an appropriate level of bail, and

WHEREAS, bail reform in New York should, if anything, permit Judges to expand what factors are to be considered in setting bail to include “the safety of the community” so as to protect the victims of crimes and the citizens of this State against those individuals that have a history and propensity of committing crimes against others such as violent crimes; sex offenses; drug dealing; intimidation of witnesses; home invasions; larcenies, and other criminal conduct that compromises safety and impairs the quality of life in this State, and

WHEREAS, the “Bail Reform” as proposed is likely to have a significant impact on the County costs and any money budgeted for extraditions, due to the fact that without bail in place, those defendants wishing to avoid prosecution, particularly those from out of state or with foreign connections, for which no bail has been set, are more likely to leave the jurisdiction, resulting in an added burden on law enforcement to locate those defendants and then the county incurring the costs and difficulties associated with extraditions, and

WHEREAS, under the proposed “Bail Reform” legislation, those limited situations where a Judge will still be able to impose bail will require a Prosecutor to nearly immediately produce discovery and possibly expose a victim to having to testify at a bail hearing in the presence of the defendant shortly after the commission of the offense at a bail hearing, at a time when the defendant is still vulnerable and which may adversely impact prosecution and compromise the safety of the victim, and

WHEREAS, the Orleans County Legislature is not aware of abuses of the bail system in this county that have resulted in excessive incarceration of those that have been arrested for crimes. Now, therefore, be it

RESOLVED, that the Orleans County Legislature hereby opposes any new legislation that negatively impacts our courts from imposing bail on individuals arrested for crimes or that in any way alters New York State's current laws with respect to the imposition of bail on a criminal Defendant; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ortt; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; and all others deemed necessary and proper.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 157-319

AUTHORIZING TREASURER TO SET UP FUNDS FROM SOLID WASTE RESERVE FOR THE PURCHASE OF RECYCLING CARTS AND AMENDING RESOLUTION NO. 67-219 CONCERNING THE DOCUMENTATION FEE

WHEREAS, Resolution No. 67-219 authorized the purchase and lease of 15,444 ninety-five (95) gallon recycling carts with a first payment of \$400,000 due upon acceptance of the lease agreement and also payment of a \$625 documentation fee to Municipal Leasing Consultants; now be it

RESOLVED, that this Legislature amends Resolution No. 67-219 to authorize a payment of \$695 for the documentation fee; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up funds from Solid Waste Reserve to make payment to Bci Capital Inc., Municipal Leasing Consultant's escrow agent, for the annual advance first payment as approved (PO #60434) as follows:

<u>From:</u>	
Solid Waste Reserve	\$400,000
<u>To:</u>	
02.9785.0601 Principal	\$400,000

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Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 1 nay, Miller; 1 absent, DeRoller.

Chairman Johnson called for any unfinished business from the Board. With hearing none, she opened the floor for public comment. With no comments offered, Legislator Eick moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:14 p.m.

LEGISLATURE MEETING

April 24, 2019

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, a moment of silence was requested for Susan DeRoller's passing, wife of Legislator Kenneth DeRoller. The Clerk called the roll. All Legislators were present with the exception of Legislator DeRoller.

The Clerk presented the following communications: Town/Village resolutions that have been received

Town/Village	Resolution Title
T/Clarendon	<ul style="list-style-type: none">• Opposing Governor Cuomo's 2019 Budget Proposal To Expand The New York State Returnable Container Act To Include Sport And Energy Drinks, Fruit And Vegetable Beverages And Ready-To- Drink Coffees And Teas• Opposing Adult-Use Regulated Cannabis Proposal In Orleans County With A Request To State Lawmakers To Take A Slow And Cautious Approach With The Intent To Protect The Health And Safety Of Our Residents• Opposing Governor Cuomo's Red Flag Gun Seizure Proposal• Opposing New Legislation That Negatively Impacts Our Courts From Imposing Bail On Individuals Arrested For Crimes Or That In Any Way Alters New York State's Current Laws With Respect To The Imposition Of Bail On A Criminal Defendant

Treasurer Kimberly DeFrank has filled the following 2018 year end reports for the following Capital Projects:
County Office Building Addition & Renovations; 911/ Radio; Infrastructure Projects; and Energy Performance

The 37th Annual Youth Recognition Banquet will be held at 6 p.m. on Thursday, May 16th at Hickory Ridge Golf and Country Club. Reservations are due by May 2nd if you plan to attend.

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The board approved the following requests: Orleans County Department of Social Services requested use of the Courthouse lawn to place a banner from May 1, 2019 to May 15, 2019 for Foster Parent Month. ABATE of New York Inc, Orleans County Chapter requested placement of their banner (3' x 6') on our Courthouse lawn from May 3, 2019 through May 17, 2019 and also ask for use of the courthouse steps and power to conduct their Motorcycle Safety and Awareness Rally on Sunday May 5, 2019 from Noon till 3 p.m. This is their annual promotion event for motorcycle safety, awareness, and rider education along with alerting the public to the renewed presence of motorcycles on the highway. The Albion Elks Riders from the Albion Elks Lodge 1006 requested placement of a 3' x 7' to promote their 5th Annual US Army Specialist Jason Johnson Dice Run from August 5, 2019 through August 17, 2019. The event is scheduled for August 17, 2019.

Clerk Hanlon read a letter from the Supervisor Jim Simon, Town of Yates, concerning Western Orleans Comprehensive Plan successes.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through March, 2019. Cash balance looks great however on April 1st \$382,000 was paid out to towns and villages for sales tax and \$2.3 million was paid to schools and villages for their relieves. A drop in cash balance will be noticed on next months report due to those payments. Treasurer DeFrank reported that auction signs have gone up around the county for the May 22nd tax foreclosure auction and currently have 51 parcels on the auction block.

Chairman Johnson called upon EMO Director Banker to provide a lake level update. Director Banker reported that in Olcott at 3 p.m. the lake level was being recorded at 246.95 feet, in Rochester recorded at 246.92 feet. In the last few days it has been rising about ½ inch per day, which could present a problem. National Weather Service and Army Corp of Engineers is predicting an eleven inch increase in the next thirty days. In a recent conference call with Homeland Security and eight southern shores EMO Directors and Highway Superintendents, a draft plan is being worked on and getting our ducks in a row.

Chairman Johnson called upon the public for comment as it pertains to resolutions. James Whipple, Orleans County IDA stated in reference to Resolution No. 162-419 which appoints a new board member to the IDA Board. The recommendation to this Board is to appoint James Panek. Ken Rush will be retiring from the board who has been a board member since

2005 and will be greatly missed and Mr. Whipple shared appreciation of Mr. Rush for his service to the IDA Board.

Legislators Eick and Miller presented a special recognition certificate to Penelope Mosier for serving over 42 years as an Account Clerk Typist in the Accounting Department in the Department of Services in celebration of her retirement.

Legislator Allport presented a special recognition certificate to John Grillo, retiring Holley/Kendall Wrestling Coach who's 44 year wrestling coach career brought 795 team wins, 13 Section V Team Championships and Coach Grillo being named Section V Coach of the year six times.

Legislator Allport presented a National Public Safety Telecommunicators Appreciation certificate to Allen Turner, Orleans County Communications Coordinator. Both Undersheriff Chris Bourke and Chief Deputy Mele were also present for the acceptance of this Certificate of Appreciation.

Older Americans Month Proclamation for the month of May was presented to Melissa Blonar, Director of the Office for the Aging by Legislators Miller and Eick.

Legislator Allport presented our annual Motorcycle Safety and Awareness Month proclamation for the month of May to ABATE Officer Chuck Persons.

Western New York Armed Forces Days – May 5th through May 18th, 2019 will be celebrated along with eight other Western New York Counties and both Earl Schmidt and David Kusmierczak accepted this proclamation from Legislators Miller and Eick. Director Schmidt reported that the PFC Joseph Dwyer Peer to Peer program is very active and supporting our veterans throughout the year. He provided a schedule of events that are forthcoming for our veterans and their family members to enjoy.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 158-419

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-annual Mortgage Tax Report showing the amounts to be credited to each tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2019; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

Mortgage Tax Apportionment
October 1, 2018 through March 31, 2019

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village Share	Town Share
Albion	221,686,735	443,373,470	122,824,045	27.70%	\$19,526.70	5,409.32	14,117.38
Barre	100,550,534				8,037.01	0	8,037.01
Carlton	205,728,186				18,229.27	0	18,229.27
Clarendon	162,002,660				13,432.68	0	13,432.68
Gaines	123,814,366	247,628,732	23,007,354	9.29%	7,063.18	656.24	6,406.94
Kendall	158,640,921				15,399.66	0	15,399.66
Murray	183,592,252	367,184,504	54,070,660	14.73%	21,944.92	3,231.55	18,713.37
Ridgeway	238,392,642	476,785,284	96,741,804	20.29%	22,267.50	4,518.17	17,749.33
Shelby	195,582,655	391,165,310	74,010,968	18.92%	8,993.99	1,701.72	7,292.27
Yates	152,763,722	305,527,444	29,114,541	9.53%	10,657.11	1,015.54	9,641.57
	1,742,754,673	2,231,664,744	399,769,372		\$145,552.02	16,532.54	129,019.48

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Legislator DeFilipps moved to oppose legislation for driver’s license access and privacy act concerning undocumented individuals; seconded by Legislator Allport. Legislator Allport shared his concerns regarding this proposed legislation in America and feels everyone else should also be concerned. Our republic is held up by the rule of law. He expressed that no one, not even government, is above the law. What is being proposed by actions like this is ruled by law. If you read any of the books by the colonists, after they fought the revolutionary war, they came from nations where the kings and elites made the laws so they didn’t have to follow them and they wanted everyone to be equal in the eyes of justice. Every American citizen should be outraged because what this does is put a group of people on a pedestal above the rest of us. “I’m not allowed to break the law, no one should be allowed to break the law”, expressed Legislator Allport. Especially those that are here illegally are breaking Federal Law.

You have people who come here to visit, called foreigners because they go back home to their nation. We have citizens of our America. We have immigrants who come here legally and following our process and our laws to become citizens. Finally we have those that cross to here illegally and should never be given any rights that an American citizen has. Chairman Johnson referenced that this pertains to illegally undocumented individuals and also that driving in New York State is a privilege, not a right. The following resolution was adopted:

RESOLUTION NO. 159-419

**OPPOSING DRIVER'S LICENSE ACCESS AND PRIVACY ACT
CONCERNING UNDOCUMENTED INDIVIDUALS**

WHEREAS, HOLDING A DRIVER'S LICENSE IN New York State is a privilege, not a right; and

WHEREAS, the Driver's License Access and Privacy Act, if passed would permit undocumented persons who are present in the United States illegally under federal law to obtain a driver's license; and

WHEREAS, New York State presently suspends or revokes driver's licenses for various illegal acts, yet this Act would reward entry in the United States with a driver's license; and

WHEREAS, New York State REAL ID compliant documents cannot be issued to an undocumented individual under federal law; and

WHEREAS, adoption of the Act would create unacceptable security risks because:

- There is no guarantee the identity of undocumented individuals can be properly verified by the State of New York if the federal government has not issued a green card or visa, and the Act's proposed privacy protections may frustrate federal immigration enforcement efforts.
- Local DMV offices do not have the considerable expertise needed to determine the authenticity of foreign birth certificates, foreign passports, or consular cards, nor to verify evidence of undocumented individual's residency in the state.
- Driver Licenses can be used to obtain additional official identification documents intended only for United States citizens.

WHEREAS, there is no guarantee that passage of this Act would make New York State roads safer; now be it

RESOLVED, that this Legislature hereby opposes the adoption of the Driver's License Access and Privacy Act as it concerns issuance of licenses to undocumented individuals, because of security risks and because driving is a privilege, not a right; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ortz; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; NYSAC and all others deemed necessary and proper.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 160-419

AUTHORIZING PURCHASE OF MAINTENANCE AND TECHNICAL SUPPORT CONTRACT RENEWAL WITH DIGIUM, INC. FROM CDW-G

WHEREAS, this Legislature understands the need for a stable communications platform with the County's governmental offices, and

WHEREAS, this Legislature understands the specialized knowledge required to update and maintain the new Voice Over Internet Protocol phone system; now be it

RESOLVED, that this Legislature approves the purchase of a maintenance agreement between Orleans County and Digium Inc, headquartered in Huntsville, AL 35758, renewing an existing license and software maintenance contract for upgrade of operating systems and licenses. The purchase is being made through CDW-G, 75 Remittance Drive, Suite #1515, Chicago, IL 60675-1515, a qualified Digium reseller, for \$5,250.00. This agreement is to be paid from Computer Services Account A01.1680.0418 – Other Contractual.

Moved, DeFilipps; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 161-419

AUTHORIZING COMPUTER SERVICES DEPARTMENT TO ADD A CELL PHONE TO THE VERIZON ACCOUNT AND APPROVING CELLULAR PHONE USE AGREEMENT

RESOLVED, that this Legislature does hereby authorize the Orleans County Computer Services Department to add a cell phone to the Verizon account, to be paid per month from Computer Services Cell Phones Account A1680.401 – Cellular Phones

FURTHER RESOLVED, that this Legislature approves the Cellular Phone Use Agreement for position – 1680.05 Computer Specialist

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 162-419

APPROVING APPOINTMENT 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:

<u>Name:</u>	<u>Address:</u>	<u>Expiration</u>
James Panek	13420 West County House Rd Albion, NY 14411	Serves at the Pleasure

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 163-419

APPROVING AGREEMENT WITH ENVIRONMENTAL ENTERPRISES, INC. FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION

WHEREAS, this Legislature desires to conduct a Household Hazardous Waste Collection on August 17, 2019 to provide County residents safe and convenient disposal of household hazardous wastes, and

WHEREAS, the County cost is dependent upon the amount of waste collected according to the following formula as identified in the vendor's proposal:

Aerosol Cans	\$.85 per pound
Anti-Freeze	\$.16 per pound
Chemicals (labpacks)	\$1.00 per pound
Corrosive Acids	\$1.10 per pound
Corrosive Bases	\$1.10 per pound
Fluorescent Tubes	\$.80 per pound
Household Cleaners	\$1.00 per pound
Miscellaneous Chemicals	\$1.00 per pound
Oil Base Paints (liquids)	\$.20 per pound
Oil Base Paints & Varnishes (sludges)	\$.20 per pound
Oil Filters	\$.09 per pound
Organic Liquids	\$.19 per pound
Oxidizers	\$1.10 per pound
Pesticides/Insecticides	\$1.89 per pound
Pesticides/Insecticide (dioxin precursors)	\$11.00 per pound
Poisons	\$1.10 per pound
Reactives	\$2.95 per pound
Resins & Adhesives (with cans)	\$.45 per pound
Waste Oil	\$.09 per pound

RESOLVED, that this Legislature approves an agreement with Environmental Enterprises, Inc, 4650 Spring Grove Road, Cincinnati, Ohio 45232 for the 2019 Orleans County Household Hazardous Waste Collection Program, subject to the review and approval by the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 164-419

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
TOURISM BUDGET

RESOLVED, that this Legislature authorizes the setting up of new monies in the Tourism budget due to funds received from administrative work our Tourism Director does for the Greater Niagara Region TPA's as follows:

Revenue:		
A2000	Culture and Recreation	\$4,000

Appropriation:		
A6410.418	Other Contractual	\$1,000
A6410.441	Printing	\$2,000
A6410.461	Postage	\$1,000

and be it

FURTHER RESOLVED, that this Legislature authorizes the setting up of new monies in the Tourism budget due to LOSPC Sponsorship of Lake Ontario Fisheries Symposium at Finger Lakes Mall in Auburn NY Paid for with a grant from the Research Foundation of State University of NY (Sea Grant, NY) as follows:

Revenue:		
A3715	Tourism Promotions	\$1,000

Appropriation:		
A6410.486	Special Grants	\$1,000

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 165-419

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Nazareth College of Rochester Public Health Internship Program at 4245 East Avenue, Rochester, New York 14618 to host an Undergraduate Public Health intern from Nazareth College of Rochester through their Public Health Program (BA, BS). A semester long placement of a minimum of 120

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hours; term of agreement effective October 1, 2018 through December 31, 2023. No County Cost.

MMCAP (Minnesota Multi-state Contracting Alliance for Pharmacy) at 50 Sherburne Avenue, Suite 112, St. Paul, Minnesota 55155. Contract Allowance for Pharmacy purchases at state contract pricing. Minnesota Multi-state Contracting Alliance for Pharmacy (MMCAP) Membership. OCHD has an active member with no expiration date. Contract only terms with MMCAP per our request. No renewals required, term of agreement January 1, 2019 through December 31, 2023. No County Cost.

New York State Agriculture and Markets at 10B Airline Drive, Albany, New York 12235. Renewal to the agreement “To Conduct Inspections, Screening Tests and Samples Fuel Stored at Retail Fuel Outlets.” Contract #T011528 with reimbursement amount total \$21,600.00 (\$2,160.00 per term year); term of renewal effective April 1, 2019 through March 31, 2024. No County Cost.

Kendall Central School District, 16887 Roosevelt Highway, Kendall, New York 14476. MOU to establish a County Staging Site (CSS) and or a Point of Dispensing (POD) for assets from the Strategic National Stockpile (SNS)/ Public Health Asset Distribution (PHAD), in the event of a public health emergency. To receive and/or distribute medication and/or medical supplies. Term of MOU effective January 1, 2019 through December 31, 2023. No County Cost.

Holley Central School District, 16848 Lynch Road, Holley, New York 14470. MOU to establish a County Staging Site (CSS) and or a Point of Dispensing (POD) for assets from the Strategic National Stockpile (SNS)/ Public Health Asset Distribution (PHAD), in the event of a public health emergency. To receive and/or distribute medication and/or medical supplies. Term of MOU effective January 1, 2019 through December 31, 2023. No County Cost.

Lyndonville Central School District, 25 Housel Avenue, Lyndonville New York 14098. MOU to establish a County Staging Site (CSS) and or a Point of Dispensing (POD) for assets from the Strategic National Stockpile (SNS)/ Public Health Asset Distribution (PHAD), in the event of a public health emergency. To receive and/or distribute medication and/or medical supplies. Term of MOU effective January 1, 2019 through December 31, 2023. No County Cost.

Medina Central School District, 1 Mustang Drive, Medina, New York 14103. MOU to establish a County Staging Site (CSS) and or a Point of Dispensing (POD) for assets from the Strategic National Stockpile (SNS)/ Public Health Asset Distribution (PHAD), in the event of a public health emergency. To receive and/or distribute medication and/or medical supplies. Term of MOU effective January 1, 2019 through December 31, 2023. No County Cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 166-419

AMENDING RESOLUTION NO. 21-119 WHICH AUTHORIZED THE CONTINUATION OF THE CONTINUITY OF GOVERNMENT ADVISORY COMMITTEE FOR ORLEANS COUNTY

WHEREAS, Resolution No. 21-119 re-authorized the continuation of the Continuity of Government Advisory Board through December 31, 2019; now be it

RESOLVED, that this Legislature amends Resolution No. 21-119 to replace Peter Houseknecht with John Papponetti, the newly appointed Superintendent of Highways/Buildings and Grounds, through December 31, 2019.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 167-419

AMENDING RESOLUTION NO. 22-119 BETWEEN MENTAL HEALTH DEPARTMENT AND GENESEE/ORLEANS COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE

WHEREAS, Resolution No. 22-119 approved an Agreement between Mental Health and the Genesee/Orleans Council on Alcoholism and Substance Abuse providing substance abuse/dependency and prevention services, as well as gambling treatment services at a cost of \$343,118 with a County cost of \$35,167; and

WHEREAS, gambling treatment services at a cost of \$3,000 have been discontinued from the Agreement; and

WHEREAS, one-year State funding for jail-based services have been added to the Agreement for an increase of \$60,000; and

WHEREAS, clinic services State aid was reduced by \$422 and prevention services State aid increased by \$421 with a net decrease of \$1; be it

RESOLVED, that this Legislature does hereby authorize the discontinuance of \$3,000 for gambling treatment services and the addition of \$60,000 for one year for jail-based services for a total Agreement amount of \$400,117 at no County cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 168-419

AUTHORIZING TREASURER TO SET UP FUNDS FROM MISCELLANEOUS RESERVE TO THE MENTAL HEALTH BUDGET

RESOLVED, that the County Treasurer is authorized to set up funds from miscellaneous reserve to the Mental Health budget to purchase key pads and door locks for renovations as follows:

From:		
Miscellaneous Reserve		\$1,775
To:		
A4310.405	Building Project	\$1,775

and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up funds from miscellaneous reserve in the Mental Health budget for the purchase of the new EHR program as authorized in Resolution No. 124-319 as follows:

From:		
Miscellaneous Reserve		\$150,000

To:		
A4310.456	Data Processing/Central Computer	\$136,000
A4310.466	Consultant Fees	\$14,000

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 169-419

APPROVING REAPPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the reappointment of Brenda Bierdeman to the Community Services Board, waiver to serve a third term to begin March 26, 2019 and ending March 25, 2023.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 170-419

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND ERNST'S LAKE BREEZE MARINA

RESOLVED, that this Legislature does hereby approve an agreement between the Sheriff's Office and Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, NY for the purchase of fuel for marine vessels in conducting 2019 marine and border security patrols, to be paid from Sheriff's budget, with partial reimbursement through available grant funding; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute agreement upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 171-419

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE/JAIL AND CORVEL CORPORATION

RESOLVED, that this Legislature approves a renewal agreement between the Sheriff's Office/Jail and CorVel Enterprise Comp, Inc., 251 Salina Meadows Parkway, Suite 150, N. Syracuse, NY 13212, an amendment to renew the Enhanced Bill Review Services Agreement which reviews jail medical bills to ensure proper rates and medical codes are applied, at a charge of 25% of the total savings, for a three year renewal term effective February 1, 2019 through January 31, 2022.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 172-419

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S OFFICE BUDGET AND AUTHORIZING THE PURCHASE OF MOBILE DATA TERMINALS AND RELATED ITEMS

RESOLVED, that this Legislature authorizes the Treasurer to set up grant funding from the NYS Division of Homeland Security and Emergency Services for SLETPP (LE18) grant as follows:

Revenue:		
A4308.5318	Homeland Security (SLETPP FY2018)	\$25,735
Appropriation:		
A3110.486.5318	Special Grants/SLETPP FY2018	\$25,735

and be it;

FURTHER RESOLVED, that this Legislature authorizes the purchase of mobile data terminals from Island Tech Services, 980 S. 2nd Street, Ronkonkoma, NY 11779, at a cost of \$13,700 to be paid from Sheriff Budget account A3110.486.5318- Special Grants (SLETPP FY2018); and be it

FURTHER RESOLVED, that this Legislature authorizes the purchase of related items from Island Tech Services, 980 S. 2nd Street, Ronkonkoma, NY 11779, at a cost of \$12,035 to be paid from Sheriff Budget account A3110.486.5318-Special Grants (SLETPP FY2018).

Moved, Allport; second, Draper.

Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 173-419

AUTHORIZING SETTING UP NEW MONEY IN SHERIFF'S STOP-DWI BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money from NYS STOP-DWI Foundation as reimbursement for STOP-DWI Holiday Crackdown enforcement patrols, in the Sheriff's STOP-DWI budget, as follows:

Revenue:		
A2615.3315	STOP-DWI Program	\$4,140.05
Appropriation:		
A3315.486	Grants	\$4,140.05

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 174-419

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves an agreement amendment between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E. Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210 (Contract #C000734) for Attorney Pay, Parole Revocation, Expert Services, Legal Services for Appeals through the Legal Aid Bureau of Buffalo, Interpreter, and Computer Technology in the amount of \$156,438.00 effective for an amended term of January 1, 2015 through December 31, 2018.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 175-419

APPROVING AGREEMENT FOR ANNUAL INSPECTION FOR THE EMERGENCY MANAGEMENT TOWERS

RESOLVED, that this Legislature does hereby approve an agreement for the 2019 and 2020 annual inspection and maintenance of the two (2) large guyed towers and one (1) self-supporting tower at Emergency Management and two (2) radio towers in Clarendon and Medina to be performed by Fred A Nudd Corporation, 1743 Route 104, PO Box 577, Ontario, NY 14519 at a total amount of \$11,900 for each calendar year to be paid from Emergency Management Budget account 3640.418-Other Contractual Expenses.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 176-419

AUTHORIZING PURCHASE FROM EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes purchase of a Harris EA-5550140922 Power Amplifier from Finger Lakes Communications, 305 Clark St., Auburn, NY 13021 through NYS OGS State Contract #PT67040 in the amount of \$10,368.50 (PO# 60617) to be paid out of the Emergency Management budget account A3640.0418 – Other Contractual expenses.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 177-419

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT; APPROVING AGREEMENT WITH FRED NUDD CORPORATION; AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorize the Director of Emergency Management to expend DHSES SHSP FY17 Grant Funds in an amount not to exceed \$21,800 to purchase and install one VHF (155Mhz) High Band antenna, one Sinclair SC488-SF1SNF (800 Mhz) antenna plus accessories, remove unused and obsolete radio equipment, and plumb and tension adjustments on the 485' Guyed Radio Tower; and be it

FURTHER RESOLVED, that this Legislature approves an agreement with Fred A. Nudd Corporation, 1743 Route 104, PO Box 577,

3640.486.0748 Special Grants-ST18 “Targeted” \$262,000

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 179-419

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT, AUTHORIZING PAYMENT MILESTONES; AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services for the 2018 SICG “Targeted” Grant; now be it

RESOLVED, that this Legislature authorize the Director of Emergency Management to expend 2018 Statewide Interoperable Communications “Targeted” Grant funds in the amount not to exceed \$905,396.83 to Nokia of America Corporation, NYS OGS Contract #PM67989 per the April 11, 2019 proposal-#18.US.825672.02 for the 6 Hop SICG 2018 “Targeted” Grant Microwave Transport and IP/MPLS Network initiative and one year Warranty/Maintenance Service; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to release the following payments to Nokia of America Corporation based on the following milestones:

Payment Milestones

#1 – July 2019	Engineering Services	\$90,009.15
#2 – September 2019	Hardware	\$531,334.95
#3 – November 2019	Installation Services	\$284,052.73
(#3 – Includes One Year Warranty/Maintenance Service at a cost of \$7,653.89)		

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up NYS DHSES Statewide Interoperable 2018 “Targeted” Grant funds as follows:

Revenue:

A4309.0748	Statewide Interoperable Communications ST18 “Targeted” Grant	\$905,396.83
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Appropriation:
3640.486.0748 Special Grants-ST18 “Targeted” \$905,396.83

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 180-419

**APPOINTING MEMBERS TO EMERGENCY MEDICAL SERVICES
COUNCIL**

RESOLVED, that this Legislature appoints the following members
to the Emergency Medical Services Council, all terms expiring December
31, 2019:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
Albion Fire Department	Fred Piano
Albion Fire Department, Alternate	Chuck Prentice
Barre Fire Department	Andrew Faskel
Carlton Fire Company	David Bertsch
Carlton Fire Company, Alternate	Justin Niederhofer
Clarendon Fire Company	Donald Mosier
East Shelby Fire Department	Michael Fuller
Fancher-Hulberton-Murray Fire Company	Tracey Sicurella
Holley Fire Company	Patricia Knapp
Kendall Fire Company	Shelby Reis
Lyndonville Fire Company	Wallace Snyder
Medina Fire Department	Matthew Jackson
Medina Fire Department, Alternate	Steven Cooley
Ridgeway Fire Company	Kristin McAdoo
Shelby Fire Company	Jeffery Lyons
Shelby Fire Company, Alternate	Tiffany Petry
COVA	Jason Spencer
COVA Alternate	Laure Schwab
Orleans County Health Dept	Al Cheverie
Orleans County Health Dept, Alternate	Michelle Troup
Mutual Aid / EMS Coordinator	H. Dale Banker
Medina Memorial Hospital Care Delegate/Adm	Kaitlyn Miller
Orleans County Sheriff	Randy Bower
Orleans County Dispatch	Allen Turner

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NON-VOTING MEMBERS

County Legislature Chair	Lynne Johnson
Public Safety Chairman	Donald Allport
NYS Department of Health	James M. Mihalko

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 181-419

APPOINTING MEMBERS TO FIRE ADVISORY BOARD

RESOLVED, that this Legislature appoints the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2019 with all terms expiring December 31, 2019:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
Albion Fire Department	Jeremy Graham
Barre Fire Department	James Neal
Carlton Fire Company	Justin Niederhofer
Clarendon Fire Company	Johnathan DeYoung
East Shelby Fire Department	Allen Turner
Fancher-Hulberton-Murray Fire Company	Joseph Morlino
Holley Fire Company	Harris Reed
Kendall Fire Company	Bryan Hardenbrook
Lyndonville Fire Company	Ben Bane
Medina Fire Department	Jonathan Higgins
H-W-M Fire District	
Ridgeway Fire Company	Kristin McAdoo
Shelby Fire Company	Andrew Benz

and be it

FURTHER RESOLVED that the following are approved as non-voting members of the Board:

Orleans County Emergency Management	Dale Banker
Orleans #2 Deputy Coordinator	Francis Gaylord
Orleans #3 Deputy Coordinator	Gerald Bentley
Orleans #4 Deputy Coordinator	David J. Hydock
Orleans #5 Fire Investigator	David Clary
Orleans #6 Fire Investigator	Justin Niederhofer

Orleans #7 Fire Investigator	David Knapp
Orleans #8 Fire Investigator	Steven Cooley
Radio Systems	Kevin Doherty
Legislature Chairman	Lynne M. Johnson
Legislature Vice Chairwoman	Donald Allport
Orleans County Sheriff	Randy Bower
Office of Fire Prevention and Control	Kathleen Way

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 182-419

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND POPLI DESIGN GROUP

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Popli Design Group, 555 Penbrooke Drive, Penfield, NY 14526 to perform Construction Support and Inspection Services for the Preventative Maintenance – 4 Bridges TIP Project in Orleans County at four different locations. The project locations are in the Town of Carlton, BINS: 3319030, 3319020, 3319040 and 3319050.

FURTHER RESOLVED, this agreement is effective Upon Notice to Proceed through May 31, 2020, NYS Contract #D035655, Pin 4OR000, at a maximum cost of \$114,000 with an 80% federal reimbursement at \$91,200 and a County cost of \$22,800; to be paid out of the D5120.470.2278 Capital Plan TIP Bridge account.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 183-419

AWARDING AND APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES

RESOLVED, that this Legislature does hereby award and approve an agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Professional Services for Preliminary Engineering and ROW Incidentals for the

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Replacement of Transit Road Bridge over West Branch of Sandy Creek in the Town of Murray. Bin #3319240, Pin 4BNY.28; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$172,600 and is 95% reimbursable through the “Bridge NY” Funding; county cost \$16,828.50; 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, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 184-419

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreement between the Orleans County Department of Social Services and the following agencies:

Children’s Home of Wyoming Conference, Binghamton, NY for the provision of “Raise the Age” residential foster care services; to be effective January 1, 2019 through December 31, 2019, 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.

William George Agency, for the provision of “Raise the Age” residential foster care services; to be effective January 1, 2019 through December 31, 2019, 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

Children’s Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services; to be effective May 6, 2019 through May 5, 2020 at per diem rates 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.

G4S Secure Solutions f/k/a The Wackenhut Corporation, Buffalo, NY for the provision of armed security services for the County Office Building; to be effective January 1, 2019 through December 31, 2019 at a cost of \$28.93 per hour. County cost is \$10.13 per hour.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 185-419

APPROVING INTRA MUNICIPAL AGREEMENT BETWEEN
ORLEANS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
ORLEANS COUNTY PUBLIC HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby approve an Intra Municipal Agreement between the Orleans County Department of Social Services and the Orleans County Public Health Department to provide nursing services to clients and families affected by substance abuse disorders on a part-time basis. County cost is reimbursed at 100% up to \$50,000 total by a grant from the New York State Office of Children and Family Services (OCFS); with such agreement commencing on April 1, 2019 through March 31, 2020 and shall remain in full force through (4) additional one-year periods upon mutual agreement between both parties.

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 186-419

APPROVING APPOINTMENTS TO ORLEANS COUNTY YOUTH
BOARD

WHEREAS, the Orleans County Youth Board does recommend appointments to said Orleans County Youth Board at this time; now, therefore, be it

RESOLVED, that this Legislature approves the following new appointments to serve on the Orleans County Youth Board with a term and representation as noted:

Yates/Lyndonville	Aimee Chaffee	May 1, 2019 – April 30, 2022
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Agency/Gov't/Non-Profit	Christina Brooks	May 1, 2019 – April 30, 2022
Albion/Barre/Carlton	Rebecca Alexander	May 1, 2019 – April 30, 2022

Moved Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 187-419

APPROVING PAYMENT FOR PRINTING, PROCESSING, AND POSTAGE OF ANNUAL MAILING TO REGISTERED VOTERS OF ORLEANS COUNTY

RESOLVED, that this Legislature approves the payment of \$5,212.72 (PO #60677) for the printing and processing of the annual mail check postcards and \$2,532.65 (PO #60676) for postage totaling \$7,745.37 to NTS Data Services, Niagara Falls, NY to all active registered voters of Orleans County advising them of the 2019 Primary and General Election dates and other relevant voter information, as pursuant to New York State Election Law. To be paid from Election Budget Accounts A1450.441 – Printing and A1450.461 – Postage.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Legislator Eick moved to oppose Senate and Assembly bills to enact the Farmworkers Fair Labor Practices Act; seconded by Legislator Miller. Legislator Eick stated that the New York State Farm Bureau has been fighting this legislation over the last several weeks. It comes from two New York City politicians that feel that laborers in upstate New York are not being treated fairly. Legislator Eick stated as a former Ag producer, this could be devastating to our local farmers if this does go through. Farm Credit has provided a study in that it will reduce annual farm income by 23% for some of the larger farms. These laborers are mostly Mexican and they are getting paid more than minimum wage and benefits. Legislator Eick feels this is very unfair labor law being proposed. The following resolution was adopted:

RESOLUTION NO. 188-419

OPPOSING NEW YORK STATE SENATE BILL NO. 2837 AND ASSEMBLY BILL NO. 2750 TO ENACT THE FARMWORKERS FAIR LABOR PRACTICES ACT

WHEREAS, Agriculture is Orleans County's number one industry where farms directly and indirectly provide valuable jobs, support local business and are a critical component of our County and Region's economy, and,

WHEREAS, farms must compete for workers in a tight labor market, they value and respect their employees and pay over minimum wage to retain their skilled workforce, and H2A employees have a choice to work in less restrictive states, increasing stress on a shrinking labor pool, and

WHEREAS, according to the USDA, 98 % of New York farms are family owned, and

WHEREAS, Senator Jessica Ramos and Assemblywoman Catherine Nolan introduced S2837 and A2750 which would, among other things, provide collective bargaining rights of farm workers and require overtime pay and where, advocacy groups are asking for collective bargaining, not farmworkers, and

WHEREAS, farming is already a highly regulated industry in New York State, placing a further marketplace competitive disadvantage from surrounding states and Canada on growing food for New Yorkers, and

WHEREAS, animal agriculture requires a workforce to care for animals 24- hours per day, 7 days per week, 365 days per year and crop, vegetable and fruit farming requires seasonal, climate sensitive and time sensitive planting and harvesting where the effects of a labor strike on a farm could destroy an entire year's worth of crops, render perishable food not edible and adversely affect the health and care of animals, and

WHEREAS, New York State minimum wage ranks among the top five in the country, minimum wage in upstate New York is currently \$3.85 higher than federal minimum wage and on average farm wages are well above minimum wage currently, and

WHEREAS, prices paid to farmers for milk and most crops produced in Orleans County are set by market conditions out of farmers' control so they have no way to recoup added costs of production by increasing the prices of their products and proposed overtime will likely result in fewer hours for workers rather than increased pay since current

prices received for agricultural products at the farm level cannot justify overtime pay rates, and

WHEREAS, Orleans County farmers must compete in regional, national and global marketplaces and this legislation would place them at an even greater competitive disadvantage, according to an analysis by Farm Credit East, overtime combined with the rising minimum wage would raise labor costs on NY farms by nearly \$300 million and reduce net farm income 23.4% and

WHEREAS, family farming is already on the decline and the economic impact of these labor mandates will further reduce profitability and push further disincentive to continue family farming operations in New York State and the net effect of increasing agricultural cost solely on New York farms will simply be to drive farm families out of business or out of state, and

WHEREAS, agriculture provides and protects Orleans County's open spaces and beautiful landscapes, which are in jeopardy of falling to development and non-agriculture use if added costs force farms out of business and in that unique capacity, Orleans County's opposition to this legislation should be critically considered by State Legislators, and

WHEREAS, Governor Cuomo has invested millions in the infrastructure for dairy processing in New York State, supporting the growth and capacity of the entire dairy economy, which this proposed labor bill will directly decimate substantial economic development investment by New York State, now, therefore, be it

RESOLVED, that the Orleans County Legislature does pause in its deliberations to oppose S2837 / A2750 based on loss of market place, agribusiness economy loss on our farm communities and major loss of income and benefits of farm employees who will have to work a second job to make up the financial hardship, hereby requests that Orleans County's State Legislators advise us of their position and further take steps to defeat such legislation, and be it further

RESOLVED, that the Clerk of the Legislature shall forward a copy of this resolution to Governor Andrew Cuomo, Senator Robert Ort, Assemblyman Steve Hawley, Assemblyman Michal Norris, NYSAC and Inter County Association of Western New York; and all others deemed necessary and proper.

Moved, Eick; second, Miller.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 189-419

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves a 48-month lease agreement between Orleans County and Toshiba Business Solutions, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to provide four (4) Toshiba e-Studio and one (1) Lexmark multifunction machines effective July 1, 2019 through June 30, 2023 as follows:

Clerk of the Legislature	e-Studio 3515AC	\$193.00 per month
Public Health	e-Studio 5516ACT	\$303.00 per month
Above are bill per copy B&W .0075 per page and Color .0475 per page, with an annual increase of 2.5%		
Elections	e-Studio 3018A	\$87.50 per month
Computer Services	e-Studio 3018A	\$71.00 per month
Above are bill per copy B&W .0075 per page, with an annual increase of 2.5%		
Public Health	Lexmark XC4140	\$91.00 per month
Above is bill per copy B&W .0129 per page and Color .075, with an annual increase of 2.5%		

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 190-419

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$36,361.11	Michael A.	Payment #11, Work performed 3/1/19-

	Ferrauilo Plumbing & Heating	3/31/19, HVAC
\$215,242.06	Suburban Electric, Inc.	Payment #11, Work performed 3/1/19-3/31/19, Electrical
\$1,949.40	MKS Plumbing Corp	Payment #10, Work performed 3/1/2019-3/31/2019
\$180,410.05	Holdsworth Klimowski Construction	Payment #11, Work Performed 3/1/19-3/31/19, General Construction
\$95.00	All State Fire & Security	Payment #10, Work Performed 3/1/19-3/31/19, Fire Protection
\$40,561.50	Wendel A/E/S/LA, PC	WD Professional Services, 2/1/19-2/28/2019, Inv #351141 – FF&E Design, Construction Admin, Mechanical Room Boiler Dampers, Legislative Desk Extension, Move Management Plan, Project Coordination Labor, Project Coordination Fee, Commissioning Services, DOH Grant Admin Assistance, Reimbursable Expenses.
\$4,436.80	CDW-G	PO#60171 – Invoice #RNM8238 – (16) Sophos AP55C Wireless Access Point P/N 3791502
\$649.99	CDW-G	PO#60437 – Invoice #RHS7289/Credit Memo #RQP5690 – Netgear Prosafe 24PT POE + L2 MGD
\$5,849.91	CDW-G	PO#60438–Invoice #RMC9770– (9) Netgear Prosafe 24 PT POE + L2 MGD
\$2,164.68	CDW-G	PO #60439 - Invoice #QTT8137/Credit Memo #RQF2149 – (2) Netgear M4300 28G MGD Switch

Moved, Allport; second, Draper.
 Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

RESOLUTION NO. 191-419

AUTHORIZING PAYMENT OF CLAIMS FOR MAY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 May 8, 2019:

Fund/Department	Check Number (s):	Amount:
General	1521-1668	\$495,717.31
Highway	1412-1425; 3218-3234	\$193,416.56
Job Development	3060-3069	\$692.86
Self Insurance	61025; 61055-61057; 61059	\$21,296.71

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 Superintendent of Highways, 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 May 22, 2019:

Fund/Department	Check Number (s):	Amount:
General	1669-1679; 1687-1841	\$705,211.87
Highway	1426-1433; 3235-3248	\$35,799.88
Job Development	3073-3078; 3080	\$8,099.18
Self Insurance	61156-61158; 1231-1232	\$456.92

Moved, Miller; second, Eick.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

The following add on resolution was presented for adoption:

RESOLUTION NO. 192-419

AUTHORIZING WENDEL TO ISSUE REQUEST FOR PROPOSALS FOR THE ORLEANS COUNTY ADMINISTRATION BUILDING

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OFFICE RELOCATION MOVING AND AUTHORIZING THE
PROJECT OVERSIGHT COMMITTEE TO SELECT FIRM

WHEREAS, Wendel will be requesting proposals to relocate Office Supplies, Files and IT equipment for the relocation of offices into the new Orleans County Administration Building Annex; and

WHEREAS, these requests will be opened and reviewed with the Project Oversight Committee so that progress can begin timely on this move; now be it

RESOLVED, that this Legislature does hereby authorize the Project Oversight Committee, approved by passage of Resolution No. 172-318, to review all the proposals and award the agreement; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the Chief Administrative Officer execute the agreement upon the recommendation of the Project Oversight Committee.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 0 nays; 1 absent, DeRoller.

Chairman Johnson called upon the public for any comment. Mr. Majorowski, Town of Yates, expressed a citizens complaint concerning several people in power, Town Attorney, Mayor, Highway Supervisor Mr. Wolfe who has been encroaching upon his property rights by removing signs. He wants the actions of Mr. Mayor and others to be corrected. They are instrumental in removing signs, marking his property under false pretenses. He asked that this be investigated for miss-use and abuse of public office. Chairman Johnson asked Mr. Majorowski to file the papers he wished to submit with our County Attorney.

Legislator Eick moved to enter into executive session at 5:14 per Open Meetings Law §105(h) to discuss the proposed sale of real estate, second by Legislator Allport. Treasurer DeFrank was invited to participate in this executive session.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:39; second by Legislator DeFilipps. No further business took place.

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Legislator DeFilipps moved to adjourn; second by Legislator Miller.
Meeting adjourned at 5:40p.m.

LEGISLATURE MEETING

May 22, 2019

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications:

Town/Village resolutions that have been received

Town/Village	Resolution Title
T/Yates	Calling Upon President Trump to Immediately Rescind Plan 2014 and Begin Renegotiations with Canada (T/Yates Res No. 66-5/19)

Annual Financial Report Update Document for the County of Orleans for the Fiscal Year ending December 31, 2018 has been filed by the Orleans County Treasurer. Orleans County Treasurer Kimberly DeFrank has filed in the Clerk of the Legislature Office the list of Inter Fund loans issued from January 1, 2019 to date as directed in Resolution No. 175-418.

Legislator Allport presented a Special Recognition Certificate to Luci Welch for being named the 2019 Outstanding Women in the Law Award given by the New York State Judicial Commission on Women in Courts, Gender and Racial Fairness Committee.

Chairman Johnson presented a Special Recognition Certificate to Charles Nesbitt Jr. for being awarded the 2019 Service Excellence Award given by the State Academy for Public Administration. Chairman Johnson stated that Legislator Draper and she made the trip to Albany to see Chuck receive this award.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through April, 2019 and reported that the cash balance is close to what it was last year at this time. Treasurer DeFrank re-stated that the Annual Update Document has been filed timely with the Office of the State Comptroller for the year ending 2018. Treasurer DeFrank also reported on the annual county auction to where thirty-four parcels were bid on and hopes that they will be approved for sale today.

Chairman Johnson called for open discussion as it related to the resolutions. Legislator Eick stated that this will be our last meeting in these Chambers. The new building is ready and we will hold our next meeting in our new Chambers. Legislator Eick stated that this chambers was dedicated back on

April 8th, 1982. Prior to that, they met on the first floor in the Courthouse. There is a lot of history in these walls and a lot of work was completed in our offices.

Bruce Schmidt, Town of Gaines, hopes that all will be supporting Resolution No. 239-519. As a resident who has property in both the Town of Gaines and the Town Carlton, there has been a great amount of devastation to his neighbors and little to him, he is asking that the Resolution be sent to the U.S Senate because of their involvement in treaties, so asked that it be sent to Mitch McConnell, United States Senate Majority Leader.

Legislator DeRoller reported that photos will be scrolling to view the recent lake levels of Lake Ontario. Chairman Johnson called on our EMO Director Banker to update us on the Lake levels. Director Banker reported that on Monday, May 20th Chairman Johnson declared a State of Emergency in Orleans County. Shortly thereafter, Governor Cuomo also called for a State of Emergency along the south shore of Lake Ontario all due to the increasing lake levels on Lake Ontario. Towns of Yates and Carlton also followed in their declarations. The lake levels today in Rochester is 248.78'; in Olcott it is 248.79'. The record level in 2017 was 249.10 in Rochester and 249.20 in Olcott. The National Guard is heavily present in the Town of Kendall. They also are assisting in the sand bagging operation at the Town of Carlton Highway Garage. New York State Department of Transportation has had a seven day a week sand bagging operation and has been up and running for three weeks. As of today's count, 30,000 bags on the ground. Town of Kendall Highway has requested another 100 pallets, roughly two and one half/three tractor trailer trucks need to deliver those. The state has been great and reaching out to everyone, with it being a long weekend and seasonal residents out, making sure sand bags are in spots that they can get. Yates and Carlton residents have to pick up, where Kendall is helping more to get them to their residents. Currently have 750 feet of aqua dam (water bladder) with 450 feet in Carlton, 250 feet in Kendall. Two other sites in Kendall have been assessed and waiting for delivery. Two sites in Carlton were assessed and denied due to not placing water bladders in the lake or near a cliff. The one site in Carlton had a fifteen foot drop off so if land eroded it would fall into the lake. Some of the press releases out of Albany are helpful and some unhelpful. Due to State fiscal years being different than ours, monies allocated in certain year budgets, are no longer available this year and people need to be aware of this. Many lists are being maintained in the EMO office to help should financial assistance become available.

Legislator Eick moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 193-519

**AUTHORIZING LICENSE AGREEMENT PURCHASE FOR
COMPUTER SERVICES FOR THE SOPHOS SG115 AT THE MARINE
PARK**

WHEREAS, that this Legislature is aware of the need for constant, uninterrupted communications between the Marine Park Deputies and Patrols and the Orleans County network, now be it

RESOLVED, that this Legislature authorizes the purchase of a 3 year license for the Sophos SG115 UTM at the Marine Park to provide the dedicated connection to the Orleans County network from Layer 3 Technologies, 1645 Lyell Avenue, Suite # 200, Rochester, NY 14606 in the amount of \$143.65 to be paid from Computer Services Account A1680.418 – Other Contractual which will allow this connection to continue.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 194-519

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF
INSURANCE PLAN AND USI INSURANCE, INC. D/B/A
FUTURECOMP**

WHEREAS, a Request for Proposal was issued April 8, 2019 for a fixed fee contractual agreement for Third Party Administration – Workers’ Compensation of the Orleans County Self Insurance Plan which had a due date of May 3, 2019, be it

RESOLVED, that this Legislature authorizes the agreement with USI Insurance, Inc. D/B/A FutureComp for third party administration of the Orleans County Self Insurance Plan, effective May 15, 2019 through May 14, 2022 at an annual cost of \$58,236.00 for the first, second and third year with an option to extend at an annual cost of \$59,400.00 for year four and

five, to be billed monthly in advance, which will be a direct expense to the Orleans County Self Insurance Plan.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 195-519

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 May 22, 2019; 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
May 22, 2019**

		Sold To:	Amount
ALBION - Village			
62.18-2-29	Button, Jamie; Travelaris Telly	Chad Wright	\$27,000
PC - 220	209 North Main St.; .16 Acres	15477 Marsh Creek Rd	
1	Full Market Value - \$41,900	Kent, NY 14477	
73.6-5-38	Horsley Pamela, (formerly Rotoli, Jamie, Rotoli Joe)	Larry J. Vick, Jr.	\$1,700
PC - 210	127 Temperance St; 59.4 X 85.25	2910 Lattin Rd	
4	Full Market Value - \$26,000	Albion, NY 14411	
73.6-7-13	McCarthy, James; McCarthy Cheryl	Chelsea L. Carter	\$700
PC - 311	106 South Clinton St; 82.5 x 121.88	218 W. Park St	
5	Full Market Value - \$10,400	Albion, NY 14411	
73.6-7-74	Shonerd, Roy A.; Schmidt Heaven L.	Angel Schmidt	\$4000
PC - 210	109 Beaver St; 36.6 x 85	16309 Roosevelt Hwy	
6	Full Market Value - \$25,000	Kendall, NY 14476	

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ALBION			
72.-3-13	Ray, Billy	Ryan Berg	\$900
PC - 314	13583 Phipps Rd, 1.0 acre	13605 Phipps Rd	
8	Full Market Value - \$12,000	Albion, NY 14411	
BARRE			
94.-1-53	Anderson, Oliver G.	Whitney D. Keppler	\$4,000
PC - 323	Maple St.; 4.4 acres	13359 W. Lee Rd	
9	Full Market Value - \$3,100	Albion, NY 14411	
116.-1-45.131	Campbell Bruce/Campbell Karen J	Thoms H. Mulrain	\$10,000
PC - 270	13713 West Barre Rd; 4.5 Acres	430 Adams Ct NW	
10	Full Market Value \$51,400	Port Charlotte, FL 33952	
CARLTON			
4.2-2-20	Kupferschmid, Andrew L. Sr.	Matthew C. Mundion	\$6,000
PC -260	12714 Roustabout Ter. ;.57 acres	201 E. Center St	
12	Full Market Value: \$48,300	Medina, NY 14103	
4.2-2-21	Kupferschmid, Andrew L. Sr.	John D. Jackson	\$1,500
PC -	Roustabout Ter.; .57acres	799 Whistles Cove Ln	
13	Full Market Value: \$900	Medina, NY 14103	
5.19-1-12.11	Katy, Allison,	Heather A. Furness	\$5,000
PC - 210	13244 Church St.; .76 acres	1092 Lakeside Rd	
14	Full Market Value: \$60,700	Waterport, NY 14571	
5.49-1-38.1	Reid, Rob	Justin Re	\$7,000
PC - 260	911 Kirkwood St.; .12 acres	15 Ridgewood Dr	
16	Full Market Value: \$50,300	Rochester, NY 14622	
5.49-4-44.1	Valdez, Caleb O (formerly Abbate, David)	Gertrude Montlli	\$300
PC - 210	927 Kirkwood St.; .11 acres	931 Kirkwood St	
17	Full Market Value: \$32,800	Waterport, NY 14571	
28.-1-69.2	Sherwood, Randolph	Spencer Pilon	\$29,000
PC - 322	Waterport Rd.; 6.7 acres	12693 Ridge Rd W	
19	Full Market Value: \$23,500	Albion, NY 14411	
GAINES – VILLAGE OF ALBION			
62.18-1-4	O;Dell, Edward	Angel Javier	\$6,000
PC - 210	7 North St.; .20 acres	140 Caroline St	
20	Full Market Value - \$50,800	Albion, NY 14411	
62.18-1-31	Shay, William/ Klippel, Sara M.	Deborah James	\$100
PC - 311	Linwood Ave; .20 Acres	533 N. Reading Ave	
21	Full Market Value: \$9,600	New Berlinville, PA 19545	
GAINES			
60.4-1-39	Thompson, Kris, /Whittier, Joan	Steven P. Jenks	\$6,500
PC - 210	3314 Eagle Harbor Waterport Rd; .95 acres	4469 Gracey Ave	
23	Full Market Value: \$40,100	Gasport, NY 14067	
KENDALL			
21.-1-41	Poprawski, Steven/ Poprawski, Cindy L	Gerald R. Sheffield	\$2,000
PC - 210	16672 Woodchuck Alley; .59 acres	1710 West Kendall Rd	
27	Full Market Value: \$49,000	Kendall, NY 14476	

MURRAY – VILLAGE			
77.17-2-34	Patten, Patricia	Joshuah Daniels	\$5,250
PC – 210	3 Morgan St; 50 x 110.5	2100 Oak Orchard River Rd	
29	Full Market Value: \$	Waterport, NY 14571	
MURRAY			
75.2-1-20	CCEO LLC (Formerly O'Dell, Edward)	Todd Knight	\$6,750
PC - 210	3606 Fancher Rd; 97 x 103	3536 Hulberton Rd	
37	Full Market Value: \$49,000	Holley, NY 14470	
RIDGEWAY-VILLAGE			
68.20-1-33	Grimes, Kenneth	Gary Saj	\$24,000
PC – 210	195 Glenwood Ave; 38 x 96	1023 West Ave	
38	Full Market Value: \$33,300	Medina, NY 14103	
68.20-1-39	Moore, Grover W./Moore, Christine A.	Kevin P. Lewis	\$12,000
PC – 210	178 Glenwood Ave; 49 x 95.04	176 Glenwood Ave	
39	Full Market Value: \$58,700	Medina, NY 14103	
68.20-1-71	CCEO LLC (Formerly O'Dell, Edward)	Matthew C. Mundion	\$16,000
PC - 220	111 Stork St.; 66 x 132	201 E. Center St	
40	Full Market Value: \$36,200	Medina, NY 14103	
79.36-1-67	Shaw, Jack R	Cheryl James	\$100
PC - 311	224 Eagle St.; 66 x 181.5	514 Oak Orchard Est	
42	Full Market Value: \$10,800	Albion, NY 14103	
80.6-1-12	Pletcher, Jacqueline	Ronald J. Turner	\$16,000
PC - 210	168 North St.; 77.28 x 187.75	121 Heritage Est	
43	Full Market Value: \$65,500	Albion, NY 14411	
80.6-1-13	Pletcher, Jacqueline	Jeffrey Pasnik	\$4,000
PC - 311	170 North St.; 126 x 189.75	180 North St.	
44	Full Market Value: \$1,700	Medina, NY 14103	
RIDGEWAY			
70.2-2-7	DeHollander, Kevin	James Scott Bieliski	\$35,500
PC – 210	12603 Presbyterian St.; 130 x 280	212 N. Gravel Rd	
46	Full Market Value: \$76,400	Medina, NY 14103	
SHELBY – VILLAGE			
79.60-1-6	Hardy, Jacqueline J	Larry J. Vick, Jr.	\$50
PC – 311	353 North Ave; 41.5 x 148.5	2910 Lattin Rd	
47	Full Market Value: \$500	Albion, NY 14411	
80.13-1-29	Bloom, Anthony (Formerly Bloom, James V/Bloom Anthony)	James Scott Bieliski	\$18,000
PC – 210	119 Hedley St; 30.5 x 148.5	212 N. Gravel Rd	
49	Full Market Value: \$57,200	Medina, NY 14103	
80.13-2-66	Peterson, Charles E/Peterson, Barbara B.	Donald E. Currier Jr	\$26,000
PC – 220	909 Church St.; 66 x 132	7608 Bank Street Rd	
50	Full Market Value: \$35,800	Elba, NY 14058	
SHELBY			
90.16-1-56	Rogers, Judith L	Matthew C. Mundion	\$9,000
PC - 210	4596 South Gravel Rd; 1.8 acres	201 E. Center St	
55	Full Market Value: \$65,800	Medina, NY 14103	
114.-1-12	ODell, Edward	Deborah James	\$100

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PC - 311	5475 East Shelby Rd; 138 x 122	533 N. Reading Ave	
56	Full Market Value: \$9,000	New Berlinville, PA 19545	
YATES			
13.-1-11	Rinker, Leonard P/Rinker Patricia A.	Amon Zimmerman	\$9,000
PC - 210	1236 Lyndonville Rd; 120 x 167	1077 Hall Rd	
59	Full Market Value: \$68,500	Lyndonville, NY 14098	
24.-1-47.114	Drown, Timothy A	David W. Stanley	\$4,000
PC - 210	10858 Millers Rd; 1.8 acres	6086 Albion Rd	
60	Full Market Value: \$60,200	Oakfield, NY 14125	
34.-1-18.211	County of Orleans/Formerly Munn, Byron G.	Paul D. Gray	\$6,500
PC - 270	2125 County Line Rd.; 2.75 acres	11100 Maple Ridge Rd	
61	Full Market Value: \$19,600	Medina, NY 14103	

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

The Board thanked Treasurer DeFrank and County Attorney Bogan for all the help in our annual auction.

RESOLUTION NO. 196-519

APPROVING EXTENSION OF AGREEMENT BETWEEN COUNTY TREASURER AND THREE PLUS ONE FOR A COMPREHENSIVE LIQUIDITY ANALYSIS

RESOLVED, that this Legislature approves a one-year agreement extension between the County of Orleans and Three Plus One, 180 Office Parkway, Pittsford, NY 14534, to provide a comprehensive liquidity analysis as approved in Resolution No. 301-718.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 197-519

AUTHORIZING PURCHASE OF REPLACEMENT WINDOWS FOR CENTRAL HALL

RESOLVED, that this Legislature approves the purchase of (6) 36 x 92.5 windows with half screens and grids at a unit cost of \$315; and (16) 36 x 102.5 windows with half screens and grids at a unit cost of \$330 for Central Hall from Medina Window, 10708 Millers Road, Lyndonville NY 14098 at a total cost of \$7,170 (PO#59044) to be paid from Capital Project Account #H1620.403.222 – Energy Performance.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 198-519

**CALLING FOR A PUBLIC HEARING REGARDING SUBMISSION OF
COMMUNITY DEVELOPMENT BLOCK GRANT**

RESOLVED, that this Legislature hereby calls for a public hearing to obtain the views of citizens, public agencies, and other interested parties on the housing and community development needs of the County and the County's submission of a request to the New York State Office of Community Renewal for approval of the use of Community Development Block Grant funding to implement a microenterprise assistance program such public hearing to be held at 4:25 p.m. on June 26, 2019 at the New Legislative Chambers located at 14016 Route 31 West, Albion New York 14411.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 199-519

**AUTHORIZING FILLING VACANCY IN THE HEALTH
DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the filling of the vacant Public Health Nurse (4010.28) in the Public Health Department at Grade 21, of the CSEA Salary Schedule effective June 3, 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 200-519

**AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH
DEPARTMENT EMPLOYEE**

RESOLVED, that this Legislature does hereby authorize out of state travel by Melissa Pless, RN, to attend The 2019 National Healthy Homes and Lead Poisoning Prevention training at the Westin Peachtree Plaza

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Atlanta in Atlanta, Georgia from June 18, 2019 to June 20, 2019. Cost to be covered by Article 6 State Aid. No County Cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 201-519

AUTHORIZING FILLING VACANCIES IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of the following vacancies in the Mental Health Department:

Clinic Therapist position (Position No. 4310.10) at Grade 22 of the CSEA Salary Schedule, effective June 24, 2019.

Clinic Therapist position (Position No. 4310.09) at Grade 22 of the CSEA salary schedule, effective June 29, 2019.

Supervising Community Mental Health Nurse (Position No. 4310.11) at Grade 22 of the CSEA Salary Schedule, effective July 8, 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 202-519

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for the setup of revenue and expense for Finger Lakes Performing Provider System money received and to set up revenue and expense for NY eHealth Collaborative money received as follows:

<u>Revenue:</u>		
A1625	Misc. Revenue	\$4,521.74
<u>Appropriation:</u>		
A4310.418	Other Contractual	\$4,521.74

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 203-519

APPROVING AGREEMENT BETWEEN ENDEAVOR HEALTH SERVICES AND THE PROBATION DEPARTMENT

RESOLVED, that this Legislature authorizes the Probation Department to enter into an agreement with Endeavor Health Services beginning August 1, 2019 through August 1, 2023. Endeavor Health Services agrees to provide Sex Offender/Domestic Violence Evaluations and Treatment to offenders of Orleans County at no cost to the county. The Orleans County Probation Department agrees to supply space to operate and referrals to programs.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 204-519

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT

RESOLVED, that this Legislature approves the Orleans County Probation Director to accept aid in the amount of \$16,000 effective January 1, 2019 to December 31, 2019 to offset cost of providing Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 205-519

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

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WHEREAS, Resolution #270-618 authorized the Sheriff's Office to apply for grant funding through the New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that the Orleans County Sheriff is authorized to participate in and accept the grant agreement between the NYS Division of Homeland Security and Emergency Services and the Sheriff's Office for Operation Stonegarden FY2018 in the amount of \$61,714; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SG18-1003-D00; contract # C972489 in the amount of \$61,714 for the Sheriff's Office to enhance cooperation and coordination between Federal, State, local and tribal law enforcement agencies in joint operations along the Canadian border effective September 1, 2018 through August 31, 2021.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 206-519

AUTHORIZING TO CONTINUE PARTICIPATION AND TO ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT AND ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, new funding opportunities have become available in the amount of \$104,970 to continue participation in the State Homeland Security Program grant cycle (SHSP/SLETPP) for FY2019; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH19-1032-D00, Contract #C972490, in the amount of \$78,727 for the Emergency Management Office to use for regional preparedness efforts to address homeland security needs in the County, based on the County Emergency Preparedness Assessment (CEPA) as allowed under FY2019 SHSP allocation, effective September 1, 2019 through August 31, 2022; now be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE19-1025-D00, Contract#T972492, in the amount of \$26,243 for the Sheriff's Office to use

towards law enforcement terrorism prevention activities under FY19 SLETPP allocation, effective September 1, 2019 through August 31, 2022.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 207-519

APPROVING AMENDMENT TO AGREEMENT BETWEEN SHERIFF'S OFFICE/JAIL AND KEEFE COMMISSARY NETWORK, LLC

RESOLVED, that this Legislature approves an amendment to the Keefe Commissary Network Agreement between the Sheriff's Office/Jail and Keefe Commissary Network which agrees to an increase in commissions from 22% to 25% for services provided with term of agreement effective May 1, 2019 through April 30, 2024.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 208-519

APPROVING AMENDMENT TO AGREEMENT BETWEEN SHERIFF'S OFFICE/JAIL AND INMATE CALLING SOLUTIONS

RESOLVED, that this Legislature approves an amendment to the Inmate Telephone Services Agreement between Inmate Calling Solutions, LLC, dba IC Solutions, and the Sheriff's Office/Jail for the provision of video visitation system equipment and for the payment of commissions by IC Solutions to the County on all service fees collected with respect to inmate voicemail and video visitation services, for term period June 1, 2019 through May 31, 2022.

FURTHER RESOLVED, that the Chairman is authorized to execute agreement upon the review and approval of the County Attorney.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 209-519

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AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE BUREAU OF JUSTICE ASSISTANCE

WHEREAS, the Orleans County Sheriff's Office requests to continue participation in the grant funding available through the U.S. Department of Justice, Bureau of Justice Assistance; now be it

RESOLVED, that this Legislature authorizes the Sheriff to apply for grant funding through the Bullet Proof Vest Partnership Initiative, administered through the Bureau of Justice Assistance, granting possible reimbursement up to 50% towards the cost of body armor vests purchased for law enforcement officers.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 210-519

AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR 2019-2020 PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT PROGRAM FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for the Public Safety Answering Point (PSAP) Operations Grant through the NYS Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications, which allows reimbursement funding to counties for costs related to the operations of a PSAP, for contract year January 1, 2020 through December 31, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 211--519

AUTHORIZING TO CONTINUE PARTICIPATION WITH AND SUBMIT APPLICATION FOR STONEGARDEN FY19 FUNDING THROUGH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, the Orleans County Sheriff's Office continues to participate in the available Operation Stonegarden grants awarded annually

through the New York State Division of Homeland Security and Emergency Services, now be it

RESOLVED, that the Orleans County Sheriff's Office is authorized to participate in and apply for the FY2019 Federal Operation Stonegarden Grant Program (OPSG) funding through the NYS Division of Homeland Security and Emergency Services.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 212-519

AUTHORIZING THE SHERIFF'S OFFICE/JAIL TO APPLY FOR BUREAU OF JUSTICE ASSISTANCE SCAAP FY19 FUNDING

RESOLVED, that this Legislature authorizes the Orleans County Jail Superintendent to apply for State Criminal Alien Assistance Program (SCAAP) FY19 assistance funding through the U.S. Department of Justice's Bureau of Justice Assistance, 810 Seventh St., Washington, DC, that provides federal payments to eligible states and local governments that have incurred certain costs due to the incarceration of undocumented criminal aliens in a correctional facility during reporting period July 1, 2017 through June 30, 2018.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 213-519

AUTHORIZING FILLING OF PART TIME VACANCIES IN SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of vacant part-time positions in the Sheriff's Office as follows:

Public Safety Dispatcher position (3020.17) in the Sheriff's Public Safety Communications Division at an hourly rate of \$14.48 per hour, effective May 23, 2019.

Deputy Sheriff-Marine certified position (3110.72) in the Marine Patrol Division of the Sheriff's Office at a rate of \$17.00 per hour, effective May 23, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 214-519

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF'S OFFICE AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN SHERIFF'S BUDGET

RESOLVED, that this Legislature accepts donations received from community members to assist the Orleans County Sheriff's Office, and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Sheriff's Office budget, as follows:

Revenue:		
A2705	Gifts & Donations	\$ 250.00
Appropriation:		
A3110.499	K-9 Sheriff	\$ 150.00
A3110.478	Promotional Supplies	\$ 100.00

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 215-519

AUTHORIZING SHERIFF'S OFFICE TO ADD CELL PHONE TO THE VERIZON ACCOUNT AND APPROVE CELLULAR PHONE USE AGREEMENT

RESOLVED, that this Legislature does hereby authorize the Orleans County Sheriff's Office to add one cell phone to the Verizon account, to be paid from the Sheriff's Office's Animal Control budget line 3510.401; and be it

FURTHER RESOLVED, that this Legislature does hereby approve the Cellular Phone Use Agreement for position 3510.01 that will be using a Verizon cell phone for work-related activity.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 216-519

**APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND
INDIGENT LEGAL SERVICES**

RESOLVED, that this Legislature approves an agreement amendment between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E., Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210 (Contract #C000734) for Attorney Pay, Parole Revocation, Expert Services, Legal Services for Appeals through the Legal Aid Bureau of Buffalo, Interpreter, and Computer Technology in the amount of \$156,438.00 effective for an amended term of January 1, 2015 through December 31, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 217-519

**APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND
INDIGENT LEGAL SERVICES**

RESOLVED, that this Legislature approves an agreement amendment between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E., Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210 (Contract #C600034) for Third Public Defender Salary in the amount of \$26,073 per year effective for an amended term of January 1, 2016 through December 31, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 218-519

**APPROVING AGREEMENTS WITH THE ORLEANS COUNTY
DISTRICT ATTORNEY**

RESOLVED, that this Legislature approves agreements with the District Attorney and the following:

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Joan H. Weet, 9772 Mountain Rd, Middleport, NY 14105, to provide Court Stenography services for the Orleans County for Justice Court appearances, hearings and trial effective January 1, 2019 through December 31, 2023 at a contract amount of \$110 per appearance for hearings or other special court appearances and printed transcripts for Justice Court cases shall be provided at the request of the District Attorney's Office at a cost of \$3.80 per page. County cost 100%.

Colleen Lounsbury, 1 South Main Street, Albion, NY 14411, to provide court stenography services for County Court cases upon the request of the District Attorney's Office effective January 1, 2019 through December 31, 2023 at fee of \$2.50 per page for original transcripts and \$1.00 per page for copy rate. County cost 100%.

James Punch, 10301 Ridge Rd, Medina, NY 14103, to provide assistance with the preparation of appeals and post-judgment motions for the District Attorney's Office effective January 1, 2019 through December 31, 2023 per diem, at assigned counsel rates (\$60/hour for local courts, \$75 per hour for County Court). County cost 100%.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 219-519

APPROVING AGREEMENTS WITH THE ORLEANS COUNTY EMERGENCY MANAGEMENT

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services for the 2018 SICG "Targeted" Grant; now be it

RESOLVED, that this Legislature approves agreements with Emergency Management on a timeline subject to change based on notice to proceed with the following:

Nokia of America Corporation, 601 Data Drive, Plano, TX 75075 to provide 6hop SICG 2018 "Targeted" Grant Microwave Transport and IP/MPLS Network initiative and one year Warranty/Maintenance Service for \$905,396.38.

Harris Corporation, 1680 University Avenue, Rochester, NY 14610 to provide SR10A.3 Core Upgrade, RF Site Additions and New Microwaves for \$1,600,000.00.

LD Allen Communications, 5820 Main St, Suite 404, Williamsville, NY 14221, to provide VHF, UHF, 700 and 800 Voted/Simulcast National Interoperability DMO Simplex Channel System and installation for \$1,711,121.00.

A-Prime Engineering LLC, 3840 E Robinson Road, Suite 109, Amherst, NY 14228, to provide a Geotechnical Investigation Report for undeveloped tower sites at \$3,500 per site.

FURTHER RESOLVED, that the Chairman is authorized to execute agreements subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 220-519

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT, AUTHORIZING PAYMENT MILESTONES AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN EMERGENCY MANAGEMENT BUDGET RELATED TO SICG FY18 TARGETED GRANT

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services for the 2018 SICG “Targeted” Grant; now be it

RESOLVED, that this Legislature authorize the Director of Emergency Management to expend 2018 Statewide Interoperable Communications “Targeted” Grant funds in an amount not to exceed to \$1,711,121 to LD Allen Communications, Inc/Codan Communications, NYS OGS Contract #PT67414 per the May 7, 2019 proposal for Orleans County VHF, UHF, 700 and 800 Voted/Simulcast National Interoperability DMO Simplex Channel System; and be it; and be it

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FURTHER RESOLVED, that this Legislature authorizes the Treasurer to release the following payments to LD Allen Communications, Inc./Codan Communications based on the following milestones: (Timeline subject to change based on notice to proceed, material availability, access to shelters and weather considerations)

<u>Description</u>	<u>Percentage</u>	<u>Completion Confirmation</u>	<u>Timeline</u>
Engineering/Design Overview	15%	Confirmed receipt by customer	30 Days
Equipment Delivery	40%	Confirmed receipt by customer	120 Days
Implementation and Organization	40%	Confirmed receipt by customer	150 Days
Final Acceptance	5%	Confirmed receipt by customer	170 Days
TOTAL	100%		

FURTHER RESOLVED, Legislature authorizes the Treasurer to set up NYS DHSES Statewide Interoperable 2018 “Targeted” Grant Funds as follows:

Revenue:

A4309.0748	Statewide Interoperable Communications ST18 “Targeted” Grant	\$1,711,121
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Appropriation:

3640.486.0748	Special Grants-ST18-“Targeted”	\$1,711,121
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 221-519

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN EMERGENCY MANAGEMENT BUDGET RELATED TO SICG FY18 TARGETED GRANT

RESOLVED, that this Legislature authorize the Director of Emergency Management to expend SICG ST18 “Targeted” Grant Funds in the amount of \$14,000, \$3500 per site, for geological surveys for 4 new undeveloped tower sites for Orleans County Radio Project to A-Prime Engineering LLC, 3840 E. Robinson Rd., Ste. 109, Amherst, NY 14228.

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up FY18 “Targeted” Grant Funds as follows:

Revenue:

A4309.0748	Statewide Interoperable Communications	\$14,000
	ST18 “Targeted” Grant	

Appropriation:

3640.486.0748	Special Grants-ST18-“Targeted”	\$14,000
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 222-519

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN EMERGENCY MANAGEMENT BUDGET RELATED TO SHSP FY17 GRANT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2017 Grant Funds in the amount of \$4,125 for Portable Radio accessories from Castner Communications, 2525 County Road 28, Canandaigua, NY 14424, NYSOGS Contract #PT67040, and be it

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up State Homeland Security FY17 grant funds as follows:

Revenue:

A4309.2017	State Homeland Security Grant	\$4,125
	Program	

Appropriation:

3640.486.2017	Special Grants SHSP FY2017	\$4,125
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 223-519

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND CP WARD

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RESOLVED, this Legislature awards and accepts the low bid submitted by CP Ward Inc. 100 West River Road, Scottsville New York 14546 and authorizes the Chairman to execute an agreement with CP Ward for the Preventative Maintenance Four-Bridge TIP Project in Orleans County at a bid cost of \$602,715.00; agreement effective as soon as County gives notice to proceed; and be it

FURTHER RESOLVED, Chairman is authorized to execute agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 224-519

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Preventative Maintenance of East Oak Orchard Street NYSDOT Contract #D036041, P.I.N. 4OR0.02, BIN: 3319320 in the Village of Medina (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans has approved through Resolution #480-1118 to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$49,000.00 for East Oak Orchard Street Bridge for Preliminary Engineering and Design; and

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$49,000.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$49,000 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Supplemental #1 Agreement amending Agreement and resolution #480-1118 by adding Marchiselli Funding for Preliminary Engineering and Design for a total cost of \$49,000.00; Federal Share of \$39,200.00; Marchiselli funding of \$7,350.00 and County Cost \$2,450.00; effective October 11, 2018 through August 20, 2028; to be paid out of budget code D5120.470.2284 Resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 225-519

AUTHORIZING THE IMPLEMENTATION, AND FUNDING OF THE COSTS OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS.

WHEREAS, a Project for the Transit Road Bridge over West Branch Sandy Creek, P.I.N. 4BNY.28 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Labella Associates PC will design, let and construct the Project; and

WHEREAS, the Legislature of Orleans County desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

NOW, THEREFORE, the Orleans County Legislative Board, duly convened does hereby

RESOLVED, 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 \$173,000.00 for Preliminary Engineering, Design and ROW 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 \$173,000.00 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, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 226-519

AUTHORIZING TRANSFER OF FUNDS AND SETTING UP MONEY WITHIN THE HIGHWAY BUDGET

WHEREAS, the New York State Department of Transportation has awarded the County Highway Department a Bridge NY Project "Replacement of Transit Road Bridge over West Branch of Sandy Creek." This BNY project has been awarded funding through the Bridge NY Program at 95% reimbursement with a County Cost of 5%; therefore be it

RESOLVED, that the Treasurer is authorized to transfer monies from the Future Infrastructure Reserve Account to the Highway Budget to

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cover the County Cost portion of Preliminary Engineering and ROW dollars as follows:

From:		
Future Infrastructure Reserve Account		\$16,828.50
To:		
D5120.470.2285	Transit Road Bridget Project	\$16,828.50

AND BE IT FURTHER RESOLVED, as the result of the award, the Treasurer is authorized to set up monies within the Highway budget as follows:

Revenue:		
D3503	Bridge Revenue	\$155,771.50
Appropriation:		
D5120.470.2285	Transit Road Bridge Project	\$155,771.50

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 227-519

AMENDING RESOLUTION NO. 60-118 WHICH APPOINTED MEMBERS TO THE GENESEE TRANSPORTATION COUNCIL

RESOLVED, that this Legislature does hereby amend Resolution No. 60-118 to appoint John Papponetti to the Genesee Transportation Council for the remaining term through December 31, 2019, replacing William Eick and James Bensley as noted below:

Genesee Transportation Council Board
John Papponetti Alternate

Genesee Transportation Council Planning Committee
John Papponetti Orleans County

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 228-519

APPROVING AGREEMENT WITH BUILDINGS AND GROUNDS AND GARLAND/DBS, INC.

RESOLVED, that this Legislature approves an agreement between the Buildings and Grounds Department and Garland/DBS, Inc., 3800 East 91st Street, Cleveland, Ohio 44105 to provide painting of the Courthouse Dome Roof; US Communities Contract MICPA #14-5903 at a total cost of \$108,916.00, Requisition #382 to be paid out of Buildings and Grounds Budget Account A1620.470 – Capital Construction Projects; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 229-519

AUTHORIZING CREATION AND FILLING OF POSITION IN THE BUILDINGS AND GROUNDS DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the creation of a full-time Custodial Worker position in the Buildings and Grounds Department, at Grade 2 of the CSEA Contract Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position, effective May 23, 2019.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 230-519

APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND LIVINGSTON COUNTY FOR GLOW WORKFORCE DEVELOPMENT BOARD

RESOLVED, that this Legislature approves the agreement between the Orleans County Job Development Agency and Livingston County on

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behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Geneseo, NY, 14454, to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated Worker and Youth Services from July 1, 2019 to June 30, 2020 at a cost of \$220,000. County cost \$0.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 231-519

APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR THE AGING AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Office for the Aging and various agencies:

Independent Living Services (ILS)-iCircle, 521 Fifth Avenue, 3rd Floor, New York, NY 10175 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2019 to April 30, 2020 to clients needing services, iCircle will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one-year renewals, to be reviewed in 2020. County cost \$0 – Revenue Source.

Fidelis Care, 95-25 Queens Boulevard, Rego Park, NY 11374 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2019 to April 30, 2020 to clients needing services, Fidelis will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one year renewals, to be reviewed in 2020. County cost \$0 – Revenue Source.

ErieNiagara MLTCP, Inc., dba Kalos Health- 2424 Niagara Falls Blvd, Niagara Falls, NY 14304 -OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from April 1, 2019 to March 31, 2020 to clients needing services, ErieNiagara, MLTCP, Inc. will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an

agreement for an initial term of one year with up to four additional one year renewals, to be reviewed in 2021. County cost \$0 – Revenue Source.

Nascentia Health, formally VNA HOMECARE OPTIONS, LLC, 1050 W. Genesee Street, Syracuse, NY -OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2019 to April 30, 2020 to clients needing services, VNA Homecare Options, LLC, will reimburse Orleans County Office for the Aging. The county is approving an agreement for an initial term of one year renewals, to be reviewed in 2022. Revenue source, County cost is \$0.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 232-519

AUTHORIZING OFFICE FOR THE AGING TO CONTINUE PARTICIPATION IN AND APPROVE AGREEMENT BETWEEN OFFICE FOR THE AGING AND NEW YORK STATE OFFICE FOR THE AGING

RESOLVED, that the Office for the Aging is authorized to continue participation in the renewal of a grant with New York State Office for the Aging for the purpose of expanding the capacity of existing NY Connects programs and enhance its functionally. The populations served are broadened and new partners are being added to fully realize the No Wrong Door/Single Point of Entry reform; now be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Orleans County Office for the Aging to reapply for the New York Connects Enhancement and Expansion grant from NYSOFA, for \$197,370 from April 1, 2019 to March 31, 2020 at no county cost.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 233-519

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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RESOLVED that this Legislature does hereby approve the following agreements between the Orleans County Department of Social Services and the following agencies:

MedLab, Inc., Cheektowaga, NY for the provision of Urine Toxicology Laboratory Services effective May 6, 2019 through May 5, 2022. County cost is 32% of total billed.

Bonarigo & McCutcheon, Batavia, NY for the provision of Legal and Other Services pertaining to Adoption Services, to be effective January 1, 2019 through December 31, 2021. Payment will be made as a one-time payment after all receipts are received and the amount for the payment may not exceed the maximum level set by the NYS Office of Children and Family Services of \$2,000 per child. Maximum county cost will be \$380 per child.

New Directions Youth & Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2019 through June 30, 2020 at per diem rates as established by the State, not to exceed \$500,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Villa of Hope Youth and Family Services, Rochester, NY for the provision of residential foster care services; to be effective March 13, 2019 through March 12, 2020 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.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport moved to approve agreement extensions and renewals with Park Strategies and to place funds into the Legislature Budget to pay for these agreements; second by Legislator Draper. Legislator DeRoller expressed that there has been great cooperation with Park Strategies. This Legislature met and placed three priorities that need to be focused on which included infrastructure, broadband, and lake levels. We are making great progress under our new liaison. The following resolution was adopted:

RESOLUTION NO. 234-519

APPROVING EXTENSION/RENEWAL AGREEMENTS BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC, AND

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO
LEGISLATURE BUDGET

RESOLVED, that this Legislature approves an agreement extension between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide Government Affairs Services (State) for Orleans County, in the amount of \$2,500 for the month of May of 2019; and be it

FURTHER RESOLVED, that this Legislature wishes to extend an agreement for an additional twelve months with Park Strategies to provide Federal Government Affairs Services for Orleans County through May 31, 2020 at a cost of \$5,000 per month to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature wishes to extend an agreement for an additional twelve months with Park Strategies to provide State Government Affairs Services for Orleans County through April 30, 2020 at a cost of \$2,500 per month to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement extension and yearly renewals with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Legislature Budget to cover the cost for these services through December 31, 2019 as follows:

From:		
A1990.435	Contingency Fund	\$52,500
To:		
A1010.418	Other Contractual Expenses	\$52,500

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to authorize the purchase from Takeform concerning our Legislative photo project for the new legislative chambers; second by Legislator Draper. Legislator DeRoller noted that it is great to

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see our local vendor Takeform working on this project. The following resolution was adopted:

RESOLUTION NO. 235-519

AUTHORIZING PURCHASE FROM TAKEFORM FOR LEGISLATIVE BOARD PHOTO PROJECT FOR NEW LEGISLATIVE CHAMBERS

RESOLVED, that this Legislature does hereby approve the purchase from Takeform, 11601 Maple Ridge Road, Medina, NY 14103 for the relocation and conversion project of old Board of Supervisors photos up to the current Legislators photos for the new County Office Building Legislative Chambers at a cost not to exceed \$7,494.17 (PO #60444) which includes design fee, wall display, and labor to be paid from H1610.250 - Capital Project County Office Building Addition and Renovations Account.

Moved, DeFilipps; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 236-519

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR AN APPOINTED OFFICIAL

RESOLVED, that the County of Orleans/10034 does hereby establish the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their submitted record of activities as follows:

TITLE	NAME	STAND-ARD WORK DAY (Hrs/day)	Term	Days/month
APPOINTED OFFICIALS				
2 nd Assistant District Attorney	John Gavenda	6	8/20/2018-12/31/2020	7.4

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 237-519

AUTHORIZING OUT OF STATE TRAVEL FOR LEGISLATORS

RESOLVED, that this Legislature does hereby approve Chairman Lynne M. Johnson and Legislator Merle “Skip” Draper to travel out of state

to attend the 2019 NACo Annual Conference in Clark County, Nevada traveling July 11th through July 15th, with necessary expenses to be paid from the Legislative budget account A1010.463 – Travel – other than Mileage.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 238-519

AUTHORIZING PAYMENT FOR COPIER MAINTANCE TO TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approve quarterly payment to Toshiba Business Solutions for copier maintenance bill per copy with an annual increase of 2.5% effective January 1, 2019, for the life of purchased machines as follows:

DSS TAA - e-Studio 4508A \$0.0075 B&W
DSS TAB - e-Studio 4508A \$0.0075 B&W
MFCTF - e-Studio 287CSL \$0.015453 B&W, \$0.104861 Color
Treasurer - e-Studio 352 \$0.014395 B&W overage of 7,500 per quarter

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved in requesting President Trump to immediately renegotiate Plan 2014. He reviewed many important aspects of this resolution. At a recent meeting we did experience Chairwoman Jane L. Corwin, Robert C. Sisson and Lance V. Yohe who are the Intermission Joint Commissioners who have been appointed as of May 16th. As of 9:01 a.m. this morning outflows have increased through the Moses-Saunders Dame at 8,200 cubic meters per second. The most recent data indicates that net inflows into Lake Ontario is 12,210 cubic meters per second. That means that our Lake is gaining 4,010 cubic meters of water every minute. National weather association, they forecast Lake Erie to be within an inch from its current level. The outflow into the Niagara River is projected to be above average. Water levels are even higher in most of the other Great Lakes. Lake Erie is 30 inches above average, and Michigan and Huron, considered one lake, are 26 inches above average. Lake Ontario level is forecast to rise 5 inches by June 17th. At 1 o'clock today level is at 248.8' in Rochester. If we get an upcoming wind event or any other issue, we will be in a very detrimental state. Legislator DeRoller believes that Plan 2014

should be amended or repealed. The max water levels at the very least must return to our prior Plan 1958 DD with more favorable levels. He has heard that it could take fifteen years to study a new plan so we should retreat back to 1958DD and get the right people in the room to make good management decisions to deal with Mother Nature. These trigger levels are inefficient in Plan 2014. When they studied these fifteen years for this new plan, they had “A, B, C,” versions on the table and then picked “X,Y” versions instead, expressed Legislator DeRoller. It came in on December of 2016 under the prior Obama administration and it was put in 35 days of the administration take over, which was outside the window protection. When you have change of guard in administration within a thirty day window last minute decisions could be repealed. Legislator DeRoller stated that we are in a serious state that we find ourselves in and more and more damage could be expected if changes aren’t made. Legislator DeFilipps seconded the motion. Chairman Johnson stated that Canadian IJC commissioners were also appointed right after President Trump appointed the American Commissioners. She said when they met with Jane Corwin, prior to her appointment, she expressed that she was against Plan 2014 and now she was appointed IJC Chairman so this could help in the disappearance of Plan 2014. Chairman Johnson believes there is no need to spend more money on re-studying something that is known doesn’t work. It was noted to add U.S. Senate Majority Leader Mitch McConnell to the distribution list. The following resolution was adopted:

RESOLUTION NO. 239-519

REQUESTING PRESIDENT TRUMP TO IMMEDIATELY
RENEGOTIATE PLAN 2014

WHEREAS Orleans County has, on multiple occasions, expressed its opposition to the International Joint Commission’s imposition of Plan 2014, most notably through the passage of Resolution IL-061-15, “Expressing the Opposition of the Orleans County Legislature to the IJC Plan 2014 & Supporting the Efforts of U.S. Representative Chris Collins to Block Enactment of the Same,” IL-041-13, “Request to the International Joint Commission to Reject the Proposed Plan 2014 in its Entirety,” and IL-035-14, “Niagara-Orleans Regional Alliance (NORA) Requests Governor Andrew M. Cuomo to Veto the International Joint Commission’s Plan 2014 for Controlling the Levels of Lake Ontario Should the US Department of State Recommend It ,” and

WHEREAS said resolutions clearly warned “qualified observers with expertise in civil engineering have indicated Plan 2014 will have a devastating impact on the communities along the Lake’s southern shoreline” and “Plan 2014 will increase the frequency of raising and lowering the water levels in Lake Ontario and the fluctuations in water levels will result in increased erosion damage to the shoreline, including the properties of businesses and homeowners,” and

WHEREAS said resolutions noted “the effects of Plan 2014 span six counties in Upstate New York and would cause damage to land assessed at nearly \$4 billion”, and

WHEREAS said resolutions also warned “the IJC working group stated the proposed lake levels are going to reduce recreational boating/sport fishing benefits by 25%, resulting in a devastating negative impact on those economics in Niagara County which is estimated at \$30 million per year, and in Orleans County which is estimated \$12 million per year, thus an area-wide loss of revenue of over \$10.5 million annually,” and

WHEREAS in 2013 This Legislature did warn that the goal of Plan 2014 was to enrich St. Lawrence River hydropower producers at the much greater expense of South Shore property owners, noting, “[Plan 2014] greatly decreases protections that exist in the current plan, replacing them with a plan that results in the transfer of prosperity from Orleans County along with other Lake Ontario communities to Hydropower (NYPA and others) who will realize a benefit of approximately \$5.3 million per year on average,” and

WHEREAS the County of Orleans and our three lakeshore towns will be issuing a “State of Emergency” due to the Lake levels being within 6” of the 2017 devastation, and

WHEREAS the implementation of Plan 2014 has proven an absolute disaster to the southern shore of Lake Ontario, that based on the 2017 high water event we expended \$95 million dollars of NYS Tax payer dollars, plus FEMA funds along with other resources to reinforce property that has had been extremely altered and are right back in 2019 with another devastation that is playing out right now, therefore, be it

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the International Joint Commission to immediately

suspend Plan 2014 and re-implement previous regulatory rules, and be it further

RESOLVED, that the Legislature of the County of Orleans calls upon President Trump to renegotiate Plan 2014 with Canada to alleviate the water devastation of residences, businesses and government infrastructure

RESOLVED, that the County of Orleans shall forward copies of this resolution to President Trump; Secretary of State Michael R. Pompeo; U.S. Rep. Chris Collins; U.S. Senator Charles E. Schumer; U.S. Senator Kirsten E. Gillibrand; U.S. Senate Majority Leader Mitch McConnell; International Joint Commission Jane L. Corwin as the U.S. Chairwoman; Commissioner Robert C. Sisson; Commissioner Lance V. Yohe; NYS Assemblyman Stephen Hawley; and all others deemed necessary and proper.

Moved, DeRoller; second; DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 240-519

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$8,056.00	Michael A. Ferrauilo Plumbing & Heating	Payment #12, Work performed 4/1/19-4/30/19, HVAC
\$52,078.85	Suburban Electric, Inc.	Payment #12, Work performed 4/1/19-4/30/19, Electrical
\$263,756.34	Holdsworth Klimowski Construction	Payment #12, Work Performed 4/1/19-4/30/19, General Construction
\$50,064.10	Wendel A/E/S/LA, PC	WD Professional Services, 3/1/19-3/31/2019, Inv #351416 – Construction Admin, Move Management Plan, Project Coordination Labor, Project Coordination Fee, Commissioning

		Services, DOH Grant Admin Assistance, Reimbursable Expenses.
\$942.50	CDW-G	PO#60436 – Invoice #RZP3071 –APC
\$498.00	CDW-G	Netboltz 250 Env Monitoring Appl PO#60179 – Invoice #CDN9627- Ergotron Triple LCD Stand
\$1,360.00	Time Warner Cable	Invoice #918002801042019 – Installation of SIP and PRI Circuits (Res No. 57-219)
\$3,928.12	Five Star Bank	Credit Card Purchase/Kellyco – Order No. 100065408 – Garrett Walk through Metal Detector
\$56.79	Stockham Lumber Co.	Invoice 518187 – Misc. Materials
\$82.00	Door Specialities	Invoice #61218 – Combined K keyway Standard Core
\$314,640.07	Prentice Office Environments	PO#60234 + PO#60387 Inv 166763; PO#60235 Inv 166774; PO#60236 Inv 166775; PO#60170 Inv 166776 Totaling: \$349,600.08 less 10%

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 241-519

AUTHORIZING PAYMENT OF CLAIMS FOR JUNE AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 June 12, 2019:

Fund/Department	Check Number (s):	Amount:
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General	1681-1686; 1842-1845; 1851-2031	\$291,922.98
Highway	1434-1450; 3249-3274	\$1,263,919.87
Job Development	3089-3095	\$837.07
Self Insurance	61203; 61252-61253; 1233-1234	\$19,031.20

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 Superintendent of Highways, 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 June 26, 2019:

Fund/Department	Check Number (s):	Amount:
General	2032-2170	\$287,938.89
Highway	1451-1458; 3275-3285	\$234,960.02
Job Development	3096-3111	\$11,393.28
Self Insurance	61254-61255; 61321-61322; 1235	\$49,501.55

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 242-519

AUTHORIZING FILLING VACANCY IN THE OFFICE FOR THE AGING

RESOLVED, as a result of a resignation this Legislature authorizes filling a permanent full time Caseworker (6772.14) at the Office for the Aging at Grade 16 of the CSEA Salary Schedule effective June 5, 2019.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to approve a resolution to support Blue Wireless to apply for Federal Funds through the USDA Reconnect Program for high speed broadband for underserved areas in Orleans County; second by Legislator Miller. Chairman Johnson explained that we are making

application to USDA World Development's grant program for internet funding. We will send as many balloons up as we can to get internet to Orleans County unserved and underserved expressed Chairman Johnson. Blue Wireless is joining the game and they are making application on our behalf for World Development Reconnect Program and we are supporting them with this Resolution. She stated that the application is due May 31st. We are in this application pledging our support along with Niagara County through the Niagara Orleans Regional Alliance who has been working on this project now for several years. The following resolution was adopted:

RESOLUTION NO. 243-519

APPROVING SUPPORT FOR THE BLUE WIRELESS MAKING APPLICATION FOR FEDERAL FUNDS THROUGH THE USDA RECONNECT PROGRAM FOR HIGH-SPEED BROADBAND FOR UNDERSERVED AREAS OF ORLEANS COUNTY

WHEREAS, interest exists to explore viable options to provide high-speed broadband to underserved areas of Orleans County, and

WHEREAS, federal funding is available for certain approved projects through the USDA ReConnect Program, and

WHEREAS, the deadline to apply for funds through the USDA ReConnect program is May 31, 2019, and

WHEREAS, Blue Wireless has offered to apply to the USDA ReConnect program in an attempt to secure funding to implement the creation of an infrastructure supporting the transmission of high-speed broadband to underserved areas in Orleans County, and

WHEREAS, it is necessary for Orleans County to pledge its support as part of the application to the USDA ReConnect program, now, therefore, be it

RESOLVED that the Orleans County Legislature lends its support to Blue Wireless applying for federal funding through the USDA ReConnect program, and be it further

RESOLVED that Orleans County agrees to engage in future discussions associated with the prospect of leasing county-owned buildings, towers and structures as part of an infrastructure buildout supporting the

transmission of high-speed broadband to underserved areas of Orleans County with terms to be negotiated at a later date should the application be approved by the USDA ReConnect program; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; NYSAC and all others deemed necessary and proper.

Moved, Eick; second Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick asked Legislator DeFilipps to show the sample board of the new photo display that is being made by Takeform to be placed in our new Legislative Chambers. Chairman Johnson indicated that a lot of blood, sweat and tears have gone into our new build. She announced that we would be holding our next Legislature meeting on June 22nd at 4:30 p.m. in the new Legislative Chambers.

Legislator DeRoller added that in working diligently on broadband for some time, by keeping those balloons in the air, and also our alliance with Niagara County under the NORA arrangement is important. If you read all of the literature relative to rural america, population lost, we really need to get broadband into our county to enter into the twenty-first century. It is a very important priority and Legislator DeRoller commended Chairman Johnson for the continued fight. He feels that Park Strategies could assist us a great deal in this endeavor.

Veteran David Kusmierczak invited the Board to the Medina Memorial Parade and events at State Street Park. He stated they will be holdign a re-dedication for their restored canon and celebrating the 100th Anniversary of our American Legion. Chairman Johnson indicated she had the privelege of attending at the YMCA in Medina the unvailing of the Hometown Hero's flags that was coordinated by Mary Woodruff. They were hung up along main street in Medina just recently. Ken Schaal added that they are mostly hung on Main Street and along West and East Center streets. Mr. Schaal stated that they will also be celebrating the new erected Bronze Soldier. He said it will be a wonderful celebration in Medina representing all our veterans in Orleans County

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Legislator DeFilipps moved to adjourn; second by Legislator Allprt. Meeting adjourned at 5:22 p.m. Chairman closed last meeting at the Legislative Chambers located on the second floor of County Clerk's Building at Courthouse Square.

LEGISLATURE MEETING

June 26, 2019

Chairman Johnson called the meeting to order at 4:27 PM. After the pledge to the flag, the invocation was led by Veteran David Kusmierczak. Chairman Johnson request a moment of silence for the rescent passing our our retired Emergency Management Director Paul Wagner. The Clerk called the roll and all Legislators were present.

The Clerk presented the following communications: Orleans County Treasurer Kimberly DeFrank has filed in the Clerk of the Legislature's Office the following:

- A listing of Real Property Tax Refunds, in the amount of \$77.42, that has been reviewed and authorized by her office.
- Year End Adjustments for the 2018 fiscal year (Res No. 509-1218)

Orleans County Veteran's Council has requested a banner (12'x3') be hung at the Orleans County Courthouse Square July 1st through July 12th concerning the need to obtain volunteer drivers for their Van service that transports veterans to various medical appointments in Batavia, Buffalo and Rochester. The Board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through May, 2019. Treasurer DeFrank reported that the cash is in line with what it was the past few years. We had three payrolls in May. In June we paid off the levy to road fund which you will see in next month's report. Legislator DeRoller inquired about her money investments for greater return of interest, has this looked favorable. Treasurer DeFrank stated that you will see on the cash listing. Two savings accounts were closed out and placed into other accounts to acquire more interest.

Chairman Johnson called for comments from any of the Legislators. She first acknowledged David Bellavia's highest military honor received by President Trump awarding him a Medal of Honor. She announced that we will schedule him to come either in September or October to be recognized as our Orleans County resident receiving this honor.

Chairman Johnson called for any comments from the public concerning any of today's resolutions. With no comments offered, Legislator Eick moved to add three resolutions to the agenda; second by Legislator Allport. Motion carried.

The following resolutions were presented for adoption:

RESOLUTION NO. 244-619

AUTHORIZING EXECUTION OF A PAYMENT IN LIEU OF TAXES AGREEMENT WITH ALLIS MEDINA SOLAR, LLC FOR SOLAR ENERGY SYSTEMS PURSUANT TO REAL PROPERTY TAX LAW SECTION 487

WHEREAS, New York State Real Property Tax Law (“RPTL”) Section 487 exempts from taxation the increase in value to real property by reason of inclusion of qualified solar or wind energy systems or farm waste energy systems unless a county, city, town, village, or school district opts out of said exemption; and

WHEREAS, RPTL Section 487 provides that a county, city, town, village or school district that has not acted to opt out of said exemption may require the owner of a property which includes a solar or wind energy system meeting the requirements for the exemption to enter into a contract for Payments in Lieu of Taxes (“PILOT”); and

WHEREAS, Allis Medina Solar, LLC has submitted a Notice of Intent to the County that it plans to build a solar energy system that meets the requirements for the exemption on a parcel of land located within the physical boundaries of the County at 2962 Allis Road, Medina, New York Tax Map 80.-1-19.11 (the “Project”); and

WHEREAS, pursuant to RPTL Section 487(9)(a), the County has indicated its intent to require a PILOT Agreement with the Owner (Resolution 513-1218), under which the Owner, (or any successor owner of the project) will be required to make payments to the County for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted, or will submit to the assessor of the Town of Ridgeway an RP – 487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating the Project’s eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the Parties intend that, during the term of this Agreement, the Project will be placed on an exempt portion of the assessment roll and the Owner will not be assessed for any statutory real

property taxes for which it might otherwise be subject to under New York law with respect to the Project; now, therefore be it

RESOLVED, that the Chairman of the Orleans County Legislature are hereby authorized to enter into a PILOT Agreement, and any amendments thereto, with Allis Medina Solar LLC for the building and operations of a Solar Energy System, in the form as filed with the Clerk of the Orleans County Legislature or as modified with the approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 245-619

AUTHORIZING EXECUTION OF A PAYMENT IN LIEU OF TAXES AGREEMENT WITH BEALS MEDINA SOLAR, LLC FOR SOLAR ENERGY SYSTEMS PURSUANT TO REAL PROPERTY TAX LAW SECTION 487

WHEREAS, New York State Real Property Tax Law (“RPTL”) Section 487 exempts from taxation the increase in value to real property by reason of inclusion of qualified solar or wind energy systems or farm waste energy systems unless a county, city, town, village, or school district opts out of said exemption; and

WHEREAS, RPTL Section 487 provides that a county, city, town, village or school district that has not acted to opt out of said exemption may require the owner of a property which includes a solar or wind energy system meeting the requirements for the exemption to enter into a contract for Payments in Lieu of Taxes (“PILOT”); and

WHEREAS, Beals Medina Solar, LLC has submitted a Notice of Intent to the County that it plans to build a solar energy system that meets the requirements for the exemption on a parcel of land located within the physical boundaries of the County at 3846 Beals Road, Medina, New York, Tax Map 69.-2-38 (the “Project”); and

WHEREAS, pursuant to RPTL Section 487(9)(a), the County has indicated its intent to require a PILOT Agreement with the Owner (Resolution 513-1218), under which the Owner, (or any successor owner of

the project) will be required to make payments to the County for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted, or will submit to the assessor of the Town of Ridgeway an RP – 487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating the Project’s eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the Parties intend that, during the term of this Agreement, the Project will be placed on an exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subject to under New York law with respect to the Project; now, therefore be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized to enter into a PILOT Agreement, and any amendments thereto, with Beals Medina Solar LLC for the building and operations of a Solar Energy System, in the form as filed with the Clerk of the Orleans County Legislature or as modified with the approval of the County Attorney and Chief Administrative Officer.

Moved DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 246-619

APPROVING AGREEMENT BETWEEN THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE AND CRICKLER VENDING COMPANY, INC.

WHEREAS, the Employee Assistance Program Committee has the responsibility of managing vending services for the employees of Orleans County; and

WHEREAS, a Request for Proposal was issued April 25, 2019 for vending services which had a due date of June 5, 2019, be it

RESOLVED, that this Legislature approves the Employee Assistance Program Committee to enter into a three year agreement with Crickler Vending Company, Inc. for vending services, effective August 1,

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2019 which may automatically renew annually through July 31, 2024 at no county cost.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 247-619

**APPROVING AGREEMENT BETWEEN THE COUNTY TREASURER
AND FISCAL ADVISORS & MARKETING INC**

RESOLVED, that this Legislature approves an agreement between the Treasurer and Fiscal Advisors & Marketing Inc, 120 Walton St, Ste 600, Syracuse, NY 13202 to act as financial advisor by providing services relating to the issuance of long-term and short-term financings, such as Serial Bonds, Energy Performance Contracts, Refunding Serial Bonds, Bond Anticipation Notes, Revenue/Tax Anticipation Notes at costs provided in Appendix B – Fee Schedule, with such agreement to be reviewed on or before July 31, 2024.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 248-619

**APPROVING PURCHASE OF THE FIXED ASSETS MODULE FROM
LOGICS, LLC**

WHEREAS, Logics LLC software and implementation services were authorized and purchased as per Res. 423-1117.

WHEREAS, The Fixed Asset module will allow for completion of a total finance transition and will provide features and tools to help with the acquisition, depreciation, inventory, reporting and disposal of fixed assets.

RESOLVED, this Legislature does hereby authorize the County Treasurer to purchase this module with Logics, LLC, 1001 Navaho Drive, Raleigh, NC at a cost of \$6,675.00, to be paid from the County Treasurer's budget account A1325.0456 – Central Computer.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to convey property to the New York Canal Corporation; second by Legislator DeRoller. Mr Nesbitt reported that we recovered all of the back taxes and made some money. Legislator DeFilipps indicated that this property is right next to their existing facility. The following resolution was adopted:

RESOLUTION NO. 249-619

AUTHORIZING THE CONVEYANCE OF 125 LIBERTY STREET, TAX MAP #73.23-1-2 TO NEW YORK STATE CANAL CORPORATION

WHEREAS, the real property commonly known as 125 Liberty Street in the Town of Albion, tax map parcel no. 73.23-1-2, was subject to the Foreclosure of Tax Liens by Proceeding In Rem pursuant to Article Eleven of the Real Property Tax Law by the County of Orleans, Index No. 18-45204; and

WHEREAS, County Resolution No. 393-1113 provides that foreclosed parcels may be conveyed by the County to another municipality, EDA, or not-for-profit organization; now therefore be it

RESOLVED, that this Legislature hereby authorizes the sale of said parcel known as 125 Liberty Street, Tax Map No. 73.23-1-2, in the Town of Albion to New York State Canal Corporation for the amount of \$7,400.00; and be it further

RESOLVED, the Orleans County Treasurer is authorized to execute a deed and other related documents to convey ownership to NYS Canal Corporation.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 250-619

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO AND SET UP NEW MONEY INTO THE PLANNING BUDGET

WHEREAS, Resolution No. 499-1118 authorized an agreement with Wendel for the purpose of a Regional Water System Energy Efficiency study and now funds need to be transferred in this budget year to pay Wendel for their services and set up new money contributed by our municipalities; now be it

RESOLVED, that the Treasurer is authorized to transfer funds from Contingency Fund into the Department of Planning and Development budget for this payment as follows; and be it

From:		
A1990.435	Contingency Fund	\$30,000
To:		
A8020.418	Other Contractual Expenses	\$30,000

FURTHER RESOLVED, that the Treasurer is authorized to set up new money as follows:

Revenue:		
A2903	Water Study Revenue	\$20,000
Appropriation:		
A8020.418	Other Contractual Expenses	\$20,000

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to approve an agreement with Modern Disposal for disposal of Tires, which are to be collected at our Household Hazardous Waste Collection event on August 17th; second by Legislator DeFilipps. Legislator DeRoller added that this is going to be a great opportunity to introduce tire disposal so this will take on a learning curve. Soil and Water Conservation District is no longer offering this service, so we are stepping up to help our residents dispose tires properly. The following resolution was adopted.

RESOLUTION NO. 251-619

APPROVING AGREEMENT WITH MODERN DISPOSAL SERVICES FOR DISPOSAL OF TIRES COLLECTED AT HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT

WHEREAS, the County seeks to provide a convenient and environmentally sound means for County residents to dispense with unwanted tires; now be it

RESOLVED, that this Legislature approves an agreement with Modern Disposal Services, 4746 Model City Road, Model City, NY 14107 to dispose of rimless, non-commercial and non-farm tires dropped off by County residents at the Household Hazardous Waste Collection event to be held on Saturday, August 17, 2019 in Albion.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 252-619

SETTING DATE FOR PUBLIC HEARING FOR ADDITION TO
CERTIFIED COUNTY AGRICULTURAL DISTRICT

RESOLVED, that a public hearing will be held by this Legislature to consider requests for inclusion of additional agricultural lands in certified County Agricultural District on the 24th day of July at 4:20 PM at the Legislative Chambers, 14016 Route 31 West, 2nd Floor, Albion, New York, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall publish notice of said hearing in the official County newspaper.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 253-619

APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Population Health Collaborative of WNY at 355 Harlem Rd, Buffalo, New York 14224. P2 D.B.A. Population Health Collaborative will subcontract with the Orleans County Department of Health a provider of the National Diabetes Prevention Program (NDPP) to implement an electronic bi-directional referral system for patients who qualify for the NDPP. Budget funds will be necessary to complete the activities set forth in the LIFT work plan. The funds will be used for reimbursement of practice staff time for executing the tasks and deliverables in the LIFT work plan. Projected

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budget: 100 hours @ \$50/hour. Amount of Contract: \$5,000. No Cost to County. Contract term October 1, 2018 through January 31, 2020.

Transpo Bus Services LLC_DBA TBS of 150 Josons Dr. Rochester, NY 14623. EI/Preschool transportation Rates as awarded in bid. NYS education Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement. One year contract term 9/1/2019 through 8/31/2020 with the option to extend for two years.

WNY Bus Co. Inc. Student Transport Inc. of 79 Sheldon Ave, Depew, NY 14043. EI/Preschool transportation Rates as awarded in bid. NYS education Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement. One year contract term 9/1/2019 through 8/31/2020 with the option to extend for two years.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 254-619

APPROVING AGREEMENT WITH STAMPS.COM FOR THE PUBLIC HEALTH DEPARTMENT AND LEGISLATURE

RESOLVED, that this Legislature approves an agreement with Stamps.com to provide 10-user online postage service to be shared by the Public Health Department and the Legislature Office at a monthly cost of \$29.99 month effective July 1, 2019 and shall be reviewed for continuation on or before June 30, 2024. Health Department portion is covered by Article 6 State Aid 100/36%. Legislature portion is full county cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 255-619

AUTHORIZING THE PUBLIC HEALTH DEPARTMENT TO ADD A CELL PHONE TO THE VERIZON ACCOUNT

RESOLVED, that this Legislature does hereby authorize the Orleans County Public Health Department to add a cell phone to the Verizon

account, to be paid per month from Public Health Budget Account A4010.401 – Cellular Phones; and be it

FURTHER RESOLVED, that this Legislature approves the Cellular Phone Use Agreements for the following position – 4010.24 using this Verizon cell phone.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 256-619

AUTHORIZING PURCHASE FROM PUBLIC HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department to purchase from budget line 4010.220-Office Equipment, two (2) LG 86” LED Smart TV’s from Best Buy for Business in the amount of \$5,104.48. No County Cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 257-619

AUTHORIZING FILLING VACANCIES IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of the following vacancies in the Mental Health Department:

Community Mental Health Nurse position (Position No. 4310.45) at Grade 21 of the CSEA salary Schedule effective July 8, 2019.

Clinic Therapist position (Position No. 4310.06) at Grade 22 of the CSEA salary schedule, effective July 15, 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 258-619

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**AUTHORIZING THE CREATION AND FILLING OF POSITION IN
THE MENTAL HEALTH DEPARTMENT**

RESOLVED, that this Legislature authorizes the creation of a part time temporary Supervising Community Mental Health Nurse position in the Mental Health Department at Grade 22 of the CSEA salary schedule; and

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created position, effective July 8, 2019 through December 31 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport moved a resolution authorizing the Sheriff to apply for grant funding to provide safety along our Canal Corridor; second by Legislator Draper. Legislator DeRoller stated that he is pleased that this grant will provide for canal safety as we put in place the LWRP along our Canal Corridor. The following resolution was adopted:

RESOLUTION NO. 259-619

**AUTHORIZING THE SHERIFF TO APPLY FOR GRANT FUNDING
THROUGH THE NEW YORK STATE CANAL CORPORATION**

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Canal Corporation for the 2019-2020 Marine Patrol Grant for the purpose of funding marine patrols on the Erie Canal and canal pathways.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 260-619

**AUTHORIZING FILLING VACANCY IN THE SHERIFF'S OFFICE
FOR MARINE PATROL**

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Deputy Sheriff -Marine Patrol Officer certified position (3110.36) in the Marine Patrol Division of the Sheriff's Office at a rate of \$17.00 per hour, effective June 27, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 261-619

**AUTHORIZING PURCHASE AND INSTALLATION OF EQUIPMENT
FOR SHERIFF'S DEPARTMENT SWAT VAN**

RESOLVED, that this Legislature approves the purchase of equipment to be manufactured and installed in the Sheriff's Department SWAT van, from Lyon's Collision, 511 Orient Street, Medina, NY, at a cost of \$5,078.60 to be paid from account A3110.270.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 262-619

**AUTHORIZING AUTOMOTIVE REPAIR TO SHERIFF'S
DEPARTMENT PATROL CAR**

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to proceed with automotive repair to Sheriff's Department's 2017 Chevrolet Tahoe patrol car, with engine replacement and labor to be completed by Bidleman Chevrolet, 4048 Oak Orchard Road, Albion, NY, at a cost of \$8,752.36 (PO#60807) to be paid from Sheriff's budget line A3110.0446 Vehicle Maintenance.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 263-619

**APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND
INDIGENT LEGAL SERVICES**

RESOLVED, that this Legislature approves an agreement amendment between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E., Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210 (Contract #C000634) for Case Manager and contracted investigative services the amount of \$211,428 effective for an amended term of January 1, 2014 through December 31, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 264-619

AUTHORIZING LEASE AGREEMENT BETWEEN THE COUNTY AND THE COUNTY CRIME VICTIMS PROGRAM FOR SPACE IN THE PUBLIC SAFETY BUILDING

RESOLVED, that a Lease Agreement between the County of Orleans and the County Crime Victim Assistance Program for space in the Public Safety Building is hereby authorized for a term commencing October 1, 2018 and ending when there is no longer funding for the Program or relocation of the office; no cash rent, space being provided as in-kind funding for the program by the County; Lease Agreement subject to final approval by Chief Administrative Officer and the County Attorney.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 265-619

APPROVING AGREEMENT WITH ERDMAN ANTHONY AND EMERGENCY MANAGEMENT, AUTHORIZING EXPENDING GRANT FUNDS, AND AUTHORIZING TREASURER TO SET UP MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that this Legislature authorize an agreement with Erdman Anthony, 145 Culver Rd., Suite 200, Rochester, NY 14620 for their Proposal for Professional Services for Site Development Engineering at the four tower sites for the Orleans County Radio Project; and be it

FURTHER RESOLVED, that this Legislature authorize expending Grant Funds in the amount of \$48,600; and be it

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up NYS DHSES Statewide Interoperable 2018 “Targeted” Grant Funds as follows:

Revenue:

A4309.0748	Statewide Interoperable Communications ST18	\$48,600
	Targeted Grant	

Appropriation

3640.486.0748	Special Grants-ST18-“Targeted”	\$48,600
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 266-619

AWARDING BID AND AUTHORIZING AGREEMENT WITH PATRIOT TOWERS, INC AND EMERGENCY MANAGEMENT, AUTHORIZING EXPENDING GRANT FUNDS, AND AUTHORIZING TREASURER TO SET UP MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services; and

WHEREAS, Emergency Management sought bids to supply communication shelters and UPS for the Orleans County Radio Project and Patriot Towers was the lowest bidder for three communications shelters and three UPS Systems; now be it

RESOLVED, that this Legislature does hereby award the bid to Patriot Towers, Inc. 870 Scottsville-Chili Rd. Scottsville, NY 14546 in the amount of \$452,019 and does hereby authorize an agreement with same; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize expending Grant Funds in the amount of \$452,019; and be it

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up NYS DHSES Statewide Interoperable 2018 “Targeted” Grant Funds as follows:

Appropriation:
3640.486.0748 Special Grants-ST18-“Targeted” \$181,200

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 268-619

APPROVING AGREEMENT BETWEEN EMERGENCY
MANAGEMENT AND ROCHESTER GENESEE REGIONAL TRANSIT
AUTHORITY

RESOLVED, that this Legislature approves the Memorandum of Understanding between Emergency Management and Rochester Genesee Regional Transit Authority to provide Orleans County with emergency transportation services in the event of a disaster or calamity. This Memorandum of Understanding shall remain in effect for five years from the date of signature.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 269-619

AUTHORIZING PURCHASE WITH BETTER POWER INC.,
AUTHORIZING EXPENDING GRANT FUNDS, AND AUTHORIZING
TREASURER TO SET UP MONEY IN THE EMERGENCY
MANAGEMENT BUDGET

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that this Legislature does hereby authorize a purchase from Better Power Inc. 508 White Spruce Blvd., Rochester, NY, NYS OGS Contract #PC66786 to purchase three (3) 35kW 120/240V single phase liquid propane generators in the amount of \$64,235 for the shelters at the new towers for the Orleans County Radio Project; and be it

FURTHER RESOLVED, that this Legislature authorizes expending Grant Funds in the amount of \$64,235; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up NYS DHSES Statewide Interoperable 2018 “Targeted” Grant Funds as follows:

Revenue:

A4309.0748	Statewide Interoperable Communications ST18	\$64,235
	Targeted Grant	

Appropriation

3640.486.0748	Special Grants-ST18-“Targeted”	\$64,235
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 270-619

APPROVING AGREEMENT WITH EBI CONSULTING AND EMERGENCY MANAGEMENT, AUTHORIZING EXPENDING GRANT FUNDS, AND AUTHORIZING TREASURER TO SET UP MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that this Legislature authorizes an agreement with EBI Consulting, 21 B Street, Burlington, MA for Environmental Studies and Site Permitting at the four tower sites for the Orleans County Radio Project; and be it

FURTHER RESOLVED, that this Legislature authorizes expending Grant Funds in the amount of \$21,180; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up NYS DHSES Statewide Interoperable 2018 “Targeted” Grant Funds as follows:

Revenue:

A4309.0748	Statewide Interoperable Communications	\$21,180
	ST18 *Targeted* Grant	

Appropriation:
3640.486.0748 Special Grants-ST18-“Targeted” \$21,180

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 271-619

**APPROVING AGREEMENTS BETWEEN HIGHWAY DEPARTMENT
AND VANTAGE EQUIPMENT**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Vantage Equipment, 5985 Court Street Road, Syracuse, New York 13206 for the Rental of a mini excavator at \$2,150 a month from July 1, 2019 through September 30, 2019; and be it

FURTHER RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Vantage Equipment, 5985 Court Street Road, Syracuse, New York 13206 for a Roller Rental from July 1, 2019 through September 30, 2019 at \$3,900 a month; with partial reimbursement through the Consolidated Highway Improvement funds and town payments.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 272-619

**AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A NEW
PETERBILT DUMP TRUCK**

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) New 2020 Peterbilt Dump Truck, Model #367 with Heritage Dump Body from Hunter Buffalo Peterbilt, 2370 Walden Avenue, Buffalo, NY 14225 for \$162,768.00; to be purchased under the Sourcewell Contract #081-716-PMC and to be paid from budget account #DM5130.270 Requisition #459.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 273-619

**AUTHORIZING CREATING AND FILLING POSITIONS IN OFFICE
FOR THE AGING**

WHEREAS, the following position is in demand due to a waiting list for home care service and this program is 75 % funded by the state; now be it

RESOLVED, the following position change presented herewith will be contingent upon the availability of receiving additional Office for the Aging funding; now be it

FURTHER RESOLVED, that this Legislature authorizes the newly created position of the full-time Housekeeping Aide at grade 2 of the CSEA Salary Schedule, and be it in the Office for the Aging, and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position, effective June 27, 2019, and be it

FURTHER RESOLVED, if this vacant position is filled by an existing part-time Housekeeping Aide from the Office for the Aging, this Legislature authorized the filling of the newly vacant part-time Housekeeping Aide effective upon the filling of the newly created vacant full-time Housekeeping Aide.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 274-619

**APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL
SERVICES AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

Job Development Agency, Albion, NY for funding of summer employment for TANF eligible youth, ages 16-21; to be effective May 1, 2019 through September 30, 2019 at a cost of \$94,093. County cost \$0.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2019 through June 30, 2020 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.

Baker Victory Services, Lackawanna, NY for the provision of residential foster care services; to be effective July 1, 2019 through June 30, 2020 at per diem rates as established by the State, not to exceed \$500,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Orleans County Office for the Aging, Albion, NY for the provision of outreach activities for Low Income Home Energy Assistance Program (HEAP) recipients; to be effective August 28, 2019 through August 27, 2020 at a cost of \$17,500. County cost is \$0.

and be it

FURTHER RESOLVED, that this Legislature does hereby approve a new agreement between the Orleans County Department of Social Services and Homeless Alliance of Western New York (HAWNY) uses federal grants to implement a Homeless Management Information System (HMIS). The system enables homeless housing providers to enter client data electronically, streamlining the client intake process and improving awareness of client needs. Makes community-wide data readily available. Grant funding will cover the purchase of the license for HMIS for 5 years as well as covering the cost of HAWNY's assistance in the development of the narrative for the Comprehensive Homeless Services Plan and compiling quarterly performance data.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 275-619

APPROVING PURCHASE FROM DOMINION VOTING SYSTEMS CORPORATION AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE ELECTIONS BUDGET

RESOLVED, that this Legislature approves the purchasing of two (2) ICE voting machines for Early Voting from Dominion Voting Systems

June 26, 2019
Resolutions 244-285

Corporation for the total cost of \$22,985.00. Dominion Voting Systems Corporation State Contract Number: PC66393 Group Number: 22300 Award Number: 22659. This purchase will be no cost to Orleans County because this amount will be reimbursed by Shoebox Money Contract #C003236 and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Election Budget to cover this purchase, as follows:

Revenue:		
A1450.4215	HAVA Election Grant	\$2,985
Appropriation:		
A1450.486	HAVA Special Grants	\$2,985

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 276-619

APPROVING AGREEMENT WITH THE COUNTY OF ORLEANS AND KILLIAN CONSTRUCTION

RESOLVED, that this Legislature does hereby approve an agreement with the County of Orleans and Killian Construction, P.O. Box 64585, Rochester, New York 14624 for the amount of \$7,700 to provide labor, equipment and materials and any other items necessary to provide a 7' wide self-loading mill and cleanup crew for the new County Office Building parking lot. Pricing is through the County Highway Department Road and Bituminous bid resolution #138-319; to be paid from H1610.250, Capital Project – County Office Building Addition and Renovations Account.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 277-619

AUTHORIZING PURCHASE AND APPROVE AGREEMENT BETWEEN COUNTY OF ORLEANS AND CUSTOM CARPET CENTERS

RESOLVED, that this Legislature approves the purchase and installation of carpet under state contract with Custom Carpet Centers (PO#60442) for the County Office Building (1st Floor Hallway) to be paid from H1610.250 Capital Project – County Office Building Addition and Renovations Account in the amount of \$18,878.32; and be it

FURTHER RESOLVED, that this Legislature approves an agreement with Custom Carpet Centers located at 2847 Southwestern Blvd, Orchard Park, NY 14127 for the purchase and installation of carpet at the County Office Building (1st Floor Hallway) subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 278-619

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves an agreement between Orleans County and Toshiba Business Solutions, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to provide a continued 24-month lease for Public Health, e-Studio 4555C, effective December 31, 2018 through December 31, 2020 as follows:

Public Health	e-Studio 4555C Serial #SC7KE39287	\$281.00 per month
Above are bill per copy B&W .008077 per page and Color .051153 per page, with an annual increase of 2.5%		

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 279-619

AMENDING RESOLUTION NO. 234-519 PERTAINING TO THE AGREEMENTS WITH PARK STRATEGIES AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO LEGISLATURE BUDGET

RESOLVED, that this Legislature amends Resolution No. 234-519 with Park Strategies as follows:

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Government Affairs Services for Federal at a cost of \$2,500 for the month of May, 2019.

Government Affairs Services for State at a cost of \$5,000 per month through May 31, 2020.

Government Affairs Services for Federal at a cost of \$2,500 per month extended through May 31, 2020;

and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to transfer additional funds into the Legislature Budget to cover the additional one month for Federal Governmental Affairs Services as amended above as follows:

From:		
A1990.435	Contingency Fund	\$2,500
To:		
A1010.418	Other Contractual Expenses	\$2,500

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 280-619

INCREASING COMPENSATION OF CHIEF ADMINISTRATIVE OFFICER

RESOLVED, that this Legislature authorizes the Chief Administrative Officer to be paid \$500 additional salary per month through payroll from the Chief Administrative Officer's budget from August 1, 2019 through December 31, 2019 to complete the re-organization of Department locations.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 281-619

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$34,901.08	Michael A. Ferraulo Plumbing & Heating	Payment #13, Work performed 5/1/19-5/31/19, HVAC
\$62,352.49	Suburban Electric, Inc.	Payment #13, Work performed 5/1/19-5/31/19, Electrical
\$475.00	All State Fire & Security	Payment #11, Work performed 5/1/2019-5/31/2019, Fire Protection
\$58,265.52	Wendel WD A/E/S/LA, PC	Professional Services, 4/1/19-4/30/2019, Inv #351557 – Construction Admin, Move Management Plan, Project Coordination Labor, Project Coordination Fee, Commissioning Services, Reimbursable Expenses, Special Inspections – SJB & TyLin International.
\$1,740.32	CDW-G	PO#60178 – Invoice #SGN1447– Tripplite Portable cooling unit/Tripplite Remote control monitor Webcard
\$596.40	CDW-G	PO#60177 – Invoice #SHL3899- Tripplite portable cooling AC unit
\$1,110.00	Time Warner Cable	Invoice #918002801051819 – Fiber Internet 200Mbps (Res No. 57-219)
\$33,847.21	Prentice Office Environments	PO#60234 – Paying the 10% Balance owed
\$1,112.80	Prentice Office Environments	Change Orders
\$349.00	Bowers Albion Plumbing	Invoice #10251- Clean out root drain due to construction debris
\$7,700.00	Killian Construction	Invoice #632 – Milling Parking Lot at COB Addition
\$41,916.79	Barre Stone	Invoice #9544 – Crush and Run

	Products	Stone for COB Addition (Res 138-319)
\$942.29	Barre Stone Products	Invoice #9452 – Crush and Run Stone for COB Addition (Res 138-319)
\$2,250.00	Brigden Memorials	Invoice # May 2021 COB Annex Bronze Plaque
\$535.00	Takeform	Invoice #81842 – 10 Name Plates for Chambers

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 282-619

AUTHORIZING PAYMENT OF CLAIMS FOR JULY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 10, 2019:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	2171-2322	\$387,301.83
Highway	1459-1480; 3286-3299	\$736,022.87
Job Development	3116-3125	\$6,528.90
Self Insurance	61388; 61390; 1236-1237	\$18,460.68

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 Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw

demand orders on the County Treasurer in payment of the following claims submitted for July 24, 2019:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	2323-2481	\$625,445.37
Highway	1481-1493; 330-3321	\$304,036.00
Job Development	3130-3144	\$10,634.77
Self Insurance	61389; 61838-61839; 61853; 61858; 1238, 1239	\$8,708.96

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption.

RESOLUTION NO. 283-619

OPPOSITION TO STATE LEGISLATIVE PROPOSALS THAT COULD UNDERMINE THE CAREFUL BALANCE THAT EXISTS IN STATE LAW RELATED TO THE TAX FORECLOSURE PROCESS IN NEW YORK STATE AS PROPOSED IN S.4676/A.4863

WHEREAS, the current real property tax law process to ensure tax compliance and limit tax foreclosure has been on the books for decades; and

WHEREAS, the real property tax foreclosure process is designed to strike a balance for a strong enforcement mechanism to ensure critical property tax revenues are protected to provide vital state mandated and local services in our communities, while providing property owners important alternatives and additional time to make payments to avoid foreclosure; and

WHEREAS, legislative proposals in S.4676 and A.4863 would eliminate certain tax enforcement fees and penalties, allow for lower interest rates in tax delinquencies, and eliminates the current law “reverse chronological order” of satisfying tax liens; and

WHEREAS, reducing these fee, penalty and interest tax enforcement measures will likely reduce the effectiveness and balance of the current system; and

WHEREAS, eliminating the current law “reverse chronological order” provisions will allow property owners to potentially abuse the

system and remain perpetually in arrears on their property taxes, significantly damaging tax compliance; and

WHEREAS, reduced tax compliance can jeopardize the delivery of critical state and local services in the community, and will unfairly shift the burden of these unpaid property taxes to other property owners; and

WHEREAS, county government is the primary governmental unit, along with some cities and other municipalities, charged by the State with ensuring real property tax law compliance and enforcement at the local level; and

WHEREAS, under this charge, counties are required to fully reimburse all school districts and towns for any property taxes they cannot collect in the first instance, which often requires some counties to borrow tens of millions of dollars annually while tax recoupment is commenced, all with the primary goal of ensuring fairness and avoiding tax foreclosure; and

WHEREAS, the real property law provides an extensive notification process for property owners that fall into arrears to help them understand what is happening and their options; and

WHEREAS, many counties provide additional help including:

- Encourage property owners to seek legal advice on other options so they can retain their property;
- Engage family members, especially for senior citizens, to allow for family members to receive duplicate copies of property tax bills, delinquency notices and other real property items;
- Guide property owners to local and state programs that may offer them assistance to clear up their delinquent taxes;
- Allow property owners to repurchase their property in cases of tax foreclosure, under specified timelines and parameters.
-

RESOLVED, Orleans County opposes state legislation that can undermine the careful balance that exists in state law related to the tax foreclosure process in New York State, including S.4676/A.4863 currently being considered in the State Legislature; and be it

FURTHER RESOLVED, Orleans County is especially concerned of the unintended consequences this legislation may cause by eliminating the current law reverse chronological order for paying tax liens and loosening

penalties and interest, that could reduce taxpayer compliance, which can jeopardize the delivery of state and local services, and will unfairly shift the burden of unpaid property taxes to other property owners in the community and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; NYSAC and all others deemed necessary and proper.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 284-619

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE/JAIL

WHEREAS, a Correction Sergeant First Class has retired in the Sheriff's Department; may it therefore

RESOLVED, that this Legislature authorizes the filling of a vacant full time Correction Sergeant First Class position (3150.43) in the Sheriff's Department at a Grade 7 of the OCSEA Salary Schedule, effective June 27, 2019; and be it

FURTHER RESOLVED, that this Legislature, subsequent to the filling of the vacant Correction Sergeant First Class position, authorizes the filling of a vacant full time Correction Sergeant position (3150.15) in the Sheriff's Department at a Grade 6 of the OCSEA Salary Schedule, effective June 27, 2019; and be it

FURTHER RESOLVED, that this Legislature, subsequent to the filling of the vacant full time Correction Sergeant position, authorizes the filling of a vacant full time Correction Officer position (3150.06) in the Sheriff's Department at a Grade 5 of the OCSEA Salary Schedule, effective June 27, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 285-619

CALLING UPON THE GOVERNOR TO DIRECT THE ARTICLE 10 SITING BOARD TO REQUIRE WIND TURBINE PROJECTS TO INCLUDE ALL THE STANDARD ENVIRONMENTAL AND COMPREHENSIVE HEALTH IMPACT AND ENVIRONMENTAL STUDIES INCLUDING CONSIDERATION OF THE ADDED POTENTIAL FOR SLEEP DISTURBANCES FROM PULSATING NIGHT NOISE DOMINATED BY LOW FREQUENCY AND INFRASOUND, ESPECIALLY UNDER STABLE ATMOSPHERIC CONDITIONS

WHEREAS, Orleans County has gone on record protecting the residents of the town from public health dangers posed to their people and the environment; and

WHEREAS, Orleans County has previously passed a resolution highlighting some of the potential negative side effects to the health and safety of our residents created by industrial wind turbines; and

WHEREAS, the Western New York Public Health Alliance, Inc. (WNYPHA) in their letter of June 12, 2018, to the Honorable Kathleen H. Burgess Secretary to the Commissioner, Public Service Commission, stated “several Western New York boards of health have been engaged in wide public interest and public concern over the proposal by Apex to construct industrial wind turbines in Western New York counties,”; and

WHEREAS, these WNYPHA members include Niagara, Erie, Allegany, Cattaraugus, Chautauqua, Genesee, Orleans and Wyoming counties and under New York State public health law are "charged with protecting residents' health,"; and

WHEREAS, WNYPHA officials and members "believe that any project of this nature and magnitude (Apex industrial wind turbine project) only be considered following a complete and transparent process including all the standard environmental and health impact studies and local input"; and

WHEREAS, in addition to WNYPHA, the New York State Association of County Health Officials (NYSACHO) whose mission statement reads that they "support, advocate for, and empower local health departments in their work to promote health and wellness and prevent disease, disability and injury throughout New York State"; and

WHEREAS, in addition to NYSACHO supporting the Western New York Public Health Alliance's position, they further state that the article 10 process "places at risk our local boards of health home rule ability, which allows them to take steps to safeguard the health and wellness of our residents and protect the environment within our counties"; now, therefore, be it

RESOLVED, that the Orleans County Legislature fully supports the positions of both the Western New York Public Health Alliance, Inc. (WNYPHA) and New York State Association of County Health Officials (NYSACHO) calling for the article 10 process to include a comprehensive health and environmental impact study, and be it further

RESOLVED, that the Orleans County Legislature fully supports the positions of the Town of Yates, the Western New York Public Health Alliance, Inc. (WNYPHA) and the New York State Association of County Health Officials (NYSACHO) calling for the article 10 process to include a comprehensive health and environmental impact study, and be it further

RESOLVED, that the Clerk of the Legislature shall send copies of this resolution to the Governor Andrew M. Cuomo, Senator Robert G. Ort, Member of Assembly Steve Hawley, Member of Assembly Michael J. Norris, Secretary to the Commissioner Public Service Commission Kathleen H Burgess, Niagara County Public Health Director Daniel J. Stapleton, Orleans County Public Health Director Paul Pettit, Town of Somerset Supervisor Daniel M. Engert, Town of Yates Supervisor James Simon and all others deemed necessary and proper.

Moved, Draper; second, Allport
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson called for any unfinished business or public comment. With hearing none, Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 4:50 p.m.

SPECIAL LEGISLATURE MEETING

July 9, 2019

Chairman Johnson called the meeting to order at 2:30 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present.

The following resolutions were presented for adoption:

RESOLUTION NO. 286-719

AUTHORIZING THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION AND THE EXECUTION OF RELATED DOCUMENTS

WHEREAS, the New York State Community Development Block Grant Program provides funding to communities under the Microenterprise Program to undertake activities that focus on community development needs such as creating or expanding job opportunities; and

WHEREAS, Orleans County (the “County”) desires to partner with The Orleans County Local Development Corporation (“OCLDC”) as a subrecipient to apply to the New York State Office of Community Renewal (“OCR”) for \$200,000 for eligible Microenterprise activities which will provide grants to eligible businesses (including startup and existing) for working capital, equipment, etc.; and

WHEREAS, the County has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and regarding the proposed microenterprise program.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application in the amount of \$200,000, such amount to be used to provide business grants and fund the costs of grant administration and program activities; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, including agreements with OCLDC relating to the use and administration of the grant funds, subject to review and approval by the County Attorney.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 287-719

APPROVING A MEMORANDUM OF AGREEMENT BETWEEN ORLEANS AND GENESEE COUNTIES

RESOLVED, that this Legislature approves a Memorandum of Agreement between Orleans County and Genesee County for Mental Health Shared Services for a period of 90 days and shall continue with 30 day approved increments as needed; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign this Memorandum of Agreement subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 288-719

AUTHORIZING THE EXPENDITURE OF \$12,500 TO SUPPORT THE EFFORTS OF THE LAKE ONTARIO REGIONAL DREDGING COUNCIL

WHEREAS, Orleans County has entered into a Memorandum of Understanding last dated December 28, 2017 with the counties of Cayuga, Monroe, Niagara, and Wayne (the “Counties”), whereby the parties agreed to form a Lake Ontario Regional Dredging Council (the “Council”) to review, finalize and implement the Council’s Small Harbor Dredging Management Plan; and

WHEREAS, the Counties have each contributed Five Thousand and 00/100 dollars (\$5,000) to fund the start-up costs of Lake Ontario Regional Dredging Council; and

WHEREAS, the Counties desire to apply for a One Hundred Twenty-Five Thousand and 00/100 dollars (\$125,000) Local Government Efficiency Grant (“Grant”) through a New York State Consolidated Funding Application which will require a 50/50 match of Sixty-Two Thousand Five Hundred and 00/100 dollars (\$62,500); and

WHEREAS, the Counties will employ Wendel Engineering to prepare the necessary Grant application and accompanying documentation as well as follow up on any related requests from funding personnel; and

WHEREAS, the Grant application will be submitted through Orleans County as lead agency on behalf of all of the Counties in the Council; and

WHEREAS, each of the Counties will contribute Twelve Thousand Five Hundred and 00/100 dollars (\$12,500) toward the 50/50 match if and when the Grant is awarded; now therefore be it

RESOLVED, that the Chairman of the Orleans County Legislature is authorized and directed to make available said funds as outlined herein, if and when the Grant is awarded, to accomplish the transfer authorized by this resolution, subject to the review of the Orleans County Attorney.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps moved to adjourn; second by Legislator Allport.
Meeting adjourned at 2:32 p.m.

LEGISLATURE MEETING

July 24, 2019

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran and Legislator Ken DeRoller, the Deputy Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: State of New York Office of Real Property Tax Services has sent the List of Certified 2019 State Equalization Rates for the 2019 assessment rolls for Orleans County municipalities and has been filed in the Clerk of the Legislature office.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through June, 2019. On this report, Treasurer DeFrank stated there is a payout of the Road Fund levy. Also we have paid out the annual plowing charges to the towns and on July 1st we have paid out the remaining sales tax to the Towns and Villages. Treasurer DeFrank reported that our revenues are coming in nicely and our cash remains in good shape.

Legislator DeFilipps presented a special recognition award to Jack Welch for recently being awarded the Civil Service Ambassador Award which was presented to him by the New York State Department of Civil Service. He was recognized for his distinguished service as President of the New York State Association of Personnel and Civil Service from 2017-2019; and acknowledged his commitment to the principals of Merit and Fitness along with the effective and efficient administration of the merit system here in Orleans County. He was applauded and congratulated by all present.

Chairman Johnson called for open discussion as it related to the resolutions. Chairman Johnson first explained that there is no open discussion on personnel matters during our Legislature meeting. The Dwyer Peer to Peer program, is a grant program offered by Senator Rob Ort. We are very appreciative of being awarded this grant by our Senator in the amount of \$52,500. The Dwyer Peer to Peer program has been incredibly well organized program, as the numbers in this room show it. There were many years that we did not receive any grant funds. Surrounding counties receive much more funding for this program, but we are appreciative of the funding we get. Chairman Johnson expressed that no one from Orleans County will ever disrespect a man in uniform, not under her watch. She welcomed any other Legislators if they wish to add anything.

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Resolutions 289-320

Chairman Johnson asked for comments as it pertains to any resolutions on today's agenda. She explained that other comments will be welcomed after the resolutions have been presented and adopted.

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 289-719

GRANTING EXTENSIONS FOR PAYMENTS ON IN REM AUCTION PARCELS

WHEREAS, resolution number 64-219 Setting Date and Terms for Auction of County-owned Tax Properties, indicates that the balance of the successful and accepted bids for parcels sold at the property auction must be paid to the Orleans County Treasurer by June 28, 2019, unless extended by the Orleans County Legislature, and

WHEREAS, Angel Javier, the successful bidder on Parcel 20, Town of Gaines, Tax Map #62.18-1-4, Justin Re, the successful bidder on Parcel 16, Town of Carlton, Tax Map #5.49-1-38.1 and Whitney Keppler, the successful bidder on Parcel 9, Town of Barre, Tax Map # 94.-1-53; has requested an extension, not to exceed sixty (60) days; therefore be it

RESOLVED, this Legislature grants an extension for the balance due on these parcels for a period of time not to exceed sixty (60) days, and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be a charge of \$250 on each parcel (property with improvements), and \$100 on vacant land for each 30 day period until the property is fully paid, not to exceed a period of 60 days.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 290-719

AUTHORIZING PURCHASE OF REAL PROPERTY FOR USE BY ORLEANS COUNTY AND AUTHORIZING TREASURER TO TRANSFER FUNDS FOR THIS PURCHASE

RESOLVED, that this Legislature will purchase property known as the northerly portion of Tax Map No. 7.-1-3.118, approximately .09 acres, presently owned by Mary Ann Tillman, 14496 Lakeshore Road, Kent, NY 14477 at a total cost of \$2,000; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute the purchase agreement subject to review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds for this land purchase and title expenses, as follows:

From:		
A1990.435	Contingency Fund	\$2,000
To:		
A1620.480	Buildings & Grounds Property Acquisition	\$2,000

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to adopt the additions to the certified Agricultural District 1 with the addition of parcel 69.-2-70.12, which would be the eleventh parcel consisting of 76 acres; seconded by Legislator DeFilipps. Legislator DeRoller commented that based on the public hearing with no public comments, we will approve the inclusion of the additional total of 384.04 acres to our Agricultural District. The following resolution was adopted:

RESOLUTION NO. 291-719

ADOPTING ADDITIONS TO CERTIFIED AGRICULTURAL DISTRICT

WHEREAS, Article 25AA of State Agricultural and Markets Law provides for the addition of predominantly viable agricultural land into existing, certified agricultural districts following an annual thirty day enrollment period and public hearing; and

WHEREAS, said enrollment period occurred in June 2019 and proper notice was provided and a public hearing was held on July 24, 2019

July 24, 2019
Resolutions 289-320

following the report and recommendation of the Orleans County Agricultural and Farmland Protection Board;

THEREFORE, BE IT RESOLVED, that additions to Consolidated Agricultural District No. 1 of ten (10) whole tax parcels of predominantly viable farmland be adopted as identified by numbers 16.00-1-27.1, 29.00-1-32.11, 32.00-1-8.311, 32.00-2-49, 32.00-2-52, 45.00-1-46, 49.00-1-8.22, 72.00-1-8.22, 97.00-1-38, 97.00-2-7.112, 69.-2-70.12; and be it

FURTHER RESOLVED, that a Notice of Determination of Non Significance - Negative Declaration shall be filed in the absence of a significant effect of this action on the environment, pursuant to Article 8 of Environmental Conservation Law.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 292-719

APPROVING AGREEMENT WITH LABELLA ASSOCIATES TO PREPARE ERIE CANAL LOCAL WATERFRONT REVITALIZATION PROGRAM AND AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE PLANNING AND DEVELOPMENT BUDGET

WHEREAS, Orleans County, in association with the Towns of Albion, Gaines, Murray, Ridgway, and Shelby, as well as the Villages of Albion and Holley have committed to jointly preparing an Erie Canal Local Waterfront Revitalization Program to achieve community consensus and clear direction on a future development strategy for the Erie Canal in Orleans County; and

WHEREAS, the hiring of a consultant to provide professional services to prepare said Program is stipulated in State Contract #C1001163 and a Selection Committee has reviewed consultant candidates' written proposals and submitted its recommendation; and

WHEREAS, in addition to grant money in State Contract #C1001163, the County and the forenamed towns and villages shall provide cash contributions over a two-year period commencing in 2019 to fund the Program; therefore be it

RESOLVED, that this Legislature approves an agreement between the Orleans County and LaBella Associates, 300 State St., Suite 201, Rochester, NY 14614 in the amount of \$81,680 to prepare an Erie Canal Local Waterfront Revitalization Plan effective July 25, 2019 through April 30, 2021; and be it

RESOLVED, that this Legislature authorizes the Chairman to execute said agreement subject to the review and approval of the NYS Department of State, Orleans County Attorney, and Chief Administrative Officer.

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies from said towns and villages in the Planning and Development Department budget for 2019 revenue and expenses related to preparation of the Erie Canal Local Waterfront Revitalization Program pursuant to State Contract #C1001163.

Revenue:		
A3904	Local Waterfront Revitalization – Erie Canal	\$5,250
Appropriation:		
A8020.486	Special Grants	\$5,250

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 293-719

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Integrated Therapy Services, of WNY OT/PT/SLP, PLLC at, 25 Liberty Street, Suite 5 Batavia, New York 14020 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Debra McGrath: Physical Therapy, 121 Day Street, Albion, New York 14411 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Opalecky Physical Therapy Services, PLLC at 1965 Sweden Walker Road, Hilton, New York 14468 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

WNY Speech-Language Pathology, OT & PT Consultants, PLLC at 590 Fishers station Drive, Suite 130, Victor, New York 14564 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Medina Central School District, at 1 Mustang Drive, Medina, New York 14103 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Paula Neuman OTR/L, at 7122 Chestnut Ridge Road, Lockport, New York 14094 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Music Therapy Pathways-Creative Arts Therapy PLLC at 80 South Main Street, Oakfield, New York 14125 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Cathy Rosenburg Speech Pathologist, at 10436 Freeman Road, Medina, New York 14103. To provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

WNY Speech-Language Pathology, OT & PT Consultants, PLLC, at 590 Fisher Station Drive, Suite 130, Victor, New York 14564 to provide center-based /evaluation/Speech 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. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

ARC of Orleans-Rainbow Preschool, at 122 Caroline Street, Albion, New York 14411 to provide center-based /evaluation/Speech 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. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 294-719

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AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

WHEREAS the legislature approved an agreement between Orleans County Health Department and the Kresge Foundation to participate in the Emerging Leaders in Public Health Initiative; now be it

RESOLVED, that the legislature does hereby approve Paul Pettit, Public Health Director, and Brenden Bedard, Director of Community Health Services/Deputy Director to travel as part of this agreement to the final cohort to be held October 7 – October 10, 2019 at a location in San Diego, CA. All costs are covered by the Kresge Foundation grant. No County Cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 295-719

AUTHORIZING ABOLISHING AND CREATING A POSITION IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS due to the results of a desk audit and the State Civil Service department review, certain positions need to be adjusted; now be it.

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Keyboard Specialist (4010.15) in the Public Health Department at Grade 7 of the CSEA Salary Schedule, and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Clerk in the Public Health Department at Grade 7 of the CSEA Salary Schedule

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 296-719

AUTHORIZING FILLING POSITION IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of an Assistant Clinic Coordinator position (4310.02) in the Mental Health Department at Grade 6 of the Management Compensation Plan, effective August 12, 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 297-719

APPROVING PURCHASE OF CAPITAL EQUIPMENT FOR THE SHERIFF'S 911 PUBLIC SAFETY COMMUNICATION DIVISION AND APPROVING LEASE AGREEMENT WITH MUNICIPAL LEASING CONSULTANTS

RESOLVED, that this Legislature approves the purchase of computer equipment, also to include labor, warranty, freight from Frontier Communications, at a total cost of \$301,399.90, necessary for upgrade to 911 computer system; and be it

FURTHER RESOLVED, that this Legislature approves an agreement and authorizes the Chairman to sign an agreement, subject to the review and approval of the County Attorney and Chief Administrative Officer, with Frontier Communications, 100 CTE Drive, Dallas, PA 18612 to provide for maintenance for the 911 computer system upgrade at a cost of \$60,030.83 effective over a five year term through 12/31/2024 with \$26,400 to be paid from Public Safety Communications Budget account A3020.496 – 911 Communication System; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman and Treasurer to execute a Lease Agreement with Municipal Leasing Consultants, 7 Old Town Lane, Grand Isle, VT 05458, to cover 911 computer system upgrade expenses payable in five annual payments, in the amount of \$60,855.64 to be paid in the years 2020 through 2024.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 298-719

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**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND
DOHERTY COMMUNICATIONS**

RESOLVED, that this Legislature approves an agreement between Orleans County and Doherty Communications, 237 West Academy Street, Albion, NY 14411, to commence April 1, 2019, for technician and management services to be provided to 911 PSAP and EMO during the 911 system equipment upgrade provided by Frontier Communications, payable in two installments of \$6,125.00 to be paid from Public Safety Communications Budget account A3020.496 – 911 Communication System.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 299-719

**APPROVING AGREEMENT BETWEEN THE SHERIFF’S OFFICE
AND EM SYSTEMS, INC.**

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff’s Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226, for the 2019/2020 software support and maintenance agreement covering CAD, AVL and Mobile Data Systems in Public Safety Communications, effective July 1, 2019 through June 30, 2020, at a cost of \$16,500, to be paid from the Public Safety Communication budget.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 300-719

**AUTHORIZING THE SHERIFF’S OFFICE TO APPLY FOR GRANT
FUNDING THROUGH GREATER ROCHESTER HEALTH
FOUNDATION**

RESOLVED, that this Legislature does hereby authorize the Sheriff’s Office to apply to Greater Rochester Health Foundation for 2019 Community Health Grant funds, in the amount of \$11,627, that would enable the Sheriff’s Office to purchase portable automated external defibrillators to equip patrol vehicles and marine units, providing immediate assistance during cardiac emergencies.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 301-719

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE STOP-DWI FOUNDATION

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to New York State STOP-DWI Foundation, Inc., for funding secured through the Governor's Traffic Safety Committee, for 2019-2020 Holiday Crackdown Grant Funding, in the amount of \$15,000, which would allow the Sheriff's Office, and local law enforcement agencies, to participate in increased STOP-DWI patrols during peak holiday periods throughout the year. Grant period to be October 1, 2019 through September 30, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport moved to accept grant funding from Walmart for the Sheriff's Office; seconded by Legislator Draper. Chairman Johnson requested Sheriff Bower to explain this great program. He said we have received grant money from Walmart for the last few years. This year we will be doing a "Shop with a Cop" program during the Christmas holiday. It has been successful throughout the state so we are going to bring this to our county. The following resolution was adopted:

RESOLUTION NO. 302-719

AUTHORIZING ACCEPTANCE OF FUNDING TO THE SHERIFF'S OFFICE AND SETTING UP NEW MONEY IN SHERIFF'S OFFICE BUDGET

WHEREAS, Resolution #130-319 authorized the Sheriff's Office to apply for grant funding through Walmart Foundation; and

WHEREAS, Walmart Foundation has awarded the Sheriff's Office \$3,000 in grant funding that would enable the Sheriff's Office to participate in a local holiday outreach program benefiting children and families within our community, now be it

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RESOLVED, that this legislature accepts this funding and further authorizes the County Treasurer to set up new money in the Sheriff's Office budget, as follows:

Revenue:		
A2705	Gifts & Donations	\$3,000.00
Appropriation:		
A3110.478	Promotional Supplies	\$3,000.00

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 303-719

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE/JAIL

WHEREAS, a Correction Sergeant First Class has retired in the Sheriff's Department; may it therefore be

RESOLVED, that this Legislature authorizes the filling of a vacant full time Correction Sergeant First Class position (3150.44) in the Sheriff's Department at a Grade 7 of the OCSEA Salary Schedule, effective August 29, 2019; and be it

FURTHER RESOLVED, that this Legislature, subsequent to the filling of the vacant Correction Sergeant First Class position, authorizes the filling of a vacant full time Correction Sergeant position (3150.09) in the Sheriff's Department at a Grade 6 of the OCSEA Salary Schedule effective August 29, 2019; and thereby be it

FURTHER RESOLVED, that this Legislature, subsequent to the filling of the vacant full time Correction Sergeant position, authorizes the filling of a vacant full time Correction Officer position (3150.48) in the Sheriff's Department at a Grade 5 of the OCSEA Salary Schedule effective August 29, 2019; and be it further

FURTHER RESOLVED, that this Legislature, subsequent to the filling of the full time vacant Correction Officer position, authorizes the filling of a vacant part time Correction Officer position (3150.38) in the Sheriff's Department at an hourly rate of \$14.48 effective August 29, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 304-719

AUTHORIZING FILLING OF VACANCY IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Work Experience Crew Leader position (3110.65) in the Sheriff's Office at an hourly rate of \$13.55/hour, effective July 25, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 305-719

APPROVING OUT-OF-STATE TRAVEL FOR SHERIFF'S OFFICE EMPLOYEE

RESOLVED, that at the invitation extended by the Justice for Children Advocacy Center, Batavia, NY, this Legislature authorizes Shannon Brett to travel to Dallas, Texas, for the purpose of attending the Crimes Against Children Conference to be held at the Sheraton Dallas Hotel in Dallas, TX, August 12-15, 2019, with cost to county for meals only.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 306-719

AUTHORIZING TRANSFER OF FUNDS IN THE SHERIFF BUDGET

RESOLVED, that the Treasurer is authorized to transfer monies within the Sheriff Budget to make a disbursement to EM Systems for contractual updates to support/maintenance of dispatch services system:

From:		
A3020.250	Other Equipment	\$1,000
To:		
A3020.418	Other Contractual Expenses	\$1,000

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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport requested that Resolution No. 307-719 be tabled as follows:

RESOLUTION NO. 307-719 - TABLED

AUTHORIZING PAYMENT TO HARRIS CORPORATION AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, the State Interoperable Communication Grant (SICG SI18-1007-D00) was accepted by Resolution No 477-1118; and

WHEREAS, the Legislature approved a five-year service agreement between Harris Corporation with Resolution NO 243-617; now be it

RESOLVED, that the year three payment of \$99,950 will be paid from said State Interoperable Grant (SICG SI18-1007-D00) through Emergency Management Account A3640.486.1874; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money as follows:

<i>Revenue:</i>		
<i>A4309.1874</i>	<i>2018 State Interoperable Communication Grant</i>	<i>\$99,950</i>
<i>Appropriation:</i>		
<i>A3640.486.1874</i>	<i>Special Grant-Interop SI18</i>	<i>\$99,950</i>

RESOLUTION NO. 308-719

APPROVING OUT-OF-STATE TRAVEL FOR EMERGENCY MANAGEMENT EMPLOYEE

RESOLVED, that this Legislature does authorize out of state travel by Lori Grube, Secretary to the Director, to attend the APCO International Conference and Expo in Baltimore, MD from August 11, 2019 to August 14, 2019. Cost of this trip is \$420 for registration to be paid from account 3640.460 Training and Education. No travel costs to the county.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 309-719

**AUTHORIZING CREATION AND FILLING OF POSITION IN THE
HIGHWAY DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the creation of a full time Motor Equipment Operator position in the Highway Department, at Grade H2 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling the newly created, vacant position, effective July 25, 2019.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 310-719

**AUTHORIZING PURCHASE AND APPROVING AGREEMENT WITH
CUSTOM CARPET CENTERS WITH BUILDINGS AND GROUNDS
FOR COURTHOUSE**

RESOLVED, that this Legislature approves the purchase of carpet, vinyl base, adhesive, labor and installation under State Contract No. PC67774 with Custom Carpet Centers for offices at the Courthouse to be paid from Buildings and Grounds Account A1620.403 – Maintenance Projects in the amount of \$10,169.51; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an agreement with Custom Carpet Centers 2847 Southwestern Blvd, Orchard Park, NY 14127 for the labor and installation of carpet at the Courthouse.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 311-719

**AUTHORIZING ORLEANS COUNTY OFFICE FOR THE AGING TO
APPLY AND ACCEPT FUNDING FOR UNMET NEEDS THROUGH
THE NEW YORK STATE OFFICE FOR THE AGING**

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WHEREAS, the NYS Governor and the NYS Legislature have made available \$15 million in funding to provide the AAA network with funding for services for eligible older adults who are underserved due to lack of funds. Area Aging Agency will have the ability to offer services to those who have been waiting for services;

RESOLVED, that this Legislature authorizes Orleans County Office for the Aging to apply and accept a grant in the amount of up to \$33,652 from the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 14223, from April 1, 2019 to March 31, 2020 at no county cost.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 312-719

AUTHORIZING FILLING VACANCY IN OFFICE FOR THE AGING

FURTHER RESOLVED, that this Legislature authorizes the filling of the vacant position of Aging Services Specialist (Position 6772.17) at a Grade 15 of the CSEA salary schedule effective July 25, 2019, and be it

FURTHER RESOLVED, if this vacant position is filled by an existing part-time Office for the Aging employee, this Legislature authorizes the filling of the newly vacant part-time position (6772.xx) of the CSEA salary schedule effective upon the filling of the vacant full-time Aging Services Specialist.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 313-719

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements between the Orleans County Department of Social Services and the following agencies:

LexisNexis Risk Solutions and the Department of Social Services for National records search service to the Orleans County Child Support Unit. County Cost is 34%.

Dana Graber, 539 Main Street, Medina, New York for the provision of legal services relating to Child Support matters; to be effective March 1, 2019 through February 29, 2020 at a cost of \$75/hour. County cost is \$0.

Orleans County Sheriff's Department, Albion, NY for safe transportation of youth to out-of-county detention facilities; to be effective September 1, 2019 through August 31, 2020 at a cost of \$15,000. County cost is \$7,650.

LexisNexis, a division of RELX, Inc, PO Box 933, Dayton, OH 45401 and the Department of Social Services to provide legal research tools to the County Attorney and two (2) support staff effective December 1, 2019 through November 30, 2022 at total cost of \$3,240.00, a 12% increase in cost from previous contracted term. Early termination addendum included. County cost \$1,069.20.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 314-719

AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as a result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0249) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective August 2, 2019.

Moved, Allport; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 315-719

AUTHORIZING HARDWARE TO BE PURCHASED FROM DELL AND AUTHORIZING PAYMENT FROM DEPARTMENT OF SOCIAL SERVICES BUDGET

WHEREAS, the Orleans County Legislature is aware of the changes taking place in the Department of Social Services Temporary Assistance

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division and the subsequent need for a mobile solution to facilitate quick turnaround of new and existing Orleans County clients, and

WHEREAS, the changes also include a change to the traffic patterns of the clients and maintaining better security for the employees of Orleans County, now be it

RESOLVED, that this Legislature approves the purchase of 5 Laptop computers from DELL Financial Services, P.O. Box 6515, Carol Stream, IL 60197-1515, from quote number 3000040017243.1 under NCPA Contract #50AHC, Agreement # NCPA 01-42 for \$6,754.50 to be paid from Department of Social Services budget account A6010.220 – Office Equipment.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport requested to withdraw the following resolution:

RESOLUTION NO. 316-719 – WITHDRAWN

SUPPORTING DEDICATION OF A PORTION OF NYS ROUTE 31 WHICH PASSES THROUGH THE TOWN OF ALBION IN MEMORY OF CHARLES W. HOWARD

WHEREAS, Mr. Charles W. Howard was a resident of the Town of Albion for his entire life; and

WHEREAS, Mr. Howard was proud of his home town, county and country; and

WHEREAS, Mr. Howard brought national acclaim to himself and his home town by establishing the world's first Santa Claus School; and

WHEREAS, Mr. Howard portrayed Santa Claus in the Macy's Thanksgiving Day Parade for 18 years;

WHEREAS, Mr. Howard passed away in 1966 without receiving from his local neighbors the proper recognition he deserved; and

WHEREAS, the ALBION BETTERMENT COMMITTEE (a not-for-profit charitable organization which was formed in 2003 with the intent to promote the area's natural assets and to set the area apart from every other community in the country) is asking support to dedicate a portion of the NYS Route 31 in Memory of Charles W. Howard; now be it

RESOLVED, that the Orleans County Legislature supports the Albion Betterment Committee in their request to the State of New York to have a portion of State Route 31 - when entering the Town of Albion (Northwest corner of Transit Road from the east to Southeast corner of Wood Road from the west) to be dedicated in Charles W. Howard's

name, subject to permission from the Howard Family; and be it

FURTHER RESOLVED, that this Legislature supports signage to be placed along that portion of Route 31 to read:

THIS SECTION OF NEW YORK STATE ROUTE 31
(PASSING THROUGH THE TOWN OF ALBION)
IS DEDICATED TO THE MEMORY OF
CHARLES W. HOWARD,
A LOCAL FARMER WHO FOUNDED
THE WORLD'S FIRST SANTA CLAUS SCHOOL

RESOLUTION NO. 317-719

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT**

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$28,456.03	Holdsworth Klimowski Construction	Payment #13, Work Performed 5/1/19-5/31/19, General Construction
\$56,687.68	Michael A. Ferraiulo Plumbing & Heating	Payment #14, Work performed 6/1/19-6/30/19, HVAC
\$33,046.03	Wendel WD A/E/S/LA, PC	Professional Services, 5/1/19- 5/31/2019, Inv #500030 – Construction Admin, Move Management Plan, Project Coordination Labor, Project Coordination Fee, DOH Grant Admin Assistance, Reimbursable Expenses, Special Inspections – SJB.
\$10,751.00	Corrigan Moving Systems	Moving Services – Invoice #129301 (Res No. 192-419)
\$16,815.11	Barre Stone Products	County Office Building parking lot, binder and stone – Inv #9647
\$1,512.50	Keeler Construction Co.	County Office Building parking lot Tack Coat – Inv #1585
\$798.43	The Sherwin Williams Co.	County Office Building parking lot striping of new lots – Inv #3058-4

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\$1,047.70	Time Warner Cable	SIP Trunk Charges for New COB – One Time Install Charges/ Misc Fees - PO #60447
\$445.93	Time Warner Cable	PRI Trunk Charges for New COB – E911 Fee – One Time Install Charges/Misc Fees – PO #60448
\$912.00	Village of Albion	Riser Rings for COB Annex – PO #60460 – Inv #6/20/19

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 318-719

APPOINTING NEW MEMBER TO THE ORLEANS COUNTY BOARD OF ETHICS

WHEREAS, this Legislature adopted Resolution No. 171-408 enacting Local Law 3 of 2008, Providing for a County Board of Ethics consisting of five members with staggered terms; and

RESOLVED, that this Legislature appoints the following new member to the County Board of Ethics with the following term expiration:

Name: _____	Term expires: _____
Russell Martino	12/31/2021

*Replacing Darlene Waters

Moved, Allport; second Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 319-719

AUTHORIZING PAYMENT OF CLAIMS FOR AUGUST AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 August 14, 2019:

Fund/Department	Check Number (s):	Amount:
General	2484-2489; 2496-2692	\$389,357.47
Highway	1494-1516; 3322-3344	\$392,932.09
Job Development	3145-3158	\$7,012.82
Self Insurance	61841; 61864; 1240-1243	\$19,137.52

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 Superintendent of Highways, 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 August 28, 2019:

Fund/Department	Check Number (s):	Amount:
General	2693-2697; 2732-2838	\$247,104.89
Highway	1517-1525-3345-3354	\$362,480.16
Job Development	3159-3172	\$9,583.17
Self Insurance	61877, 61922; 61964, 62012; 1244-1245	\$5,559.86

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolution was presented for adoption:

RESOLUTION NO. 320-719

**AUTHORIZING CREATING AND FILLING TEMPORARY POSITION
IN VETERANS' SERVICE DEPARTMENT**

RESOLVED, that this Legislature authorizes creating a temporary full time 35 hours per week Director Veterans' Services position at a Grade 5, Step 1 of the Management Compensation Plan; therefore be it

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FURTHER RESOLVED, that this temporary position shall be filled by Nancy K. Traxler effective July 23, 2019.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson asked for any public comment:

Pat Dawley asked if his wife, Karen Dawley, could read a statement that he prepared. Karen Dawley read his statement of the importance of the Dwyer Peer to Peer Program and how beneficial it has been to him, his family and the various other Veterans. He encouraged the Dwyer Peer to Peer Program continue in Orleans County. Mrs. Dawley provided his statement to the Deputy Clerk. Chairman Johnson expressed that we expect that the Dwyer Peer to Peer Program will continue and we expect it to be re-organized formerly by this Legislative body.

Urb Bennett, Kendall, stated what happened was unfortunate. He asked to allow Cathy Schmidt to come back to the program because she ran the program well, and may not find another person to do the job. He plans to talk to her but would like this board to consider her to come back.

David Kusmiersczak, Medina, read the mission statement of the Dwyer Peer to Peer Program.

Nancy Traxler, Veteran's Service Officer, stated she does not want the Dwyer program shut down. With being the only one in the office, it is very hard for her to do everything in the office so she welcomes volunteers to help her continue the Dwyer program. She asked for volunteers and especially needs volunteer support to hold the August 17th Family Picnic. Chairman Johnson introduced Nancy Traxler, who was appointed interim Director at today's meeting by resolution.

Pat Dawley inquired if there will be a funded Dwyer Program next year? Chairman Johnson said she can only hope after this recent incident.

Jennifer VanWycke, Waterport, has a son that is 19 years old and is currently in the Navy stationed in Guam. She said in December she met this great group of friends and would not know what to do without them, they are now her family. She does not want to see this program go away and she would be the first one to say she would help out. She said sometimes people make mistakes and people should be forgiven. She said

“these guys, and her son, don’t deserve this program to stop and these guys do not deserve this.”

Chairman Johnson thanked everyone for coming and asked that they continue assisting Ms. Traxler.

Legislator Eick moved to enter into executive session at 4:56 p.m. per Open Meetings Law §105 (d) to discuss current litigation; (e) collective negotiations; and (f) the employment history of a particular person; second by Legislator Draper. Motion Carried. Chairman Johnson informed the public that no further business will take place this evening and wished everyone a good evening. After a short recess, executive session began at 5:15 p.m.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 6:15 p.m.; second by Legislator DeRoller. Motion Carried.

With there being no further business, Legislator Miller moved to adjourn; second by Legislator Draper. Meeting adjourned at 6:15 p.m.

LEGISLATURE MEETING

August 28, 2019

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran Ron Ayrault, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: New York State Department of Agriculture and Markets has certified that the land included in the Orleans County Agricultural District is viable agricultural land, and as proposed is feasible and shall serve the public interest in assisting in maintaining a viable agricultural industry within the District. The 4th annual Orleans County Heritage Festival celebrating our region's priceless people, places, organizations and historical assets is slated to begin Friday, Sept. 6 and runs 11 days, county wide. Highlights include:

- the dedication of the Company F Memorial Statue on Sept. 7th,
- historical re-enactments at GCC as well as the Medina Railroad and Cobblestone museums,
- daily genealogy workshops,
- the Sandstone Society bus tour,
- Hillside Cemetery tour and
- Murder & Mayhem: a Torch-lit Tour of Downtown Albion on Friday the 13th (so popular, our county historian had to schedule an additional night).

The complete schedule of events can be found at www.orleansnyheritage.com or pick up a program at the entrance. Brought to you by Orleans County Tourism, the Cobblestone Museum and Clarendon Historical Society. (Event Coordinators)

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through July, 2019. The county's sales tax and occupancy tax revenue have both increased since year. Treasurer DeFrank stated that on the July report the payout of sales tax to the Towns and Villages is indicated. The county remains in very good financial condition according to our bottom line on this month's report.

Chairman Johnson called for questions or public comment as it related to today's resolutions. Legislator DeRoller reported on the Household Hazardous Waste collection event on August 17th, showing pictures of that day's event. Jim Bensley, Director of Planning reported that they had an incredible turn out for this event. No numbers yet to report concerning the household hazards collected because needed to take back to Cincinnati to

sort and tally but over 22 tons of tires were collected. Also collected 350 propane tanks. Even though the weather didn't cooperate with the rain, but it was a very successful day with the collaboration with both our planning and highway departments.

Waiting list for tires and wait to hear what the costs. Legislator Allport asked if those on the tire waiting list will get preferential treatment next year. They will look more into this because of this being our first year of collecting tires.

Legislator DeRoller reported on the Lake Ontario - St. Lawrence River Flood Recovery Program website through the REDI Commission (Resiliency Economic Development Initiative) for our Lake Ontario Waterfront High Lake Level concerns of our homeowners. The Governor released \$300,000,000, \$20,000,000 which is ear marked for homeowners. We encourage our homeowners to visit this REDI website at www.hcr.ny.gov

Legislator Eick moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 321-819

APPROVING AGREEMENT WITH REAL PROPERTY AND APPLIED BUSINESS SYSTEMS

RESOLVED, that this Legislature approves the agreement between Real Property Tax Services and Applied Business Systems, 26 Harvester Avenue, Batavia, New York for the tax bill laser printing contract to print 2020 Orleans County tax bills, the 2020-2021 Village Tax bills, and the 2019-2020 School tax bills at a cost \$.188 per bill with any other additional fees to be assessed based on contract fee schedule. All fees will be charged back to municipalities; and be it

FURTHER RESOLVED, that this Legislature shall renew this contract for four (4) additional twelve (12) month periods upon mutual consent of both parties and price changes shall not exceed 4% per year at time of extension.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 322-819

APPOINTING REAL PROPERTY TAX DIRECTOR

RESOLVED, that this Legislature re-appoints Dawn M. Allen to the position of Director of Real Property Tax Services, said appointment to be for a six-year term commencing October 1, 2019 and ending September 30, 2025 at Grade 9, Step 9 of the Management Salary Schedule.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 nay, Allport; 0 absent.

RESOLUTION NO. 323-819

AUTHORIZING THE PURCHASE OF PRODUCTION SOFTWARE SUPPORT CONTRACT FROM THE COMPUTER SERVICES BUDGET

WHEREAS, the Legislature understands the ongoing need for a robust Virtual Environment and the continuing need for support of this environment, now be it;

RESOLVED, that this Legislature approves the purchase of VMWare Production Support Coverage vSphere 5 Essentials renewal for three years on Purchase order # 60938 from CDW-G, 75 Remittance Drive, Suite # 1515, Chicago, IL 60675-1515, at a cost of \$2,967.00 – to be paid from Computer Services account A1680.418 – Other Contractual. This cost quoted under SourceWell/NJPA 100614#CDW Technology Catalog.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 324-819

AUTHORIZING PURCHASE OF REAL PROPERTY FOR USE BY ORLEANS COUNTY AND AUTHORIZING TREASURER TO TRANSFER FUNDS FOR THIS PURCHASE

RESOLVED, that this Legislature will purchase property known as the northerly portion of Tax Map No. 7.-1-54.16, approximately .14 acres, presently owned by Douglas C. Bennett, 14682 Lakeshore Road, Kent, NY 14477 at a total cost of \$3,000; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute the purchase agreement subject to review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds for this land purchase and title expenses, as follows:

From:		
A1990.435	Contingency Fund	\$3,000
To:		
A1940.0480	Purchase of Land - Property Acquisition	\$3,000

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 325-819

AUTHORIZING THE CONVEYANCE OF 601 MOORE STREET, TAX MAP #62.20-2-43 TO NIAGARA ORLEANS REGIONAL LAND IMPROVEMENT CORPORATION

WHEREAS, the real property commonly known as 601 Moore Street in the Town of Albion, tax map parcel no. 62.20-2-43, was subject to the Foreclosure of Tax Liens by Proceeding In Rem pursuant to Article Eleven of the Real Property Tax Law by the County of Orleans, Index No. 18-45204; and

WHEREAS, County Resolution No. 393-1113 provides that foreclosed parcels may be conveyed by the County to another municipality, EDA, or not-for-profit organization; now therefore be it

RESOLVED, that this Legislature hereby authorizes the transfer of said parcel known as 601 Moore Street, Tax Map No. 62.20-2-43, in the Village of Albion to the Niagara Orleans Regional Land Improvement Corporation, a New York not-for-profit corporation having an office for the transaction of business at 6311 Inducon Corporate Dr., Sanborn, NY 14132; and be it further

RESOLVED, the Orleans County Treasurer is authorized to execute a deed and other related documents to convey ownership to the Niagara Orleans Regional Land Improvement Corporation

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 326-819

APPROVING AGREEMENT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR FUNDING AN UPDATE TO THE ORLEANS COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN AND AUTHORIZING THE TREASURER TO SET UP NEW MONIES IN THE PLANNING AND DEVELOPMENT BUDGET

WHEREAS, the Orleans County Department of Planning and Development applied for a Federal Emergency Management Agency Grant to update the County Multi-Jurisdictional Local Hazard Mitigation Plan pursuant to 44 CFR Part 201 implementing the Disaster Mitigation Act of 2000; and

WHEREAS, on March 4, 2019 the New York State Division of Homeland Security and Emergency Services (NYS DHSES) notified Orleans County of the sub-grant planning application award in the amount of \$112,500 with a non-cash, in-kind County match of \$37,500; therefore be it

RESOLVED, that this Legislature hereby accepts the sub-grant of \$112,500 under the terms stipulated in Contract # C000816 and approves the agreement with NYS DHSES to cover the costs of consulting services to prepare the Mitigation Plan; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the Chairman of the Legislature to sign said agreement; and be it

FURTHER RESOLVED, that this Legislature authorizes and directs the Treasurer to set up new monies in the Department of Planning and Development account as follows:

Revenue:		
A8020.4909	Homeland Security – Mitigation Plan	\$112,500

Appropriation:
A8020.0486 Hazard Mitigation Plan \$112,500

Moved DeRoller; second; DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 327-819

APPROVING EXTENSION OF COUNTY MARINE PARK BOATING
ACCESS PHASE TWO AGREEMENT BETWEEN COUNTY OF
ORLEANS AND NEW YORK STATE DEPARTMENT OF STATE

WHEREAS, this Legislature, by resolution no. 193-515,
approved Agreement #C1000543 between the County of Orleans and New
York State Department of State for capital improvements known as County
Marine Park Boating Access Phase Two; and

WHEREAS, shore power upgrades and re-decking of the
northern staircase pursuant to said Agreement remain to be scheduled for
completion to minimize inconvenience to County Marine Park visitors and
slip renters; be it

RESOLVED, that this Legislature approves a one-year extension
of Agreement #C1000543 at no additional cost for the purpose of acquiring
the necessary environmental permits and completing Phase Two capital
improvements to the County Marine Park; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes
the Chairman of the Legislature to execute this Agreement extension upon
review and approval by the County Attorney and Chief Administrative
Officer.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 328- 819

APPROVING EXTENSION OF THE AGREEMENT TO UPDATE THE
KENDALL-YATES-CARLTON LOCAL WATERFRONT
REVITALIZATION PROGRAM BETWEEN COUNTY OF ORLEANS
AND NEW YORK STATE DEPARTMENT OF STATE

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WHEREAS, this Legislature, by resolution no. 329-916, approved Agreement #T1000726 between the County of Orleans and New York State Department of State for an update to the Kendall-Yates-Carlton Local Waterfront Revitalization Program (KYC LWRP); and

WHEREAS, additional time is required to afford a full opportunity for all municipal stakeholders – including the newly-added Village of Lyndonville - to provide input and engage the community; be it

RESOLVED, that this Legislature approves a two-year extension of Agreement #T1000726 at no additional cost for the purpose of achieving the aforementioned objectives, among others, and completing the update to the Program; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the Chairman of the Legislature to execute this Agreement extension upon review and approval by the County Attorney and Chief Administrative Officer.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 329-819

DESIGNATING THE TOURISM PROMOTION AGENCY AND
AUTHORIZING APPLICATION FOR THE 2020 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 2020 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for the 2020 State Matching Funds and to receive such funds to the extent that local matching funds are available.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 330-819

APPROVING AGREEMENTS BETWEEN THE HEALTH
DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

NYS DOH BMCH-ADMIN UNIT ESP Tower room 859, Albany, New York 12237 for the Migrant Health contract to provide funding for Migrant services, education, training, & health & educational services for the Migrant population. Federally funded grant to be signed in the Grants Gateway. \$58,633 each year during contract term of January 1, 2019 through December 31, 2023. No County Cost.

Albion Central School District, 302 East Avenue, Albion, New York 14411. MOU to establish a County Staging Site (CSS) and or a Point of Dispensing (POD) for assets from the Strategic National Stockpile (SNS)/ Public Health Asset Distribution (PHAD), in the event of a public health emergency. To receive and/or distribute medication and/or medical supplies. Contract terms January 1, 2019 through December 31, 2023. No County Cost.

Venesky and Company, 6114 Route 31, Cicero, New York 13039 to provide the compilation and entry of information needed to complete the required Medicaid Cost report for the Pre-school program for calendar year July 1, 2019 through December 31, 2020. This Project will be fixed at \$5,000 per year for 2019, & 2020. Full Cost to County.

ARC of Orleans – Rainbow Preschool, 122 Caroline Street, Albion, NY 14411 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is Partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Tatiana Cross, 2136 Brick Schoolhouse Road, Hilton, NY 14468 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is Partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Lyndonville Central School District, 25 Housel Avenue, Lyndonville, NY 14098 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is Partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Oakfield Alabama Central School District, 7001 Lewiston Road, Oakfield, NY 14125 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is Partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022

Wayne A. Second Therapeutic Preschool, 6395 Old Niagara Road, Lockport, New York 14094 to provide center-based /evaluation/Speech 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. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Bornhava, 25 Chateau Terrace, Buffalo, New York 14226 to provide center-based/evaluation/Speech 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. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Buffalo Hearing and Speech Center, 50 East North Street, Buffalo, New York 14203 to provide center-based /evaluation/Speech 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. The State pays 59.5% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Theresa Lehman, 32 Mission Hill Drive, Brockport, NY 14420 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is Partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Carla Wegrzyn, 3566 Kelsey Lane, North Tonawanda, NY 14120 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is Partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Orleans County Highway Department. 225 West Academy Street #1, Albion, NY 14411 to provide Engineering Services for the Orleans County Environmental Department. Reimbursement from NYS Water Grant and State Aide effective June 1, 2019 through May 31, 2020. No Cost to County.

Strategic Management and Marketing, 560 Lafayette Avenue, Buffalo, NY 14222, agreement is to facilitate a planning process that will help the Genesee and Orleans County Health Departments (collectively GO Health) and public health director make key decisions and continue to grow with a stable, integrated and relevant future. Agreement is running for a period of 4 months and is fully funded through the Kresge grant. No County cost.

Genesee Community College, One College Road, Batavia, NY 14020, an affiliation agreement between Genesee and Orleans County Health Department with Genesee Community College to host an intern for the purpose of carrying out their educational program. Three year term September 1, 2019 through December 31, 2022. No County Cost.

NYS Department of Health Bureau of Water Supply Protection, Corning Tower Room 1110 Empire State Plaza, Albany, NY 12237. Amendment: The contract amount remains the same at 107,516.00 for April 1, 2015

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through March 31, 2020 but is amended and increased to \$122,020 for the April 1, 2018 through March 31, 2019 year. No County Cost.

WNY Clinical Information Exchange DBA Health e-link, 2586 Walden Avenue, Suite 107, Buffalo, NY 14225 to extend agreement to provide electronic health records for Public health disease investigations. Allow nursing staff access to records for Orleans County patients in one designated data base. Follows HIPAA guidelines. No term limit/renewing per guidelines. No county cost.

Pamela Gallo, 9074 Calpin Parkway, Clarence Center, NY 14032 to provide related services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is Partial reimbursement from New York State Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 331-819

**AUTHORIZING THE ORLEANS COUNTY HEALTH DEPARTMENT
TO APPLY FOR GRANT**

WHEREAS, the Orleans County Health Department participates in healthcare collaboration activities; and

WHEREAS, funding is available in an amount up to \$150,000 as part of the Cross-Sector Initiative through the Robert Wood Johnson Foundation, therefore be it

RESOLVED, that the Orleans County Legislature authorizes the Orleans County Health Department to apply for this grant to align public health, healthcare, and social services to improve community-wide population health.

Moved Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 332-819

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

WHEREAS the Director of Community Health Services, Brenden Bedard, has been participating in the HIV, STI, Hepatitis Workgroup (HSHW) through NACCHO (National Association of County and City Health Officials)

RESOLVED, that this Legislature does hereby authorize out of state travel by Brenden Bedard to attend the HSHW in person meeting from October 22-24, 2019 in Atlanta, Georgia. All costs covered by NACCHO. No County Cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 333-819

AMENDING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

RESOLVED, that this Legislature does hereby amend Resolution #72-219 replacing Shannyn Sanger with Nancy Kelly-Schicker to attend the 2019 FDA Annual Northeast Food Protection Seminar in Portsmouth, NH

FURTHER RESOLVED, that this Legislature does hereby amend Resolution No. 294-719 to reflect the location change from San Diego, CA to Tucson, AZ.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 334-819

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND BRIAN S. 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 14 on-site hours per week for the duration of this contract

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(August 19, 2019 thru August 18, 2020) at an hourly rate of \$125.00.
County cost is \$5,880.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

Note: This is the son of Dr. Jack Amos who recently passed away.

RESOLUTION NO. 335-819

**AUTHORIZING CREATION AND FILLING OF POSITION IN THE
MENTAL HEALTH DEPARTMENT**

RESOLVED, that this Legislature authorizes the creation of a Clinic
Therapist position in the Mental Health Department at Grade 22 of the
CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling
of the newly created position, effective August 29, 2019.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 336-819

**AUTHORIZING SETTING UP NEW MONEY IN THE MENTAL
HEALTH BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new
monies in the Mental Health budget for Federal Medicaid Salary Sharing
monies received as follows:

Revenue:		
A4310.4490	Mental Health Federal	\$17,902

Appropriation:		
A4310.0418	Other Contractual	\$14,124
A4310.0405	Building Projects	\$3,778

and be it

RESOLVED, that the County Treasurer is authorized to set up new
monies in the Mental Health Department budget for the set up of revenue

and expenses for Finger Lakes Performing Provider System money received as follows:

Revenue:		
A4310.1625	Misc. Revenue	\$18,250
Appropriation:		
A4310.0418	Other Contractual	\$18,250

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 337-819

APPROVING PROBATION DIRECTOR TO APPLY FOR AND ACCEPT STATE AID FROM THE NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES

RESOLVED, that this Legislature approves the Orleans County Probation Director to apply for and accept state reimbursable aid in the amount of \$149,616 effective July 1, 2019 to June 30, 2020 calendar year from the NYS Division of Probation and Correctional Alternatives.

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the grant and grant agreement and all related documents associated with this grant, subject to review by the County Attorney.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 338-819

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND PETS IN PEACEFUL REST, LLC

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and Pets in Peaceful Rest, LLC, for the pick-up of deceased pets and stray animals from the Orleans County Animal Control Shelter, Albion, at no charge, and the disposal of animals at the rate of \$20 per dog and \$10 per cat or small animal. Term of agreement effective August 1, 2019 through July 31, 2021.

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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport moved to approve an agreement with the New York State Canal Corporation and our Sheriff's Office for conducting marine patrols along our Erie Canal; second by Legislator Draper. Legislator DeRoller noted that he is pleased for the additional funding we received for our Sheriff Office patrols along the canal. The following resolution was adopted:

RESOLUTION NO. 339-819

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND NEW YORK STATE CANAL CORPORATION**

WHEREAS, Resolution No. 259-619 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 2019-2020 grant funding award, in the amount of \$32,025 from 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 Laws and to monitor activity along the canal and its pathways effective April 1, 2019 through March 31, 2020; subject to the review and approval of the County Attorney and Legislature.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 340-819

**APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE
AND THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY
COMMITTEE**

WHEREAS, this Legislature, in Resolution No. 131-319, had authorized the Orleans County Sheriff's Office to apply to the New York State Governor's Traffic Committee, 6 Empire State Plaza, Albany, NY 12228, for safety grant funding, now be it

RESOLVED, that this Legislature accepts the 2019-2020 Child Passenger Safety Grant (CPS-2020-Orleans Co SO-00004-(037) award in the amount of \$3,400 for funding period October 1, 2019 through September 30, 2020, to be used for public outreach on proper use and installation of child safety seats, technician recertification, and equipment purchase; and be it

FURTHER RESOLVED, that this Legislature accepts the 2019-2020 Police Traffic Services Grant (PTS-2020-Orleans Co SO-00008-(037) award in the amount of \$6,472 for funding period October 1, 2019 through September 30, 2020 to be used for traffic law enforcement to increase seat belt usage and reduce dangerous driving behaviors.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 341-819

AUTHORIZING CREATION AND FILLING OF POSITION IN THE SHERIFF'S OFFICE

RESOLVED, that this Legislature does hereby authorize the creation of a full-time Deputy Sheriff Lieutenant position in the Sheriff's Department at Grade 3 in the Orleans County Deputy Sheriff Association Salary Schedule effective August 29, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created Deputy Sheriff Lieutenant position, effective August 29, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 342-819

AUTHORIZING FILLING OF VACANCY IN THE SHERIFF'S OFFICE/JAIL

RESOLVED, that this Legislature authorizes the filling of a vacancy in the Sheriff's Office/Jail for one Part Time Correction Officer (position 3150.35), at an hourly rate of \$14.48 effective August 29, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 343-819

AUTHORIZING REIMBURSEMENT TO PUBLIC DEFENDER'S OFFICE EMPLOYEES FOR CELL PHONE USAGE

RESOLVED, that this Legislature authorizes payment of \$50 per month from the budget of the Office of the Public Defender, respectively, to the Public Defender, all Assistant Public Defenders and the Justice Court Liaison, as a partial reimbursement for cell phone charges, incurred in conducting daily business and for being accessible for emergency situations on a 24-hour basis, effective retroactive to January 1, 2019. All such payments shall be reimbursed through grant funds.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 344-819

AUTHORIZING DISTRICT ATTORNEY TO CONTINUE TO PARTICIPATE IN AND TO ACCEPT THE STATE AID TO PROSECUTION GRANT RENEWAL WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the District Attorney has previously obtained several grants for State Aid to Prosecution with the Division of Criminal Justice Services; and

WHEREAS, an application has been submitted to renew said State Aid to Prosecution grant for the years October 1, 2019 through September 30, 2020 in the amount of \$30,200; now be it

RESOLVED, that the District Attorney is authorized to accept the renewal of the State Aid to Prosecution Grant (AP19-1039-R02) in the amount of \$30,200, with the Division of Criminal Justice Services to

provide vital resources to the DA's Office to support the enhanced prosecution of violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel; and be it

FURTHER RESOLVED, that the Chairman is authorized to electronically sign the grant acceptance and all other documents related to this grant upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 345-819

AUTHORIZING PAYMENT TO HARRIS CORPORATION AND
AUTHORIZING TREASURER TO SET UP NEW MONEY

WHEREAS, the State Interoperable Communication Grant (SICG SI18-1007-D00) was accepted by Resolution No. 477-1118; and

WHEREAS, the Legislature approved a five-year service agreement between Harris Corporation with Resolution No. 243-617; now be it

RESOLVED, that the year three payment of \$99,950 will be paid from said State Interoperable Grant; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money as follows:

Revenue:

A3640.4309.1874	2018 State Interoperable Communication Grant	\$99,950
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Appropriation:

A3640.0486.1874	Special Grant-Interop SI18	\$99,950
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 346-819

APPROVING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT, APPROVING AGREEMENT WITH EPANIC BUTTON LLC AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, this Legislature resolved to purchase equipment and licensing to upgrade the current ePanic Buttons to a new network based notification System in Res No 186-416, and

WHEREAS, this Legislature is also aware that the entire amount of current licenses is being utilized, now be it

RESOLVED, that this Legislature authorizes expend SHSP FY19 Grant Funds and approves an agreement for Panic Button licensing from ePanic Button LLC, PO Box 190212, Birmingham, AL 35219 at a cost of \$8,100 for 200 ePanic Button licenses for three years in accordance with DHSES Grant guidelines, with a granted waiver of ePanic Button, LLC as a sole source provider of licensing; and be it

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set SHSP FY19 State Homeland Security Grant Funds in the Emergency Management budget as follows:

Revenue:

A3640.4309.2019	State Homeland Security Program	\$8,100
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Appropriation:

A3640.486.2019	Special Grant-Interop SI18	\$8,100
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 347-819

APPROVING EXPENDING GRANT FUNDS AND SETTING UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Res No 270-619 approved an agreement with EBI Consulting for Environmental Studies and Site Permitting at the four tower sites for the Orleans County Targeted Radio Project; now be it

RESOLVED, that this Legislature authorizing expending SICG ST18 Targeted Grant funds in the amount of \$2,255 and approving an agreement with EBI Consulting to conduct Lead in Soil Testing at the Holley Tower site, 4113 Holley Byron Road, Holley, NY 14470; and be it

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up NYD DHSES State Interoperable 2018 Targeted Grant funds as follows:

Revenue:

A3640.4309.0748	Statewide Interoperable Communications ST18 Targeted Grant	\$2,255
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Appropriation:

A3640.486.0748	Special Grants-ST18 "Targeted"	\$2,255
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 348-819

**AUTHORIZING EMERGENCY MANAGEMENT TO APPLY FOR THE
2019 STATEWIDE INTEROPERABLE COMMUNICATIONS
FORMULA BASED GRANT**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for the 2019 Statewide Interoperable Communications Formula Based Grant (SICG FY19) through the NYS Department of Homeland Security and Emergency Services which will aid in making the necessary improvements and provide for sustainment for Land Mobile Radio systems, maintenance components supporting interoperability, continuous training and exercise for our First Responders, sustainment and further development of governance structure.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 349-819

**AUTHORIZING RADIO TECHNOLOGIES TO ISSUE REQUEST FOR
PROPOSAL FOR SITE WORK AND ELECTRICAL WORK FOR THE**

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ORLEANS COUNTY 2018 SICG TARGETED GRANT RADIO
SYSTEM PROJECT

WHEREAS, Resolution No 86-219 accepted a Professional Services Agreement with Timothy Warth, dba Radio Technologies, to design and manage the proposed Communication system identified in the SICG FY18 Targeted Grant; now be it

RESOLVED, that this Legislature does hereby authorize Radio Technologies to issue a Request for Proposal for construction site work and electrical work at the four new tower sites in the Radio Project.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 350-819

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Lakeside Bridge Preventative Maintenance, Contract #D035981, P.I.N. 4OR0.01, BIN: 3318990 in the Town of Carlton (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$63,000 for Lakeside Bridge Preventative Maintenance for Preliminary Engineering and Final Design; and

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$63,000 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$63,000 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this Supplemental #1 Agreement is for Preliminary Engineering and Final Design for a total cost of \$63,000.00; Federal Share of \$50,400.00; State Marchiselli Funding of \$9,450.00 and County Cost \$3,150.00; effective July 5, 2018 through July 5, 2028. Resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 351-819

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**AUTHORIZING PURCHASE AND APPROVE AGREEMENT
BETWEEN LOGICAL CONTROL SOLUTIONS AND COUNTY OF
ORLEANS**

RESOLVED, that this Legislature approves the purchase and installation of a new HVAC controller system (PO# XXXXXX) for the District Attorney's Office at the Public Safety Building to be paid from 1620.403 - Maintenance Projects in the amount of \$10,917; and be it

FURTHER RESOLVED, that this Legislature approves an agreement with Logical Control Solutions located at 829 Phillips Road, Victor, NY 14564 for the purchase and installation of a new HVAC controller system for the District Attorney's Office at the Public Safety Building subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 352-819

AUTHORIZING FILLING A VACANCY IN OFFICE FOR THE AGING

WHEREAS, the following position is in demand due to a waiting list for home care service and this program is 75 % funded by the state; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant Part-time Housekeeper Aide position (6772.xx) in the Office for the Aging at Grade 2 of the CSEA Salary Schedule effective August 29, 2019.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 353-819

**APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL
SERVICES AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following agreement between the Orleans County Department of Social Services and the following agency:

Brockport College MSW Program, Rochester, NY for an intern agreement with Orleans County Department of Social Services; to be effective June 12, 2019 through June 11, 2023. No County Cost.

The William George Agency, Freeville, NY for the provision of residential foster care services; to be effective September 1, 2019 through August 31, 2020 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.

Elmcrest, Syracuse, NY for the provision of residential foster care services; to be effective October 1, 2019 through September 30, 2020 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.

Redwood Toxicology Laboratory, 3650 Westwind Blvd, Santa Rosa, CA and the Department of Social Services for Rapid Drug & Alcohol Screening Devices for use in Child and Family Services. Projected annual cost of \$1,500 with county cost of \$480 (32%).

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 354-819

RESCINDING RESOLUTION NO. 314-719 WHICH AUTHORIZED FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as a result of no resignation, this Legislature does hereby rescind Resolution No. 314-719 which was to fill a vacant full-time Social Welfare Examiner position in the Department of Social Services.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 355-819

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AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Clerk position (6010.0409) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective August 29, 2019.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 356-819

AUTHORIZING SETTING UP NEW MONEY IN THE YOUTH BUREAU BUDGET

RESOLVED, that the Treasurer is authorized to set up new money in the Youth Bureau Budget for a donation from the Child Welfare Association of Orleans County to support youth bureau activities as follows:

Revenue		
A2705	Gifts and Donations	\$50.00
Appropriation		
A7312.0418	Other Contractual	\$50.00

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 357-819

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 new appointment to serve on the Orleans County Youth Board beginning September 1, 2019 through August 31, 2022:

Abigail Barrett, 17041 Roosevelt Hwy., Kendall, NY 14476

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 358 -819

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND NEW YORK STATE BOARD OF ELECTIONS

WHEREAS, the Board of Elections department has apply for the Electronic Poll Books Capital Grant in the amount of \$34,998.15 be it

RESOLVED, that this Legislature approves the grant acceptance agreement between the Orleans County Board of Elections and New York State Board of Elections for a contract period of April 12, 2019 through December 31, 2020; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Board of Elections Department budget, as follows:

Revenue:		
A1450.3215	Election Services	\$34,998.15
Appropriation:		
A1450.0486	Special Grants - "Electronic Poll Books Capital Grant Project"	\$34,998.15

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 359-819

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves an agreement between Orleans County and Toshiba Business Solutions, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to replace faulty Lexmark XC4140 in Job Development with e-Studio 2550 effective September 3, 2019 for the life of purchased machine as follows:

Job Development	e-Studio 2550 Serial #SC7K231259	\$0-Previously Purchased
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Above are bill per copy B&W .01161 per page and Color .0675 per page,
with an annual increase of 2.5%

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 360-819

**AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE
LEGISLATURE BUDGET**

RESOLVED, that the County Treasurer is authorized to transfer
funds into the Legislature budget lines to cover additional travel expenses as
follows:

From:		
A1990.435	Contingent Fund	\$10,000

To:		
A1010.0462	Mileage	\$5,000
A1010.0463	Travel – Other than Mileage	\$5,000

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 361-819

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT**

RESOLVED, that this Legislature authorizes the following
payments to be made from account H1610.250, Capital Project – County
Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$15,903.15	MKS Plumbing Corp.	Payment #11, Work Performed 6/1/19-6/30/19, Plumbing Contract
\$20,835.52	Suburban Electric	Payment #14, Work Performed 7/1/19-7/31/19, Electric
\$4,938.99	All State Fire & Security	Payment #12, Work performed 6/1/2019-6/30/2019, Fire Protection
\$23,365.85	Wendel WD	Professional Services, 6/1/19-6/30/2019,

A/E/S/LA, PC	Inv #500065 – Construction Admin, Move Management Plan, Project Coordination Labor, Project Coordination Fee, DOH Grant Admin Assistance, Reimbursable Expenses
\$18,878.32 Custom Carpet Centers	Carpet Removal and Installation of new carpet for entry into and 1 st floor corridors at County Office Building.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 362-819

SUPPORTING DEDICATION OF A PORTION OF NYS ROUTE 31 WHICH PASSES THROUGH THE TOWN OF ALBION IN MEMORY OF CHARLES W. HOWARD

WHEREAS, Mr. Charles W. Howard was a resident of the Town of Albion for his entire life; and

WHEREAS, Mr. Howard was proud of his home town, county and country; and

WHEREAS, Mr. Howard brought national acclaim to himself and his home town by establishing the world's first Santa Claus School; and

WHEREAS, Mr. Howard portrayed Santa Claus in the Macy's Thanksgiving Day Parade for 18 years;

WHEREAS, Mr. Howard passed away in 1966 without receiving from his local neighbors the proper recognition he deserved; and

WHEREAS, the Town of Albion and the Village of Albion have both adopted similar resolutions in support of this request; and

WHEREAS, Jane Holland (granddaughter of Charles W. Howard) on behalf of the Howard family, has sent an e-mail message approving of and thanking us for so honoring Mr. Howard in this fashion; and

WHEREAS, the ALBION BETTERMENT COMMITTEE (a not-for-profit charitable organization which was formed in 2003 with the intent to promote the area's natural assets and to set the area apart from every

other community in the country) is asking support to dedicate a portion of the NYS Route 31 in Memory of Charles W. Howard; now be it

RESOLVED, that the Orleans County Legislature supports the Albion Betterment Committee in their request to the State of New York to have a portion of State Route 31 - when entering the Town of Albion (Northwest corner of Transit Road from the east to Southeast corner of Wood Road from the west) to be dedicated in Charles W. Howard's name, subject to permission from the Howard Family; and be it

FURTHER RESOLVED, that this Legislature supports signage to be placed along that portion of Route 31 to read:

THIS SECTION OF NEW YORK STATE ROUTE 31
(PASSING THROUGH THE TOWN OF ALBION)
IS DEDICATED TO THE MEMORY OF
CHARLES W. HOWARD,
A LOCAL FARMER WHO FOUNDED
THE WORLD'S FIRST SANTA CLAUS SCHOOL

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 363-819

**AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 11, 2019:

Fund/Department	Check Number (s):	Amount:
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General	2839-2843; 2847-2989	\$425,907.67
Highway	1526-1540; 3355-3371	\$359,289.35
Job Development	3173-3176	\$597.83
Self Insurance	62053	\$50.00

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 Superintendent of Highways, 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 25, 2019:

Fund/Department	Check Number (s):	Amount:
General	2844-2846; 2984-3140	\$453,228.46
Highway	3372-3395; 1541-1551	\$492,801.70
Job Development	No claims	
Self Insurance	62126; 62160; 1547; 1248-1249	\$9,110.83

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 364-819

CONFIRMING APPOINTMENT BY THE CHAIRMAN OF THE LEGISLATURE TO THE POSITION OF DIRECTOR OF VETERANS' SERVICES

RESOLVED, that this Legislature modifies resolution 320-719 by having the position expire November 12, 2019; and be it

FURTHER RESOLVED, that this Legislature confirms the appointment of Nancy Traxler to the position of Director of Veterans' Services (6510.1), a thirty-five hour a week position, at a Grade 5, Step 6 of the Management Compensation Plan Salary Schedule, effective August 29, 2019; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the filling of a vacant full time position of Veterans Service Officer (6510.4) in

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the Veterans Services Department, Grade 13 of the CSEA salary schedule effective August 29, 2019.

Moved, Miller, second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 365-819

AUTHORIZING PURCHASE FOR PATROL CAR FOR THE SHERIFF'S OFFICE

WHEREAS, The Sheriff Department suffered a totaled patrol vehicle. The salvage is at least \$40,787.00. This amount and anything more paid by NYMIR will be set up to Insurance Recovery to purchase another patrol vehicle.

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to purchase one (1) 2019 Chevy Tahoe 4wd at a purchase price of \$42,703.70 from Joe Basil Chevrolet, Inc, 5111 Transit Road, Depew, NY 14043 to be paid from account A3110.270-Capital Equipment.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson called for any unfinished business. No comments were made from the Legislators. She then called for public comment. No comments were offered.

Legislator DeRoller introduced Nancy Traxler, our new Director of Veteran's Services and asked if she could explain her background. Ms. Traxler expressed she is a 27 year United States Air Force Veteran. She worked in the Town of Ridgeway as Deputy Clerk and then secured her Service Officer position at the Orleans County Veteran's Office and continues to serve and assist veterans like she did when she was in the military.

Legislator DeRoller moved to adjourn; second by Legislator DeFilipps.
Meeting adjourned at 4:55 p.m

LEGISLATURE MEETING

September 25, 2019

Chairman Johnson called the meeting to order at 4:39 PM. After the pledge to the flag and invocation, led by Veteran and Legislator Ron Pera. Chairman Johnson called for a moment of silence to remember Kenneth H. Schaal Jr, who represented District One, incorporating the Towns of Barre, Clarendon and Shelby for two terms on the Orleans County Legislature from 1986-1989. We also wish to recognize his current service as Councilman for the Town of Shelby and his service to our country serving two terms in Vietnam as a US Marine. His legacy will always be remembered for his patriotism, leadership, and kindness. He will be deeply missed by this Legislature along with his family and community. The Clerk called the roll and all Legislators were present.

The Clerk presented the following communications: The County of Orleans Audit Report for year-end December 31, 2018 was performed by EFPR Group and has been filed in the Clerk of the Legislature's Office. Orleans County Treasurer Kimberly DeFrank has filed the list of Inter Fund loans issued from June 1, 2019 to date as directed in Resolution No. 175-418 in the Clerk of the Legislature Office. Holy Family Social Justice Committee has again this year requested to place 2 small yard signs (approx. 24"x20") at Courthouse square and 1 at the Public Safety Building for the month of October for Domestic Violence Awareness Month. The Board approved this requested. Orleans County Youth Bureau and the Orleans County Legislature will be holding the 6th annual "Family Game Night" on October 3rd, 2019 at the Trolley Building at the Orleans County Cornell Cooperative Extension from 5:30 – 7:30 p.m. The Night is a great way for families to spend time together and hopefully inspire them to keep family game night going in their homes. This year's theme is "Connecting the Unconnected" and Orleans County Departments will be available to showcase their roles and responsibilities to our residents.

Legislator DeRoller, along with James Bensley, Director of Planning and Development presented special recognition certificates and a plaque to Tibbs Ahlberg's for his 34 outstanding years of service on the Orleans County Planning Board.

Legislator DeFilipps presented Special Recognition to Jack Welch for successfully completing course requirements of the NYSAC County Government Institute.

Legislator Allport presented Randy Bower a Proclamation for Sheriff's Week which is designed in Orleans County from September 22nd through September 28th, 2019.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through August, 2019. The 2018 single audit has been completed and filed. Cash flow report looks great with a few levies that need to be paid out over the next few months but our finances are very sound.

Legislator DeRoller commented on our Local Waterfront Revitalization Program for the Canal, which Jim Bensley, Director of Planning and Development has also been an instrumental lead on pulling these resources together. We are holding an open house/ workshop on October 29th at 7 p.m. at the Hoag Library to welcome open discussion on projects and opportunities that will stimulate our canal corridor including economic development and recreational activities.

Chairman Johnson called for open discussion as it related to the resolutions, which there was none. Legislator Eick moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 366-919

AUTHORIZING ABOLISHING, CREATING AND FILLING OF POSITIONS IN PERSONNEL AND SELF INSURANCE DEPARTMENT

RESOLVED, that this Legislature authorizes the abolishing of a part-time Personnel Assistant (1430.07) position in the Personnel and Self Insurance Department effective September 26, 2019 and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part-time Secretary I position in the Personnel and Self Insurance Department at a Grade 1 of the Orleans County Management Compensation Plan and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant part-time Personnel Assistant position effective September 26, 2019.

Moved, DeFilipps; second, DeRoller.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 367-919

**APPROVING RENEWAL AGREEMENT BETWEEN COUNTY
TREASURER AND EFPR GROUP, LLP FOR INDEPENDENT AUDIT**

WHEREAS, it is the recommendation of the County Treasurer to renew the auditing contract with EFPR Group, CPAs for two extension years; and be it

RESOLVED, that this Legislature approves a two-year agreement between the County of Orleans and EFPR Group, CPAs, 280 Kenneth Dr., Ste 100, Rochester, NY 14623, to provide auditing services for the fiscal years 2019 and 2020 at a cost of \$28,250 per year, including the Department of Transportation audit, Sheriff and Jail audit, and all out of pocket costs. Cost of Audit will be billed to maximize reimbursement to Treasurer, Department of Social Services, Workforce Investment Act (WIA), and the Highway Department.

Moved, DeFilipps; second, DeRoller.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 368-919

**AUTHORIZING TREASURER TO PLACE ADVERTISEMENT
REGARDING UNPAID TAXES**

RESOLVED, that pursuant to a request from the County Treasurer, this Legislature authorizes the placement of a notice in the Lake Country Pennysaver notifying the delinquent taxpayers that failure to pay their 2019 taxes will result in the County filing a tax lien against said property as required by New York State Real Property Tax Laws.

Moved, DeFilipps; second, DeRoller.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 369-919

**AUTHORIZING OUT OF STATE TRAVEL FOR TOURISM
PROMOTIONS**

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RESOLVED, that this Legislature does hereby authorize attendance and out of state travel for Dawn Borchert, Orleans County Tourism Director, to attend the meeting of the OMCA – Ontario Motor Coach Association held in Ottawa, Ontario Canada from November 2nd through November 7th to promote Orleans County Tourism and businesses. No County Cost.

Moved, DeRoller; second, DeFilipps.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 370-919

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND THERAMANAGER, LLC/DOCUTRAC

RESOLVED, that this Legislature approves an Agreement between Mental Health and TheraManager, LLC/DocuTrac, 1800 Dual Highway, Suite 306, Hagerstown, Maryland 21740 providing a pricing structure to facilitate the retirement of QuicDoc Enterprise and QuicDocPM. If full usage of system is needed, total amount would be \$3,000 per month. Upon implementation of TenEleven, will pay reduced monthly fee of \$1,500 and upon read-alone mode, will pay reduced monthly fee of \$750.00. These costs will be paid for out of Federal Salary Sharing money. The amount of time needed at each level of payment is unknown and will be based on A/R Collection and account closeouts, but will not exceed one year. Cost is presumed not to exceed \$10,000 for one year.

Moved, Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 371-919

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND COORDINATED CARE SERVICES, INC.

RESOLVED, that this Legislature approves an Agreement between Mental Health and Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611, providing consulting services for data analytics and continuous quality improvement from October 1, 2019 to September 30, 2020, at a cost of \$21,000. County cost is \$1,470.

Moved, Draper; second, Allport.

Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 372-919

AUTHORIZING FILLING VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a Clinic Therapist position (Position No. 4310.14) in the Mental Health Department at Grade 22 of the CSEA Salary Schedule, effective October 17, 2019.

Moved, Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 373-919

AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE MENTAL HEALTH BUDGET

RESOLVED, that the County Treasurer is authorized to transfer monies within appropriated budget lines in the Mental Health Department budget as follows:

From:		
A4310.0418	Other Contractual	\$1,139.24
To:		
A4310.0210	Furniture	\$1,139.24

Moved, Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 374-919

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND MARIE DELOBBE-SCOTT

RESOLVED, that this Legislature approves and agreement between the Health Department and Marie Delobbe-Scott, 12589 Ashwood road, Lyndonville, NY 14098.to provide Related Services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program, with partial reimbursement from New York State

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Education Department and Medicaid. The related services rates are set by the county. The State pay 59.9% and the Orleans County Health Department is responsible for 40.5%. The Contract term is for July 1, 2019 through June 30, 2022.

Moved, Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 375-919

APPROVING AGREEMENT BETWEEN HEALTH DEPARTMENT AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves an agreement between Public Health Department and Toshiba Business Solutions, 100 Colvin Woods, Suite 100, Tonawanda, NY 14150 to purchase, with Article 6 State Aid Performance Funds from budget line 4010.220-Office Equipment, one (1) Toshiba e-Studio 4515AC for the Public Health Department with a service agreement effective December 1, 2019 for the life of purchased machine as follows:

Public Health	e-Studio 4515AC	Purchase \$7,204.00
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Above are bill per copy B&W .0075 per page and Color .0475 per page
with an annual increase of 2.5%

No County Cost.

Moved, Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 376-919

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

WHEREAS this Legislature approved an agreement between Orleans County Health Department and the Kresge Foundation to participate in the Emerging Leaders in Public Health Initiative; now be it

RESOLVED, that this Legislature does hereby approve out of state travel for Brenden Bedard, Director of Community Health Services/Deputy Director to participate in the Emerging Leaders Course at Harvard Kennedy School in Cambridge, MA from May 3, 2020 to May 8, 2020 for a cost of

\$9,400 plus travel. All costs are covered by the Kresge Foundation grant and to be paid with 2019 funds. No County Cost.; and be it

FURTHER RESOLVED, that this Legislature does hereby approve Paul Pettit, Public Health Director to participate in the Mastering negotiations Course at Harvard Kennedy School in Cambridge, MA from May 3, 2020 to May 8, 2020 for a cost of \$9,400 plus travel. All costs are covered by the Kresge Foundation grant and to be paid with 2019 funds. No County Cost.

Moved Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 377-919

ACCEPTANCE OF GRANT AWARD, AUTHORIZING THE TREASURER'S OFFICE TO SET UP NEW MONEY AND AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

RESOLVED that the Orleans County Health Department has been awarded the following grant from the Association of Food and Drug Officials, Voluntary National Retail Food Regulatory Program Standards Grant Program:

FD204 Temporary Food Establishments (G-T-1909-07485) \$1,540

FURTHER RESOLVED that the County Treasurer is authorized to set up the following new monies in the Public Health Department budget (A4010) as a result of the grant award:

Revenue:		
A4010.4403	Association of Food and Drug Officials	\$ 1,540
Appropriations:		
A4010.0463	Travel Other Than Mileage	\$ 1,540

FURTHER RESOLVED that this Legislature does hereby approve Cierra Lang, Public Health Sanitarian, to travel as part of this grant to Tampa, Florida, October 28, 2019 – October 30, 2019 to attend this training course. All travel expenses are covered by the Association of Food and Drug Official grant. No County Cost.

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Moved, Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 378-919

APPROVING CERTIFICATION OF THE 2020 STOP DWI PLAN BETWEEN THE SHERIFF'S OFFICE AND NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES-GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature approves the Certification of the 2020 STOP-DWI PLAN with the New York State Department of Motor Vehicles-Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228, for a budget of \$83,485.00, for annual plan year January 1, 2020 through December 31, 2020.

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 379-919

AUTHORIZING SETTING UP NEW MONEY IN SHERIFF'S STOP-DWI BUDGET

RESOLVED, that this County Treasurer is authorized to set up new money from NYS STOP-DWI Foundation as reimbursement for STOP-DWI Holiday Crackdown enforcement patrols, in the Sheriff's STOP-DWI budget, as follows:

Revenue:		
A3315.2615	STOP-DWI Program	\$2,925.59
Appropriation:		
A3315.0486	Special Grants	\$2,925.59

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 380-919

APPROVING AGREEMENTS BETWEEN PUBLIC DEFENDER AND NEW YORK OFFICE OF INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves the following agreements between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E., Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210:

Contract #C2ND634 for Case Manager, contracted investigative services and Assigned Council Administrator for the amount of \$211,863 effective for a term of July 1, 2017 through June 30, 2020.

Contract #CSTWIDEHH33 to cover counsel at arraignment, quality improvement and caseload relief (statewide expansion of Hurrell-Harring), for the amount of \$3,211,297.59 for current contract term of April 1, 2018 through March 31, 2023

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 381-919

APPROVING AGREEMENT EXTENSION BETWEEN EMERGENCY MANAGEMENT AND THE UNIVERSITY OF ROCHESTER

WHEREAS, Resolution No 425-1018 approved the agreement between Emergency Management and the University of Rochester expiring June 30, 2023; now be it

RESOLVED, that this Legislature does hereby approve a one year agreement extension with the University of Rochester, acting in its capacity as a regional training center on behalf of the NYS Department of Health, expiring on June 30, 2024.

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 382-919

AUTHORIZING TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, new funding opportunities have become available through the New York State Division of Homeland Security and Emergency Services in the amount of \$20,659 to continue participation in the Emergency Management Planning Grant cycle (EMPG) FY2019; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant EM19-1003-D00, contract #T838795 in the amount of \$20,659 for the Emergency Management Office to use in accordance with grant objective guidelines, effective October 1, 2018 through September 30, 2021.

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 383-919

AUTHORIZING EXPENDING SHSP FY17 GRANT FUNDS IN EMERGENCY MANAGEMENT, APPROVING AGREEMENT WITH LM PUBLIC SAFETY dba SUMMIT PUBLIC SAFETY, AND AUTHORIZING TREASURER TO SET UP MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature hereby approves an Independent Contractor Agreement with LM Public Safety dba Summit Public Safety, 15 Jarrett Rd., Scottsville, NY 14546 to assist the Office of Emergency Management Office with updating the Orleans County Arson Control Plan at a cost not to exceed \$3,000 from NYS DHSES State Homeland Security grant funds; and be it

FURTHER RESOLVED, that this Legislature approves expending NYS DHSES State Homeland Security SHSP FY2017 grant funds in an amount not to exceed \$3,000 and authorizing Treasurer to set up SHSP FY17 grant funds as follows:

Revenue:
A3640.4309.2017 State Homeland Security Program \$3,000

Appropriation:
A3640.0486.2017 Special Grants-SHSP FY17 \$3,000

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 384-919

AUTHORIZING EXPENDING SHSP FY19 GRANT FUNDS AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2019 Grant funds in an amount not to exceed \$37,500 (PO #xxxxx) for two (2) Stalker MC360 Message Trailers and accessories from Stalker Radar Applied Concepts, Inc., 855 E. Collins Blvd, Richardson, TX 75081, NYS OGS Contract # PC68529: and be it

FURTHER RESOLVED, that this Legislature authorize Treasurer to set up State Homeland Security FY19 funds as follows:

Revenue:		
A3640.4309.2019	State Homeland Security Program	\$37,500
Appropriation:		
A3640.0486.2019	Special Grants-SHSP FY19	\$37,500

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

Legislator Allport moved to execute ground lease agreements with various agencies for the construction of new towers and shelters; second by Legislator Draper. Legislator DeRoller questioned if FAA had to be in the process seeing it below the height of 200'. EMO Director Banker indicated that they still have to file paperwork with FAA. The following resolution was adopted:

RESOLUTION NO. 385-919

AUTHORIZING EXECUTION OF GROUND LEASE AGREEMENTS WITH THE VILLAGE OF HOLLEY, VILLAGE OF LYNDONVILLE AND THE KENDALL CENTRAL SCHOOL DISTRICT FOR CONSTRUCTION OF COMMUNICATION TOWERS AND SHELTERS

WHEREAS, Res No 85-219 approved the acceptance of the Statewide Interoperable Communication "Targeted" Grant for the Orleans County Radio Project; and

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WHEREAS, the Village of Holley, Village of Lyndonville, and the Kendall Central School District have agreed to lease a site including a necessary right of way and utility easement for the three communication tower sites; now be it

RESOLVED, that the Chairman is authorized to execute Ground Lease Agreements, subject to the review and approval of the County Attorney and Chief Administrative Officer, with the Village of Holley, the Village of Lyndonville, and the Kendall Central School District having an initial term of five (5) years with option to extend the term for four (4) additional consecutive five (5) year periods at no County costs.

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 386-919

AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT GRANT AWARD AND APPROVING AGREEMENT WITH NEW YORK STATE OFFICE OF VICTIM SERVICES

WHEREAS, the District Attorney was authorized by resolution number 133-319 to apply for the NYS Office of Victim Services Grant of \$354,133.92, be it

RESOLVED, that the District Attorney is authorized to accept a grant award from the New York State Office of Victim Services in the amount of \$205,397.68 funding to be used for the Crime Victims Assistance Program, as follows: \$58,598.95 (2019-2020), \$72,964.05 (2020-2021) and \$73,834.68 (2021-2022) and be it

FURTHER RESOLVED, that this Legislature approves the agreement with the New York State Office of Victim Services, for a term effective October 1, 2019 through September 31, 2022 for the continuation of the Crime Victims Assistance Program.

Moved, Allport; second, Draper.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 387-919

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Four-bridge Preventative Maintenance Project, Contract #D035655, P.I.N. 4OR0.00 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$161,513.00 for Preliminary "Engineering" and "Design", Row Incidentals "Construction, Construction Inspection and Support".

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$807,565.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$807,565.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the County of Orleans Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans with the New

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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 be it

FURTHER RESOLVED, that this is Supplemental Agreement #3 to amend previous resolution #38-119 to add additional Funding for Preliminary engineering and design and to add the Construction Phase for a total cost of \$807,565.00; Federal reimbursement \$646,052.00; State Marchiselli Funding \$166,741.00 and Local Share \$44,772.00; effective through March 21, 2027. Resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to set a public hearing for a local law to create a Public Works Department in Orleans County; second by Legislator Miller. Legislator Eick mentioned that with a new Highway Superintendent he has new ideas as to the operations of the Highway and Buildings and Grounds Departments. Chairman Johnson noted that everyone has a copy of the Local Law on your desks. The following resolution was adopted:

RESOLUTION NO. 388-919

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 2
INTRO OF 2019 – CREATING DEPARTMENT OF PUBLIC WORKS
AND THE POSITION OF COUNTY SUPERINTENDENT OF PUBLIC
WORKS, AND DISSOLVING THE ORLEANS COUNTY HIGHWAY
AND BUILDINGS AND GROUNDS DEPARTMENT

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled A LOCAL LAW OF ORLEANS COUNTY LEGISLATURE TO CREATE A DEPARTMENT OF PUBLIC WORKS AND THE POSITION OF COUNTY SUPERINTENDENT OF PUBLIC WORKS, AND DISSOLVE THE ORLEANS COUNTY HIGHWAY AND BUILDINGS AND GROUNDS DEPARTMENT; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days' notice; now therefore be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 20th day of November, 2019 at 4:20 p.m. at the Legislature Chambers, 14016 State Route 31, Albion, New York.

Moved, Eick; second, Miller.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 389-919

APPROVING AGREEMENT WITH HIGHWAY DEPARTMENT AND GARLAND/DBS, INC. AND AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY BUDGET

RESOLVED, that this Legislature approves an agreement between the Highway Department and Garland/DBS, Inc., 3800 East 91st Street, Cleveland, Ohio 44105 to repair the soffit and gutter along the south side of the Highway Garage; US Communities Contract MICPA #14-5903 at a total cost of \$31,453.00, to be paid out of the Highway Budget account D5110.0403-Maintenance Projects; and be it

RESOLVED, that the County Treasurer is authorized to set up new money in the Highway budget due to reimbursement from the Town of Albion for the Clarendon Street Culvert as follows:

Revenue:		
D5110.2379	Other Govts-Payments	\$44,776.34
Appropriation:		
D5120.0100	Personal Services	\$13,323.34
D5110.0403	Maintenance Projects	\$31,453.00

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute agreement subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.

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Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 390-919

AUTHORIZING ABOLISHING, CREATING AND FILLING OF
POSITIONS IN THE ORLEANS COUNTY BUILDINGS AND
GROUNDS DIVISION OF THE HIGHWAY DEPARTMENT

WHEREAS, a desk audit of the Clerk's position in the Buildings
and Grounds Division of the Highway Department has been performed;
now therefore be it

RESOLVED, that this Legislature authorizes the creation of a full
time Account Clerk (1620.31) position in the Buildings and Grounds
Division at a Grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling
of the newly created vacant Account Clerk position effective September 26,
2019; and be it

FURTHER RESOLVED, that upon the filling of the vacant Account
Clerk position, this Legislature authorizes the abolishment of the Clerk
(1620.31) position in the Buildings and Grounds Division, which is in the
CSEA Salary Schedule.

Moved, Eick; second, Miller.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 391-919

AUTHORIZING PURCHASE AND APPROVE AGREEMENT
BETWEEN PETER J. MADAFFERI AND COUNTY OF ORLEANS

RESOLVED, that this Legislature approves the purchase and
installation of paint (PO# XXXXXX) for the County Courthouse Clerk &
Judge Offices to be paid from 1620.403 - Maintenance Projects in the
amount of \$6,750.00; and be it

FURTHER RESOLVED, that this Legislature approves an
agreement with Peter J. Madafferi located at 306 Amy Lane, Brockport, NY
14420 for the purchase and installation of paint at the County Courthouse
Clerk & Judge Offices subject to the review and approval of the County
Attorney and Chief Administrative Officer.

Moved, Eick; second, Miller.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 392-919

**APPROVING NOMINATIONS TO GLOW WORKFORCE
DEVELOPMENT BOARD**

WHEREAS, The GLOW Workforce Development Board is organized for the purpose of coordinating and implementing activities pursuant to the Workforce Innovation and Opportunity Act (WIOA) and as proposed by the Governor of the State of New York for the purpose of administering WIOA in Genesee, Livingston, Orleans, and Wyoming Counties; now be it

RESOLVED, that this Legislature does hereby approve the nominations of Mary Williams, Vice President of Human Resources for Orleans Community Health, and Timothy Winters, President & CEO of Western New York Energy, to represent Orleans County as Private Sector Members on the GLOW (Genesee-Livingston-Orleans-Wyoming) Workforce Development Board, each for an additional two-year term from July 1, 2019 through June 30, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby approve the nominations of John McGowan, Director of the GCC BEST Center, to represent Public Sector Higher Education, and Jason ReQua, Vice President for BAC Local 3NY, to represent Apprenticeship/Labor Organization on the GLOW Workforce Development Board, each to serve ongoing at the discretion of the GLOW CEOs.

Moved, Miller; second, Eick.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 393-919

**AUTHORIZING SETTING UP NEW MONEY IN THE OFFICE FOR
THE AGING'S BUDGET**

RESOLVED, that this County Treasurer is authorized to set up new money as a result of additional 2019 State allocations were received as follows:

Revenue:		
A6772.3772	Office for the Aging-State Funded Grants	\$360
Appropriation:		
A6772.0433	Advertising & Legal Notices	\$70
A6772.0492	Transportation	\$290

and be it,

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Office for the Aging Budget as result of additional 2019 Federal allocations received as follows:

Revenue:		
A6772.4772	Office for the Aging- Federal Funds	\$1,246
Appropriation:		
A6772.0492	Transportation	\$1,246

Moved, Miller; second, Eick.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 394-919

APPROVING AGREEMENT WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreement between the Orleans County Department of Social Services and the following agency:

Mark and Graber, PLLC, 539B Main Street, Medina, New York for Legal and Other Services pertaining to Adoption Services by said firm for Orleans County Department of Social Services. Payment will be made as a one-time payment after all receipts are received, and the amount for the payment may not exceed the maximum level set by the NYS Office of Children and Family Service (OCFS) of \$2,000 per child.

Willcare, Inc. to provide personal care aide services to Medicaid clients at rates to be set by the NYS Department of Health for the period the period January 1, 2019 – December 31, 2019.

Moved, Miller; second, Eick.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 395-919

**AUTHORIZING CREATING TEMPORARY POSITIONS IN THE
DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that this Legislature authorizes the creation of temporary positions in the Department of Social Services for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% Federal Funds, as follows:

Full-time Social Welfare Examiner effective November 4, 2019 through April 30, 2020 at Grade 13 of the CSEA Salary Schedule.

Full-time Clerk effective November 4, 2019 through April 30, 2020 at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created temporary vacant positions.

Moved, Miller; second, Eick.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 396-919

**APPROVING PURCHASE BETWEEN ORLEANS COUNTY BOARD
OF ELECTIONS AND TENEX SOFTWARE SOLUTIONS AND
VERIZON WIRELESS**

WHEREAS, Resolution No. 358-819 approved a grant agreement with the New York State Board of Elections for the Electronic Poll Book Capital Grant in the amount of 34,998.15; now be it

RESOLVED, that this Legislature approves the purchasing of equipment and Printers for Early Voting from Tenex Software Solutions for the total cost of \$27,500. (Tenex Software Solutions State Contract Number: PS68742, Group Number: 76000, Award Number: 23167); and twenty-six (26) Apple I-Pads with Cellular In able from Verizon Wireless for a cost of \$6,250. (Verizon Wireless State Contract Number: PS63766, Group Number 77017, Award Number 20268.) to be paid from Elections

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Budget Account A1450.0486 – Special Grants – “Electronic Poll Books Capital Grant Project”.

Moved, Miller; second, Eick.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 397-919

APPOINTING MEMBER TO THE LAW LIBRARY BOARD OF TRUSTEES FOR THE 8TH JUDICIAL DISTRICT

RESOLVED, that this Legislature confirms the appointment of Merle Draper to be a trustee representing Orleans County on the 8th Judicial District Law Library Board of Trustees effective October 2, 2019 for a two year term.

Moved, Allport; second, Eick.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 398-919

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT.

RESOLVED, that this Legislature AUTHORIZES THE FOLLOWING PAYMENTS TO BE MADE FROM ACCOUNT H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$28,523.33	Wendel WD A/E/S/LA, PC.	Professional Services, 7/1/2018 – 7/28/2019, Inv # 500163 – Construction Administration, Project Coordination labor & fee, DOH Grant Admin Assistance, Reimbursable Expenses, Special inspections
\$520.00	Parkitects, Inc	PO# 60328- Bonnet top covers and hardware for outdoor garbage cans. Invoice #8445
\$6,550.00	Dobmeier Janitor Supply	PO# 60461- Floor Scrubber. Invoice # 791601

Moved, Allport; second, Draper.

Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 399-919

**AUTHORIZING PAYMENT OF CLAIMS FOR OCTOBER AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 October 9, 2019:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	3141-3291	\$341,661.72
Highway	1552-1563; 3396-3420	\$242,897.85
Job Development	3189-3209	\$7,581.65
Self Insurance	62178, 62218-62219; 62292; 1250	\$41,378.80

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 Superintendent of Highways, 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 October 23, 2019:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	3292-3299	\$720,150.58
Highway	1564-1574; 3421-3440	\$111,759.65
Job Development	3211-3216	\$8,767.91
Self Insurance	62293; 62307-62312; 1251- 1252; 1254-1255	\$14,909.31

Moved, DeFilipps; second, DeRoller.

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Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 400-919

AMENDING AN EMPLOYMENT AGREEMENT WITH THE CHIEF ADMINISTRATIVE OFFICER

WHEREAS, this Legislature wishes to maintain stable leadership of county government operations; and

WHEREAS, professional management frees county elected officials to focus on the policy issues, empowers them to provide leadership and develop a vision for the community; therefore be it

RESOLVED, that this Legislature approves and authorizes the Chairman to execute a new five year agreement defining terms and conditions of employment with Charles H. Nesbitt Jr., to serve as Chief Administrative Officer for the County of Orleans at the current salary for all assigned duties for 2019 and all previous agreements notwithstanding.

Moved, Eick; second, Draper.

Adopted 4 ayes, Draper, Eick, Johnson, Miller; 3 nays, Allport, DeFilipps; DeRoller;
0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 401-919

AUTHORIZING THE CONVEYANCE OF A PARCEL OF LAND IN THE TOWN OF SHELBY, TAX MAP NO. 125.-1-6.2, KNOWN AS A VACANT PARCEL ON TOWNLINE ROAD

WHEREAS, a land-locked parcel of land on Townline Road in the Town of Shelby was included in the In Rem Tax Foreclosure Proceeding relating to the 2015 Town and County tax, Index No. 18-45204, and

WHEREAS, the title has been examined and the current owner of the parcel of land surrounding this parcel, to which this parcel was originally included in the tax map number 125.-1-6, Mr. David Haas, is desirous of quieting title and correcting title errors to said parcel from an error in the deeds dating back to the year 1894, and

WHEREAS, Mr. David Haas will pay to the County the back taxes including the principal and interest in the sum of \$1,560.12 and the County will waive the interest and penalties currently due on said parcel, now therefor be it

RESOLVED, the County Treasurer is hereby authorized to convey all of the County's right, title and interest to tax map # 125.-1-6.2 to David C. Haas, 1246 Quaker Road, East Aurora NY 14052 for the above-mention sum of \$1,560.12 by way of conveyance of a Treasurer's Deed.

Moved, DeFilipps; second, DeRoller.
Adopted 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 402-919

SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE ORLEANS COUNTY LEGISLATIVE CHAMBERS

WHEREAS, "In God We Trust" became the United States national motto on July 30, 1956, shortly after our nation led the world through the trauma of World War II; and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and

WHEREAS, in both war and peace, thee words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, the County desires to display this patriotic motto in the Legislative Chambers as a way to solemnize public occasions and express confidence in our society; now therefore be it

RESOLVED, that the Orleans County Legislature does herby determine that the historic and patriotic words of our national motto "In

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God We Trust,” shall be permanently and prominently displayed in the Orleans County Legislative Chambers.

Moved, Draper; second, Allport.
Adopted 7 ayes; 0 nays; 0 absent.

Chairman Johnson called for unfinished businessss and any open discussion. No comments were made.

Legislator DeFilipps moved to adjourn; second by Legislator Allport.
Meeting adjourned at 5:09 p.m.

LEGISLATURE MEETING

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Chairman Johnson called the meeting to order at 4:26 PM. After the pledge to the flag and invocation, led by Veteran and Ronald Ayrault, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Kimberly DeFrank, Orleans County Treasurer has filed nineteen (19) Disclosure of Interest Statements from various County Employees who receive funds in addition to wages from Orleans County. These have been filed in our office and are officially on record in accordance with General Municipal Law Section 803(1). The Orleans County Treasurer has provided the annual examination of Petty Cash Accounts report which has been filed in our office. Clerk Hanlon read letters from Oak Orchard Neighborhood Association and Albion Service Learning Class for all of the contributions County Historian Matt Ballard has done for them.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through September, 2019. It was reported that loans that are due will be paid back soon and a large Community College Bill will be paid out soon but right now our cash balance is looking very good.

Chairman Johnson called for open discussion as it related to the resolutions. Legislator DeRoller announced the Orleans Canal Corridor Open Public Meeting will be held on October 29th at the Hoag Library and this will be the first of three public brainstorming forums with consultants being available.

Chairman Johnson announced that the REDI Commission, under Governor Cuomo has announced \$49 million coming to both Niagara and Orleans Counties for the resiliency of the Lake Ontario Shoreline. Legislator DeRoller stated that business applications will be moving forward in the process now. Nearly 30 million will be given amongst the 8 counties to help our small businesses. About 44 applications have been received for the month of October and that deadline is coming soon. Primary residents next will be first and then seasonal but all are encouraged to apply for this round of funding.

Nancy Traxler introduced Alan Monska as the new Veterans Service Officer in Orleans County. Alana served seventeen years in the army and

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has recently moved back into Orleans County. Alana was provided a warm welcome.

Legislator Eick moved to add two resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 403-1019

APPROVING MEMORANDUM OF UNDERSTANDING AGREEMENT WITH GENESEE COUNTY FOR MAINTENANCE OF TAX MAPS

RESOLVED, that this Legislature does hereby approve a Memorandum of Understanding agreement between Orleans County and Genesee County, Old County Courthouse, 7 Main St, Batavia, NY, for Maintenance of the Orleans County tax maps at a cost of \$6,500 for the term January 1, 2020 through December 31, 2020.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 404-1019

AUTHORIZING LICENSE AGREEMENT PURCHASE FOR COMPUTER SERVICES FOR THE SOPHOS SG115 AT THE LIGHTHOUSE

WHEREAS, that this Legislature is aware of the need for constant, uninterrupted communications between the Marine Park Deputies and Patrols and the Orleans County network, now be it

RESOLVED, that this Legislature authorizes the purchase of a 3 year license for the Sophos SG115 UTM at the Point Breeze Lighthouse to provide the dedicated connection to the Orleans County network from Layer 3 Technologies, 1645 Lyell Avenue, Suite # 200, Rochester, NY 14606 in the amount of \$159.00 to be paid from Computer Services Account A1680.0418 – Other Contractual which will allow this connection to continue.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 405-1019

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2019-2020 SCHOOL TAXES TO THE 2020 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid school taxes, adding a 7% penalty, to be added to the 2020 tax rolls, for the respective towns as of November 1, 2019.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 406-1019

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2019 SOLID WASTE/RECYCLING FEES TO THE 2020 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid 2019 Solid Waste/Recycling fees, to be added to the 2020 tax rolls for the respective towns as of November 1, 2019.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 407-1019

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2019-2020 VILLAGE TAXES TO THE 2020 COUNTY/TOWN TAX BILLS

WHEREAS, Local Law No. 4 of 1997 provides for the collection of certain delinquent Village taxes by the County of Orleans in accordance with Section 1442 of the Real Property Tax Law of the State of New York, be it

RESOLVED, that the County Treasurer is authorized to relevy the unpaid 2019-2020 village taxes, adding a 5% penalty, to be added to the 2020 tax rolls for the respective towns as of November 1, 2019.

Moved, DeFilipps; second, Deroller.

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Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 408-1019

AUTHORIZING COUNTY TREASURER TO CLOSE OUT CAPITAL PROJECT ENERGY PERFORMANCE ACCOUNT

WHEREAS, the Capital Project Energy Performance 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, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 409-1019

AUTHORIZING COUNTY TREASURER TO CLOSE OUT CAPITAL PROJECT RADIO ACCOUNT

WHEREAS, the Capital Project Radio from 2007, 2012 and 2014 has been completed; now be it

RESOLVED, that this Legislature authorizes the County Treasurer to close out said Capital Project, in accordance with rules per the NYS Comptroller.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 410-1019

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

RESOLVED, that this Legislature approves the following appointments to the Orleans County Planning Board:

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
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Kathleen Blackburn Village of Medina 12/31/2019
901 West Center Street
Medina, NY 14103

Daniel M. Gardner Village of Medina 12/31/2019
600 Main St. (Alternate)
Medina, NY 14103

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 411-1019

**APPROVING ADVERTISING FOR ORLEANS COUNTY TOURISM IN
CONY DIRECTORY**

RESOLVED, that this Legislature approves advertising in the 2020
CONY Directory through Campground Owners of NY, Inc., 1 Grove St, Ste
200, Pittsford, NY 14534 for the purpose of placing a 3 page advertisement
in this directory for Orleans County Campgrounds in the amount of \$5,545
to be paid from Tourism Account A6410.468 – I Love New York. 50%
Reimbursement from I Love NY Matching Funds.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved to authorize our libraries as official tourism
information centers; seconded by Legislator DeFilipps. Tourism Director
Dawn Borchert stated that the idea came from the current Leadership
Orleans class by one of our Librarians attending. With their amenities,
which includes Wi-Fi, restrooms, and their hours, it will be a great
partnership. Ms. Borchert showed all of the materials she plans to provide
the libraries to hand out. The following resolution was adopted.

RESOLUTION NO. 412-1019

**AUTHORIZING ORLEANS COUNTY LIBRARIES AS ORLEANS
COUNTY “OFFICIAL TOURISM INFORMATION CENTERS”**

WHEREAS, Orleans County has four libraries that are located
throughout our four villages that service visitors that visit our county via
either car, boat, or bicycle; and

WHEREAS, the Holley Community Free Library, Yates Community Library, Lee Whedon Memorial Library and the Hoag Library all have provided letters supporting and allowing their libraries to be official tourism information centers; and

WHEREAS, each of these libraries will be supplied with the Orleans County official tourism marketing materials such as the OC Travel Guide, Explore Orleans County NY Tourism Map, OC Fishing Guide, OC Bicycling Guide and Foods of Orleans County Dining Guide, now be it

RESOLVED, that this Legislature does hereby designate the Holley Community Free Library, the Yates Community Library, the Lee Whedon Memorial Library and the Hoag Library as Official Tourism Information Centers in Orleans County.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 413-1019

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS PROVIDERS

RESOLVED, that this Legislature approve the following Agreements for the Mental Health Department for the 2020 calendar year:

Tulio Ortega, MD, 2 Featherstone Court, Pittsford, NY 14534 providing services as Medical Director for up to an average of 11 on-site hours every week for 48 weeks including seven additional service hours per month for 10 months at \$160 per hour. Contracted amount is not to exceed \$95,680. County cost is \$6,698.

Ann P. Burbank, NPP, 32 Park View Drive, Pittsford, NY 14534 providing services as Psychiatric Nurse Practitioner for up to 468 hours at an hourly rate of \$103. Contracted amount is not to exceed \$48,204. County cost is \$3,374.

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 providing services as Psychiatrist for an average of 20 hours per month for annual total not to exceed 240 hours at \$200 per hour. Contractor will

provide an additional 60 hours per year at \$175 per hour. Contracted amount not to exceed \$58,500. County cost is \$4,095.

County Attorney, 517 Main Street, Medina, NY 14103, furnishing attorney services as needed for matters requiring counsel. Contracted amount is not to exceed \$9,500. County cost is \$665.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 414-1019

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND WEST INTERACTIVE SERVICES CORP

RESOLVED, that this Legislature does hereby approve an agreements between Mental Health Department and West Interactive Services Corp., 1110 Montlimar Drive, Suite 700, Mobile, Alabama 36609 providing automated voice, email and SMS communications to be used with new EHR software, Ten Eleven, for delivery of patient appointment reminder calls/text messages. There is a one-time setup and implementation fee of \$199.00, with an estimated monthly charge of \$300.00, based on a minimum of 1,500 notifications per month at \$.20 each for a period of November 1, 2019 thru October 31, 2022. The \$199.00 implementation fee was not budgeted for 2019 but will be paid out of Federal Salary Sharing funds. County cost is \$770.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 415-1019

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS PROVIDERS

RESOLVED, that this Legislature approves agreements between the Health Department and the following providers:

Building Blocks Comprehensive Service. Inc. PO Box 1209, Canandaigua, New York 14424 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 at the Orleans

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County Health Department. Reimbursement at 59.5% from NYS Department of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement. Term for July 1, 2019 through June 30, 2022.

Liberty Resources Psychology, Physical, Occupational, & Speech Therapy, PLLC. 1870 South Winton Road, Rochester, New York 14618 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 at the Orleans County Health Department. Reimbursement at 59.5% from NYS Department of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement. Term for July 1, 2019 through June 30, 2022.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 416-1019

AUTHORIZING FILLING VACANCIES IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of the vacant Senior Public Health Sanitarian (4010.42) in the Public Health Department at Grade 20, of the CSEA Salary Schedule effective October 24, 2019 and be it

FURTHER RESOLVED that the Legislature authorizes the filling of the vacant Public Health Sanitarian (4010.05) in the Public Health Department at Grade 18 of the CSEA Salary Schedule upon appointment of the Senior Public Health Sanitarian.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 417-1019

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT DIRECTOR

WHEREAS, this Legislature approved an agreement between Orleans County Health Department and the Kresge Foundation to participate in the Emerging Leaders in Public Health Initiative; now be it

RESOLVED, that this Legislature does hereby approve Paul Pettit and Brenden Bedard, Public Health Director to travel as part of this agreement to Chapel Hill, North Carolina, November 19 – November 21, 2019. All costs are covered by the Kresge Foundation grant. No County Cost.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 418-1019

APPROVING GRANT AGREEMENT BETWEEN PROBATION AND THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR LEANDRA'S LAW IGNITION INTERLOCK PROGRAM

WHEREAS, the Governor's Traffic Safety Council is providing the Division of Criminal Justice Services (Office of Probation and Correctional Alternatives) a funding opportunity to support supervision of Leandra's Law provisions therefore be it,

RESOLVED, that this Legislature does authorize Orleans County Probation Department to accept \$3,798.35 for Leandra's Law Ignition Interlock Device cases. This represents an increase of \$264 over previous year's funding. The Grant period is from October 1, 2019 to September 30, 2020; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute the grant agreement and all related documents associated with this grant, subject to review by the County Attorney and Chief Administrative Officer

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 419-1019

APPROVING GRANT AGREEMENT BETWEEN PROBATION AND NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR THE IMPLEMENTATION OF RAISE THE AGE

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RESOLVED, that this Legislature approves the Orleans County Probation Director to accept aid in the amount of \$74,919 effective April 1, 2018 to March 31, 2020 to offset costs associated with the implementation of Raise the Age Legislation which went into effect on October 1, 2018; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute the Raise the Age e-grant agreement for grant RT19-1045-DOO, Contract # C524064 and all related documents associated with this grant, subject to review by the County Attorney and Chief Administrative Officer

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 420-1019

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND THE BUREAU OF JUSTICE ASSISTANCE**

WHEREAS, Resolution #209-519, authorized the Orleans County Sheriff's Office to apply for reimbursement funding available through the U.S. Department of Justice, Bureau of Justice Assistance; now be it

RESOLVED, that this Legislature accepts the assistance funding award of \$15,862.49 under the FY 2019 Bullet Proof Vest Partnership Initiative, administered through the Bureau of Justice Assistance, for partial reimbursement on the purchase of bullet proof vests, effective through August 31, 2021; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute all paperwork necessary to administer this grant funding.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 421-1019

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND NEW YORK STATE UNIFIED COURT SYSTEM**

RESOLVED, that this Legislature approves a five-year agreement between the Sheriff's Department and the New York State Unified Court System to reimburse the county for security personnel assigned to the county courthouse effective April 1, 2019 through March 31, 2024, Contract No.#C200537; and be it

FURTHER RESOLVED, that this Legislature approves the initial contract, with a maximum monetary reimbursement amount not to exceed \$344,704 for period April 1, 2019 through March 31, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport moved to approve an agreement with GCASA to provide nursing services to the Jail; seconded by Legislator Draper. Mr. Nesbitt indicated that this is a savings of over \$10,000 and they will be a good fit in our Jail. The following resolution was adopted.

RESOLUTION NO. 422-1019

APPROVING AGREEMENTS BETWEEN SHERIFF'S OFFICE/JAIL AND GCASA

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office/Jail and Genesee Council on Alcoholism and Substance Abuse (GCASA), 430 East Main Street, Batavia, NY 14020, for GCASA to contract for nursing services provided to persons incarcerated at the Orleans County Jail, effective for period November 4, 2019 through November 3, 2020 at \$7,655.00 per month and for period November 4, 2020 through December 31, 2021 at \$7,884.65 per month.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 423-1019

APPROVING GRANT AGREEMENT WITH NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE SHERIFF'S OFFICE

WHEREAS, Resolution No. 210-519 authorized the Sheriff's Office to apply for available grant funding; and

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WHEREAS, the NYS Division of Homeland Security and Emergency Services has informed Orleans County/Orleans County Sheriff's Office that they have been awarded grant funding of \$118,084 for the New York State 2019-2020 Public Safety Answering Points Operations Grant Program (2019-20 PSAP Grant), now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant PS19-1015-E00; contract #C198070 in the amount of \$118,084 for reimbursement of costs related to public safety call-taking and dispatching expenses for year January 1, 2020 through December 31, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 424-1019

AUTHORIZING GRANT ACCEPTANCE FROM THE NEW YORK STATE STOP-DWI FOUNDATION, INC. FOR THE ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, Resolution #301-719 authorized the Sheriff's Office to apply to the NYS STOP-DWI Foundation, Inc. for Crackdown Grant funding; and

WHEREAS, the NYS STOP-DWI Foundation, Inc., as participant in the New York State Governor's Traffic Safety Committee's Highway Safety Program, has informed the Orleans County Sheriff's Office that it has been allocated grant funding, in the amount of \$15,000, for use in their 2019-2020 Crackdown Enforcement Program; now be it

RESOLVED, that this Legislature accepts this grant award and authorizes the Chairman to execute the appropriate grant award documents of Contract #C002477 with the New York State Governor's Traffic Safety Committee and the New York State STOP-DWI Foundation, Inc., to provide reimbursement to the Sheriff's Office and local law enforcement agencies for increased STOP-DWI patrols during peak holiday times of the year, to be conducted during the period October 1, 2019 through September 30, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 425-1019

AUTHORIZING ACCEPTANCE OF FUNDING TO THE SHERIFF'S OFFICE AND SETTING UP NEW MONEY IN SHERIFF'S OFFICE BUDGET AND APPROVAL OF PURCHASE

WHEREAS, Resolution #300-719 authorized the Sheriff's Office to apply for grant funding through Greater Rochester Health Foundation; now be it

RESOLVED, that this Legislature approves the execution of a grant agreement between the Sheriff's Office and Greater Rochester Health Foundation for the grant award amount of \$11,627 that will enable the Sheriff's Office to purchase portable AED's for Sheriff Patrol vehicles and marine units; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up new money in the Sheriff's Office budget, as follows:

Revenue:		
A3110.2261	Rochester Regional Health Foundation	\$11,627

Appropriation:		
A3110.0250	Other Equipment	\$11,627

and be it

FURTHER RESOLVED, that this Legislature authorizes the purchase of AED's from Cardiac Life, 349 West Commercial Street, East Rochester, NY, at a cost of \$11,324.69 to be made from budget line 3110.0250 Other Equipment.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 426-1019

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET AND AUTHORIZING THE PURCHASE OF RADIO COMMUNICATION EQUIPMENT

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RESOLVED, that this Legislature authorizes the Treasurer to set up grant funding from the NYS Division of Homeland Security and Emergency Services for SLETPP (LE19) grant as follows:

Revenue:
A4308.5319 Homeland Security/SLETPP FY2019 \$26,243

Appropriation:
A3110.0486.5319 Special Grants/SLETPP FY2019 \$26,243
and be it;

FURTHER RESOLVED, that this Legislature authorizes the purchase of portable and mobile radio equipment and accessories from Finger Lakes Communications, Auburn, NY, at a cost of \$14,875.76, to be paid from Sheriff Budget account A3110.486.5319-Special Grants (SLETPP FY2019).

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 427-1019

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE

WHEREAS, two Orleans County Deputy Sheriff officers were promoted to Deputy Sheriff Sergeants, now be it

RESOLVED, that this Legislature authorizes the filling of two vacant Deputy Sheriff positions (3110.25 and 3110.47) in Sheriff Department at Grade 1 in the Orleans County Deputy Sheriff Association Salary Schedule effective October 24, 2019.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 428-1019

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND NEW YORK OFFICE OF INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal

RESOLUTION NO. 430-1019

**APPROVING EXPENDING ST18 GRANT FUNDS AND SETTING UP
NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET**

WHEREAS, Res No 270-619 approved an agreement with EBI Consulting for Environment Studies and Site Permitting at the four new tower sites for the Orleans County Targeted radio Project; now be it

RESOLVED, that this Legislature authorize expending SICG ST18 Targeted Grant Funds in the amount of \$2,850 for the State Historic Preservation Office (SHPO) request for additional information at the proposed Holley tower site, including photo simulations from the two adjacent historic properties; and be it

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up NYS DHSES State Interoperable 2018 Targeted Grant Funds as follows:

Revenue:

A4309.0486.0748	Statewide Interoperable Communications ST18 Targeted Grant	\$2,850
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Appropriations:

A3640.0486.0748	Special Grants – ST18 Targeted	\$2,850
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Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 431-1019

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE
FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFORE.**

WHEREAS, a Project for the Six-Bridge Preventative Maintenance Project, Contract #D035278, P.I.N. 4760.68 (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$147,660.00,

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$738,302.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$738,302.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the County of Orleans Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Supplemental Agreement #3 to

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add additional Marchiselli funding for the Preventative Maintenance of the TIP (6) Locations, Contract #D035278 for a total cost of \$738,302.00; Federal reimbursement of \$590,642.00, State Marchiselli Funding of \$110,745.00 and Local Share \$36,915.00; effective through January 29, 2026. Resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 432-1019

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Preventative Maintenance of East Oak Orchard Street NYSDOT Contract #D036041, P.I.N. 4OR0.02, BIN: 3319320 in the Village of Medina (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 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans has approved through Resolution #480-1118 and #224-519 to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$81,000.00 for East Oak Orchard Street Bridge for ROW Acquisition and ROW Incidentals; and

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 Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$81,000.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$81,000.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans 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 be it

FURTHER RESOLVED, that this is Supplemental #2 Agreement adding ROW Acquisition and Incidentals for a total cost of \$81,000.00; Federal Share of \$64,800.00; Marchiselli funding of \$11,250.00 and County Cost \$4,950.00; effective October 11, 2018 through August 20, 2028; to be paid out of budget code 03.5120.0470.2284. Resolution shall take effect immediately.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 433-1019

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A 2019 VOLVO COMPACT EXCAVATOR

RESOLVED, that this Legislature does hereby approve the purchase of a 2019 Volvo EC60E Compact Excavator through Vantage Equipment,

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5985 Court Street Road, Syracuse, New York 13206; to be purchased under the Sourcewell Contract #032515-VCE at cost of \$64,522.00; Requisition #824, County cost \$0; to be paid from Machinery Fund budget account 5130.0270 – Capital Equipment.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

Note: This will be paid with CHIPS funding

Legislator Eick moved to award the bid and approve the purchase of a new and unused carrier mounted hydraulic impact hammer. Ours is worn out and in not repairable. Legislator Miller seconded the motion and the following resolution was adopted:

RESOLUTION NO. 434-1019

AWARDING BID AND APPROVING PURCHASE OF A NEW AND UNUSED CARRIER MOUNTED HYDRAULIC IMPACT HAMMER

WHEREAS, the Orleans County Highway Department sought bids for a New and Unused Carrier Mounted Hydraulic Impact Hammer on Friday, October 18, 2019; and

WHEREAS, such bids have been publicly opened, received and reviewed to determine the lowest responsible bidder that conforms to the bid specifications; and therefore be it

RESOLVED, this Legislature awards the bid and approves the purchase of a 2019 BTI BXR50 Carrier Mounted Hydraulic Impact Hammer submitted by Vantage Equipment LLC, 4554 West Saile Drive, Batavia, NY 14020 at a cost of \$40,650.00; County Cost \$0; to be paid out of the Machinery Fund budget account 5130.0270 - Capital Equipment – Requisition #843.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 435-1019

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A 2020 CHEVY SILVERADO 5500 SERIES STAKESIDE TRUCK

RESOLVED, that this Legislature approves the purchase of a 2020 Chevy Silverado 5500 Series Stakeside Truck through the New York State Office of General Services Class 3-8 Vehicles Mini Bid (Group #40500, Contract #22904). The cost for the 2020 Chevy Silverado 5500 Series Stakeside Truck shall not exceed \$65,000.00; County cost \$00; to be paid from Machinery Fund budget account 5130.0270 – Capital Equipment.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 436-1019

AUTHORIZING SETTING UP NEW MONEY IN THE HIGHWAY BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Highway Bridges Account due to an increase in monies for ROW Acquisition and Incidentals for the East Oak Orchard Street Bridge over Oak Orchard Creek TIP Project, as follows:

Revenue:		
03.5120.3503	Highway Bridge Account	\$29,500
Appropriation:		
03.5120.0470.2284	Cap. Plan East Oak Orchard Bridge	\$29,500

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 437-1019

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and the following agencies:

Berkshire Farm Center, Canaan, NY for the provision of residential foster care services; to be effective July 1, 2019 through June 30, 2020 at per diem rates as established by the State, not to exceed \$500,000. County cost will

be at a percentage determined by both the program category and the financial eligibility of each child so placed.

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, 2019 through September 30, 2020

Kendall Central School, Kendall, NY for the provision of preventive services to children and families through the assignment of one(1) Social Services Caseworker to the School District; to be effective August 30, 2019 through August 29, 2020. Said services are to be funded 50% Federal, 31% State, and 19% School.

Orleans County Office for the Aging, Albion, NY for the provision of PERS program to eligible Medicaid recipients; to be effective January 1, 2020 through December 31, 2020 at a cost of \$31 per client per month. County cost is 25%.

Orleans County Office for the Aging, Albion, NY for the provision of assisting select Public Assistance clients in applying for SSI; to be effective January 1, 2020 through December 31, 2020 at a cost of \$5,000. County cost is dependent upon program for which the client is eligible.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

Note: the Raise the Age Plan has been approved for Orleans County.

RESOLUTION NO. 438-1019

AUTHORIZING 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:

A1625	Miscellaneous Revenue	\$26,250
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Appropriation:

A4310.418	Other Contractual	\$26,250
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FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Veterans Services Budget to accept the Dwyer Peer to Peer Program monies received by the Orleans County Mental Health Department as follows:

Revenue:

A3711	Dwyer – Peer to Peer Program	\$26,250
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Appropriation:

A6510.0486	Special Grants	\$26,250
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Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 439-1019

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND NEW YORK STATE BOARD OF ELECTIONS

WHEREAS, the Board of Elections department has applied for the Aid to Localities Grant in the amount of \$27,250.68; and

WHEREAS, the Early Voting Aid to Localities Grant will be used for eligible expenses related to implementing Early Voting; now be it

RESOLVED, that this Legislature approves the grant acceptance agreement between the Orleans County Board of Elections and New York State Board of Elections in the amount of \$27,250.68 for a contract period of April 12, 2019 through December 31, 2020; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Board of Elections Department budget, as follows:

Revenue:

A1450.3216	Election Services	\$27,250.68
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Appropriation:

October 23, 2019
Resolutions 403-446

A1450.0486.3216 Special Grants – “Localities Grant Program” \$27,250.68

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 440-1019

ENDORSING THE 2017/18 AVIATION CAPITAL GRANT PROGRAM APPLICATION

WHEREAS, the County of Orleans has received a request from applicant of the Vintage Aircraft Group Inc., as Lessee and Operator of Pine Hill Airport, Town of Barre, County of Orleans, concerning the applicant’s request for State grant funds under the 2017/18 Aviation Capital Grant Program for a project for the 2017-2018 Aviation Capital Grant Program to include purchase and installation of a fuel farm for the airport; and

WHEREAS, the Vintage Aircraft Group desires to improve the airport to enhance aviation services for the citizens of Orleans County and the surrounding area and that Vintage Aircraft Group Inc has committed all of the matching funds for the project; and

WHEREAS, the project, if awarded by the New York State Commissioner of Transportation shall have no immediate or long-term financial obligation to the County; and

WHEREAS the New York State Department of Transportation, under section 14-1 of the State Transportation Law requires that project applications made by privately owned airports be accompanied by a resolution from the governing body of the county in which the airport is located; now be it

RESOLVED, that the County of Orleans endorses the project identified above at the Pine Hill Airport for the purpose of making the project eligible for State funding; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 441-1018

SETTING DATE OF PUBLIC HEARING FOR COUNTY BUDGET FOR THE YEAR 2020 AND SETTING SPECIAL MEETING DATE TO ADOPT THE 2020 COUNTY BUDGET

RESOLVED, that the public hearing for the Tentative County Budget for 2020 will be held on Monday, December 2, 2019 at 6:30 p.m. at the Orleans County Legislative Chambers, 14016 Route 31 W, Albion, NY 14411; and be it

FURTHER RESOLVED, that the Legislature will schedule a special meeting on Wednesday, December 4, 2019 at 4:30 p.m. to adopt the 2020 County Budget and respective resolutions to complete the 2020 Town and County property tax bills; and be it

FURTHER RESOLVED, that the notice for said public hearing and special meeting will be published in the officially designated County newspaper.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 442-1019

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$289,570.99	Holdsworth Klimowski Construction	Payment #14, Worked performed 8/1/19-8/31/2019, General Construction
\$33,992.49	Suburban Electric	Payment #15, Work Performed 7/1/19-7/31/19, Electric – final payment
\$6,745.66	Wendel WD	Professional Services, 7/29/19-

	A/E/S/LA, PC	8/31/2019, Inv #500210 – Construction Admin, Project Coordination Labor, Project Coordination Fee, DOH Grant Admin Assistance, Reimbursable Expenses
\$3,800.00	Pete Madafferi	Painting of Interior COB hall walls and Trim – Inv#1774-40
\$15,930.40	Southworth-Milton Inc	Genie AWP-255DP – Ariel Work Platform Inv# INV1744337
\$507.35	ARG Services of WNY Inc	Dumpster Rental – Clean out Public Health Office at Nursing Home – Inv#7652
\$7,172.09	Takeform	Board of Supervisors/Legislature Photo Wall Project – Inv #81605

Moved, Allport; second, Draper.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 443-1019

AUTHORIZING PAYMENT OF CLAIMS FOR NOVEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 November 13, 2019:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	3470-3766	\$602,972.77
Highway	1575-1584; 3441-3477	\$252,176.74
Job Development	No Claims	
Self Insurance	62328; 62440-62442; 62473; 1256	\$29,661.06

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 Superintendent of Highways, 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 November 27, 2019:

Fund/Department	Check Number (s):	Amount:
General	3767-3912	\$1,395,418.13
Highway	1585-1588; 3478-3489	\$28,644.40
Job Development	3234-3244	\$10,659.81
Self Insurance	62443-62445; 1257-1259	\$5,680.04

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 444-1019

AUTHORIZING THE CONSTRUCTION OF RADIO TOWERS AND RELATED IMPROVEMENTS, IN AND FOR THE COUNTY OF ORLEANS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$5,897,141 AND AUTHORIZING THE ISSUANCE OF \$5,897,141 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Orleans, New York, as follows:

Section 1. The construction of radio towers and related improvements in and for the County of Orleans, New York, including equipment and incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$5,897,141.

Section 2. It is hereby determined that the plan for the financing of said class of objects or purposes is by the issuance of \$5,897,141 serial bonds hereby authorized to be issued pursuant to the provisions of the Local

Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Orleans, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in The Daily News, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Moved, DeFilipps; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolutions were presented for adoption:

RESOLUTION NO. 445-1019

**APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT
AND HEALTH RESEARCH INC**

RESOLVED, that this Legislature approves an agreement between the Health Department and Health Research Inc. Riverview Center, 150 Broadway, Suite 560, Menands, NY 12204. This Contract is to provide additional funding for Emergency Preparedness Coordinator (EPC) and supplies needed for services in Orleans County. EPC to oversee implementation & completion of deliverables: assist in assessment of local public health emergency preparedness capacities and address deficiencies. Term from 7/1/2019 through 6/30/2020 No Cost to County.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 446--1019

AUTHORIZING FILLING VACANCY IN THE COUNTY
ATTORNEY'S OFFICE

WHEREAS the 2nd Assistant County Attorney has tendered his resignation effective November 1 2019, now be it

RESOLVED, that this Legislature authorizes filling a vacant part-time 2nd Assistant County Attorney position (1420.04) for 21 hours per week at a Grade 7 of the Management Compensation Plan effective November 4, 2019.

Moved, DeFilipps; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson opened the floor for public comment:

Susan Webster, Town of Barre spoke against the Town of Barre wind project and expressed that their concerns are not being heard in the Town of Barre. She respects those that serve but are afraid of what the wind turbines will do to their town and the residents that have lived there for a long time. She is concerned that their personal interests out way what is best for their community. She referenced the Chautauqua County wind turbine law suits that are currently in the Supreme Court. She does not want to see people leave and people will then not move back in.

John Metzler, Town of Barre spoke against the Town of Barre wind project and read a speech that he provided to the Town of Barre dated October 9, 2019. Some of that letter included his requested the Town to put the project to community vote so the residents can access their democratic process. A postcard survey is still in progress. Right now he has 420 people that do not want the project to the 25 residents that do, with 14 not sure, 29 refused to commit, and 41 apparently moved, a total of 529 attempted to be canvassed. He said many didn't even want them on their property. He provided information on health issues, real-estate devalues, and how wind turbines are not all green energies. He said wind companies have been thrown out of many towns and we don't have a huge amount of land to accept these wind turbines here in Barre.

Chairman Johnson responded that our ten towns are run by home rule that is why they have town government. The county tried to not interfere with town government and she expressed that this is a town matter. It is up to the

Town Supervisor and your council members to dictate how your town is run. The County only gets involved when a town requests the Orleans County Legislature to support an action by resolution for a particular matter.

Kerrie Richardson, Town of Barre, felt that home rule is very important. She states though at times when talking about the Article X process it can get convoluted which could remove home rule from the Town of Barre and move it to the State level. She said she wanted to share that the Town of Barre has a number of municipal officers that are conflicted according to Heritage Wind which seven are identified in the New York State Attorney Generals Code of Conduct agreement that was signed by Heritage Wind. She believes this is why a large part of the community members feel they are not being heard.

Orleans County Attorney Kathy Bogan stated that a request has been made for the Orleans County Board of Ethics to review if there is any financial conflict of interest or did anything unethical by the Town of Barre officials.

Steve Colon, Lyndonville, stated that this is another way our Governor is bullying us by taking money by the introducing wind energy and solar panels.

Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:14 p.m.

SPECIAL LEGISLATURE MEETING

October 31, 2019

Chairman Johnson called the meeting to order at 2:00 p.m. After the pledge to the flag the Clerk called the roll. All Legislators were present.

The following resolution was presented for adoption:

RESOLUTION NO. 447-1019

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE
HIGHWAY BUDGET**

RESOLVED, that the Treasurer is authorized to set up monies within the Highway Budget due to an increase in funding to cover the cost of new equipment purchases.

From:

04.5130.3501	Consolidate Highway Aid	\$87,407.37
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To:

04.5130.0270	Capital Equipment	\$87,407.37
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Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to enter into executive session at 2:02 p.m. per Open Meetings Law §105 (f) to discuss the resignation of the Chief Administrative Officer second by Legislator Allport. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 3:07 p.m.; second by Legislator DeFilippis. Motion Carried.

With there being no further business, Legislator DeRoller moved to adjourn; second by Legislator Draper. Meeting adjourned at 3:07 p.m.

LEGISLATURE MEETING

November 20, 2019

Vice Chairman Allport called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Sheriff's Department Chaplin Donald Snyder, the Clerk called the roll. Legislators present: Allport & Miller. Legislators not present: DeFilipps, DeRoller, Draper, Eick, and Johnson.

Vice Chairman Allport announced that currently five Legislators are attending the Lake Ontario REDI Commission conference today hosted by Governor Cuomo to address the major themes critical to the project implementation in Orleans County; therefore today's meeting will be recessed to tomorrow - Thursday, November 21, 2019 at 4:30 p.m. due to lack of quorum. Conference session will begin at 3:50 p.m.

Vice Chairman Allport declared the meeting recessed until tomorrow at 4:30 p.m.

RECONVENED LEGISLATURE MEETING

November 21, 2019

Chairman Johnson called the meeting back to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran Ronald Ayrault, the Clerk called the roll. All Legislators were present with the exception of DeFilipps and Miller.

Legislator Draper presented a Special Recognition Certificate to the Medina Marching Band Jada Draper, Drum Major; Miranda Zelazny, Lacey Kenward, and McKenna Callard, Guard Capitan were present to accept from the

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through October, 2019. On this report payroll was up in October because 1st payroll in November was paid on November 1st. A couple of loans for the Highway Department will be paid in December with CHIPS reimbursement. Even with the Loan, Treasurer DeFrank reported that our cash looks good and is at a point higher than where we were last year at this time.

Chairman Johnson called for open discussion as it related to the resolutions. Legislator DeRoller reported that five Legislators, CAO and Highway

November 20, 21, 2019
 Resolution 438-483

Superintendent went to Albany to meet with Governor Cuomo on the REDI Commission funding that is coming our way. They were in the room with many stakeholders which some included state representatives, Corp of Engineers, DEC, DOT and it was worth their while making the trip. Legislator DeRoller stated that they are trying to do their best to help our property owners concerning the Lake Levels.

The following resolutions were presented for adoption:

RESOLUTION NO. 448-1119

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-annual Mortgage Tax Report showing the amounts to be credited to each tax District of Orleans County, of the money collected during the preceding six months ending September 30, 2019; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment
 April 1, 2019 through September 30, 2019**

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village Share	Town Share
Albion	\$235,972,797	471,945,594	129,919,950	27.53%	\$30,089.00	\$8,283.08	21,805.92
Barre	107,418,249				6,804.13		6,804.13
Carlton	224,564,520				16,345.33		16,345.33
Clarendon	168,757,947				21,618.65		21,618.65
Gaines	131,698,355	263,396,710	23,512,186	8.93%	12,622.42	1,126.74	11,495.68
Kendall	168,121,320				12,608.05		12,608.05
Murray	193,362,761	386,725,522	56,026,173	14.49%	30,715.92	4,449.96	26,265.96
Ridgeway	238,413,333	476,826,666	96,915,428	20.33%	22,652.84	4,604.21	18,048.63
Shelby	198,151,652	396,303,304	75,749,129	19.11%	15,489.71	2,960.69	12,529.02
Yates	163,769,735	327,539,470	31,113,264	9.5%	15,700.59	1,491.41	14,209.18
					\$184,646.64	\$22,916.09	\$161,730.55

Moved, DeRoller; second, Allport.
 Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 449-1119

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF INSURANCE PLAN AND CAHILL TECH INC

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan, and

WHEREAS, the Orleans County Self Insurance Plan strives to find delivery systems of safety information that is relevant to the hazards our members are facing in a timely and effective manner, now be it

RESOLVED, that this Legislature authorizes an App Software License Agreement with CaHill TECH, Inc., P O Box 166, Akron, NY 14001 at a licensing rate not to exceed \$140 per user annual license with a total license cost of \$14,000 beginning December 2, 2019 through December 2, 2020 and be it

FURTHER RESOLVED, that this is a budgeted contractual expense for Orleans County Self Insurance Plan.

FURTHER RESOLVED, that any additional charges for devices, onboarding, materials or custom modules shall be at the expense of the individual members of the Orleans County Self Insurance Plan which will allow the members to customize the software for maximum by the local municipality.

Moved, DeRoller; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 450-1119

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 3-INTRO OF 2019 REGARDING SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM”; and

November 20,21, 2019
Resolution 438-483

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 18th day of December 2019 at 4:25 p.m. at the Orleans County Legislature, 14016 Route 31 West, Albion, New York.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 451-1119

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

WHEREAS, Resolution No. 332-718 approved the standard work day resolution for those officials who submitted record of activities and whose term began January 1, 2018; and

WHEREAS, a record of activities has been received from our 3rd Assistant Public Defender that needs to be addressed at this time; therefore be it

RESOLVED, that the County of Orleans/10034 does hereby establish the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their submitted record of activities as follows:

TITLE	NAME	STANDARD WORK DAY (Hrs/day)	Term	Days/month	Not Sub-mitted
APPOINTED OFFICIALS					
3 rd Asst Public Defender	Nathan Pace	6	1/1/2018-12/31/2019	17.39	

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

Legislator DeRoller withdrew Resolution No. 452-1119

RESOLUTION NO. 452-1119 - WITHDRAWN

AUTHORIZING ORLEANS COUNTY TO OPT OUT OF THE NEGOTIATION CLASS IN

RE NATIONAL PRESCRIPTION OPIATE LITIGATION

WHEREAS, Judge Polster of the United States District Court, Northern District of Ohio has preliminarily approved a request to certify a negotiating class setting forth the framework to assist the Court and the parties to achieve a national resolution of the opioid litigation; and

WHEREAS, it is advantageous to negotiate in a group and the New York cities and counties are currently coordinated in a state litigation in Suffolk County; and

WHEREAS, the coordinated litigation in Suffolk County will be the next county case be tried and Orleans County is already in a unique situation to negotiate as a group; and

WHEREAS, to opt out of the class, an Exclusion Request Form needs to be signed on behalf of Orleans County and submitted to counsel prior to November 22, 2019; and

NOW, THEREFORE, BE IT RESOLVED, that Chairman of the Legislature is authorized to execute an Exclusion Request Form to opt out of the Negotiation Class as is advised by our legal counsel in this matter.

Moved, DeRoller; second,

RESOLUTION NO. 453-1119

AUTHORIZING ORLEANS COUNTY TO JOIN OTHER COUNTIES OF NEW YORK IN CIVIL LITIGATION WITH PHARMACEUTICAL COMPANIES FOR PRICE FIXING, MARKET DIVISION AND OTHER ANTITRUST VIOLATIONS AND ANY OTHER RELATED CAUSES OF ACTION

WHEREAS, the Department of Justice has been investigating price fixing and market allocation agreements involving 16 companies and over 300 drugs, including numerous generic pharmaceutical products, including doxycycline, an antibiotic, and glyburide, a treatment for diabetes, and

WHEREAS, the states attorneys' general of 48 states brought a civil action alleging price fixing, market division, and other antitrust violations by 20 defendant pharmaceutical companies related to fifteen (15) generic prescription drugs, and

WHEREAS, many, if not the majority of Counties in New York like the County of Orleans "self insure," meaning that they themselves pay the costs of workers compensation, and pharmaceuticals for their employees, and

WHEREAS, because the County of Orleans directly purchases, indirectly reimburses for, or otherwise pays for the generic drugs at issue, the County of Orleans should join the legal action that the Counties are contemplating now, therefore be it

RESOLVED, that the County of Orleans be, and hereby is, authorized to join the other counties of New York in civil litigation alleging price fixing, market division, and other antitrust violations and any other related causes of action, and be it

FURTHER RESOLVED, that the County of Orleans accepts the proposed Special Counsel Agreement from the law firm of Napoli Shkolnik, PLLC, and the County of Orleans is authorized and empowered to execute and the Special Counsel Agreement on behalf of the County of Orleans.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 454 -1119

APPROVING RE-APPOINTMENT TO THE SOIL AND WATER DISTRICT BOARD

RESOLVED, that this Legislature approves the following re-appointment to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
John Kast	At Large Farmer	1/1/2020-12/31/2022

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 455-1119

AUTHORIZING AGREEMENT BETWEEN MENTAL HEALTH AND MVP HEALTH CARE TO ARRANGE FOR THE PROVISION OF MANAGED BEHAVIORAL HEALTH CARE TO COVERED INDIVIDUALS

WHEREAS, MVP Health Care now manages Medicaid Managed Care and Commercial health insurance business lines; and

WHEREAS, this Agreement is for the Orleans County Department of Mental Health be it

RESOLVED, that his Legislature authorizes the Orleans County Department of Mental Health to enable MVP Health Care to authorize to arrange for and pay for the provision of managed behavioral health care services to covered individuals.

Moved, Draper; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 456-1119

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS PROVIDERS

RESOLVED, that this Legislature approve the following Agreements for the Mental Health Department for the 2020 calendar year

Linda Kovac-Tantalo, 140 Bronze Leaf Trail, Rochester, NY 14612, providing services as Psychiatric Nurse Practitioner for up to 864 hours at an hourly rate of \$102.00. Contracted amount is not to exceed \$88,128. County cost is \$6,169.

Community Action of Orleans and Genesee, 411 East State Street, Albion, NY 14411, providing summertime services for youths referred or approved by the Department of Mental Health. Contracted amount is not to exceed \$5,000. County cost is 0.

EFPR Group LLP, 280 Kenneth Drive, Rochester, NY 14623. Providing 2019 Consolidated Fiscal Report compliance review/audit. Contracted amount is not to exceed \$6,000. County cost is \$420.

Mental Health Association of Genesee and Orleans Counties, 25 Liberty Street, Batavia, NY 14020. Providing Mental Health support services and Drop-In Center. Contracted amount is not to exceed \$83,393. County cost is 0.

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ARC of Genesee Orleans, 64 Walnut Street, Batavia, NY 14020. Providing comprehensive services to the Developmental Disabilities population of Orleans County. Contracted amount is not to exceed \$104,345. County cost is \$39,831.

Restoration Society, Inc. (ACE Employment Services), 65 Englewood Avenue, Buffalo, NY 14214. Providing supportive employment -- vocational assessment, job readiness, and job coaching services. Contracted amount is not to exceed \$54,413. County cost is 0.

Moved, Draper; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 457-1119

**AUTHORIZING TREASURER TO SET UP NEW MONEY AND
TRANSFER FUNDS IN THE MENTAL HEALTH BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health budget for the setup of revenue and expense for Finger Lakes Performing Provider System money received as follows:

Revenue:		
A4310.1625	Misc. Revenue	\$4,276.92
Appropriation:		
A4310.0210	Furniture	\$897.56
A4310.0418	Other Contractual	\$3,379.36

And be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds within the Mental Health Department budget to pay for 27 signature pads needed for new software program as follows:

From:		
A4310.0418	Other Contractual	\$3,645
To:		
A4310.0220	Office Equipment	\$3,645

Moved, Draper; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 458-1119

AUTHORIZING THE TREASURER TO DECREASE PETTY CASH ACCOUNT IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, the a Care Coordinator (Supportive Case Manager) position in the Mental Health Department has been eliminated; now be it

RESOLVED, that this Legislature authorizes the Treasurer to decrease the petty cash account held by the Mental Health Department by \$75, to a total of \$300.

Moved, Draper; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 459-1119

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Inter-Municipal Agreement between Monroe County (111 Westfall Road Rm. 956A, Rochester, NY 14620) and Orleans County Health Dept. (Lead Program) EPA Cerf. Lead Risk Assessors to provide comprehensive Elevated Lead inspection services. OCHD to pay Monroe County for services rendered during the term of the IA from August 1, 2019 through July 31, 2020, in an amount not to exceed \$8,000.00.

Paula Harper, 96 Woodlands way, Brockport, NY 14420 to provide related Services to Orleans County Children (ages 3-5) who are eligible for the Preschool Supportive Health Service Program. There is partial reimbursement from NYS Education Department and Medicaid. RS rates set by the county with a term of September 1, 2019 through June 30, 2022.

Genesee County Shared Administrative Staff agreement; 7 Main Street, Batavia, NY 14020 for purposes of this agreement, Genesee and Orleans intend to provide Public Health Services by means of sharing administrative staff from each County as is necessary to provide the services as required of each County. The following administrative positions shall be shared

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between Genesee and Orleans County: Director of Public Health, Director of Community Health Services, Director of Environmental Health, Emergency Preparedness Coordinator, Director of Children with Special Needs, and Deputy Public Health Director. Cost to county 50% from term January 1, 2020 through December 31, 2024.

Genesee County Shared Public Health Services agreement; 7 Main Street, Batavia, NY 14020. For purposes of this agreement, Genesee and Orleans intend to provide Public Health Services by means of sharing and / or utilizing Health Department employees and /or personnel from each County as is necessary to provide the services as required of each County. The Public Health Director shall be empowered and authorized to assign and/or direct personnel of either County to work in and/or perform duties on behalf of the other County when and where, in his discretion, such assignment is necessary, subject to the provisions of the civil service law where applicable effective January 1, 2020 through December 31, 2024.

Mary Cariola Children's Center, 1000 Elmwood Avenue, Rochester, NY 14620. Contract is 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. Term running July 1, 2019 through June 30, 2022.

Moved, Draper; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 460-1119

APPROVING APPOINTMENT TO GENESEE-ORLEANS COUNTY BOARD OF HEALTH

WHEREAS, a vacancy does exist on the Genesee-Orleans County Board of Health due to a resignation, and

WHEREAS, The Health Committee does hereby recommend an appointment be made at this time; now be it

RESOLVED, that the Orleans County Legislature does hereby appoint Dr. Thomas Madejski of 100 Ohio Street, Medina, NY 14411 to fill an unexpired term on the Genesee-Orleans County Board of Health effective immediately through December 31, 2020.

Moved, Draper; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

Legislator Allport moved a resolution to create a full-time Probation Officer in the Probation Department; second by Legislator Draper. This is to cover the new Raise the Age Legislation which grant money was provided to begin the program as of October 1, 2018 stated Probation Director Luci Welch. The following resolution was adopted:

RESOLUTION NO. 461-1119

**AUTHORIZING CREATING AND FILLING POSITION IN THE
PROBATION DEPARTMENT**

WHEREAS, Resolution 419-1019 approved the Orleans County Probation Director to accept aid in the amount of \$74,919 effective April 1, 2018 to March 31, 2020 to offset costs associated with the implementation of Raise the Age Legislation which went into effect on October 1, 2018; and be it

RESOLVED, as a result of this legislation, this Legislature authorizes the creation of one full time Probation Officer position 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 newly created vacant positions effective January 1, 2020.

Moved, Allport; second, Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 462-1119

**APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND
GENERAL PHYSICIANS SUB I, PLLC**

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and General Physicians Sub I, PLLC, 100 Ohio Street, Medina, NY 14103, for nursing services to be provided at the Orleans County Jail, effective for period January 1, 2019 through October 18, 2019 at a cost of \$8,727.61 per month.

Moved, Allport; second, Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 463-1119

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND HOSPICE OF ORLEANS, INC.

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and Hospice of Orleans, Inc., 14080 Route 31, Albion, NY, for Sheriff's Office to provide telephone coverage services to facilitate on-call assistance to Hospice of Orleans, with an initial term of one year and successive renewals of one year through November 19, 2024.

Moved, Allport; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 464-1119

AUTHORIZING ACCEPTANCE OF SCAAP FY18 FUNDING FOR SHERIFF'S OFFICE AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET AND TO APPROVE PURCHASE

WHEREAS, Resolution No. 420-1018 authorized the Jail Superintendent to apply for State Criminal Alien Assistance Program (SCAAP) FY2018 assistance funding; now be it

RESOLVED, that this Legislature approves the funding award, in the amount of \$5,176.00, for the FY2018 State Criminal Alien Assistance Program, reporting period July 1, 2016 through June 30, 2017, through the Office of Justice Programs, Bureau of Justice Assistance, 810 Seventh Street, Washington, DC; and

WHEREAS, Resolution #32-119, approved the acceptance of SCAAP FY2017 grant funding, in the amount of \$4,382, now be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Sheriff/Jail Budget, for State Criminal Alien Assistance Program (SCAAP) Funding, as follows:

Revenue:		
A3150.3351	SCAAP	\$9,558

Appropriation:

A3150.0250 Other Equipment \$9,558

AND BE IT FURTHER RESOLVED, that this Legislature authorizes the purchase of electronic time-keeping equipment and software from Convergint Technologies LLC, 14 Petra Lane, Albany, NY 12205 at a cost of \$13,229.10 to be paid from jail budget account 3150.0250 Other Equipment.

Moved, Allport; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 465-1119

SUPPORTING FEDERAL LEGISLATION THAT REQUIRES THE OFFICE OF MANAGEMENT AND BUDGET TO RECLASSIFY PUBLIC SAFETY TELECOMMUNICATORS AS A "PROTECTIVE SERVICE OCCUPATION"

WHEREAS, the Supporting Accurate Views of Emergency Services Act of 2019 (911 Saves Act) directs the U.S. Office of Management and Budget to reclassify public safety telecommunicators from "Office and Administrative Support Occupations" to the category of "Protective Service Occupations;" and

WHEREAS, the federal government's Standard Occupations Classification System (SOCS) sorts workers into occupational categories for statistical purposes, according to the nature of the work performed, and in some cases, on the skills, education or training needed to perform the work; and

WHEREAS, America's 9-1-1 telecommunicators are currently incorrectly categorized in the SOCS as an "Office and Administrative Support Occupation," a category which includes secretaries, office clerks, and taxicab dispatchers; and

WHEREAS, classifying 9-1-1 telecommunicators as an "Office and Administrative Support Occupation" fails to recognize their central role in public safety and homeland security; their specialized training and skills; and their uniquely stressful work environment; and

WHEREAS, classifying public safety telecommunicators as "Protective Service Occupations" alongside police, firefighters, security

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guards, lifeguards, and others whose job is to protect our communities would better reflect the work they perform, and along the SOCS with related classification systems.

NOW, THEREFORE, BE IT RESOLVED, that the Orleans County Legislature supports federal legislation H.R. 1629 that would reclassify 9-1-1 telecommunicators into the "Protective Service Occupations" SOCS category; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to the National Association of Counties, New York State Congressional Delegation, Governor Andrew M. Cuomo, and all others deemed necessary and proper.

Moved, Allport; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 466-1119

AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE DISTRICT ATTORNEY BUDGET

RESOLVED, that the County Treasurer is authorized to transfer funds within the District Attorney's budget as follows:

From:		
A1165.220	Office Equipment	\$1,800
A1165.411	Office Supplies	\$200
Appropriation:		
A1165.453	Special Prosecutor	\$2,000

Moved, Draper; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 467-1119

AWARDING BID AND AUTHORIZING AGREEMENT WITH ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS, UPSTATE

TOWER CONSTRUCTION CO., LLC AND EMERGENCY MANAGEMENT, AUTHORIZING EXPENDING GRANT FUNDS, AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No 85-219 approved the grant agreement between the Office of Emergency Management and New York State Division of Homeland Security and Emergency Services; and

WHEREAS, Resolution No 349-819 authorized Radio Technologies to issue Request for Proposals for construction site work and electrical work at the four new tower sires in the Radio Project; now be it

RESOLVED, that this Legislature does hereby award bid 4B to Orleans County Highway Department, 225 West Academy St., Albion, NY 14411 in the amount of \$99,050 as the lowest bidder for construction services for site development and preparation; and be it

FURTHER RESOLVED, that this Legislature hereby award bid 4A in the amount of \$557,707 to Upstate Tower Construction Co., LLC, 4915 Auburn Ave., Ste 208, Bethesda, MD 20814 for construction services for four (4) communication site compounds and tower erection the project, and be it

FURTHER RESOLVED, that the Chairman is authorized to execute both agreements pending the review and approval of the Chief Administrative Officer and County Attorney; and be it

FURTHER RESOLVED, that this Legislature hereby authorize expending grant Funds in the amount of \$656,757 and authorizing Treasurer to set up NYS DHSES Statewide Interoperable FY18 “Targeted” Grant Funds as follows:

Revenue:		
A4309.0748	Statewide Interoperable Communications ST 18 “Targeted” Grant	\$656,757

Appropriation:		
A3640.0486.0748	Special Grants – ST 18 – “Targeted”	\$656,757

Moved, Allport; second, Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 468-1119

ADOPTING LOCAL LAW NO 2 OF 2019 CREATING DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITION OF COMMISSIONER/DEPUTY COMMISSIONER OF PUBLIC WORKS, AND DISSOLVING THE ORLEANS COUNTY HIGHWAY AND BUILDINGS & GROUNDS DEPARTMENTS

WHEREAS, a proposed local law creating a Department of Public Works and creating the positions of Commissioner/Deputy Commissioner of Public Works and dissolving the Orleans County Highway and Buildings & Grounds Departments was presented to the Orleans County Legislature on September 25, 2019; and

WHEREAS, a public hearing on the proposed local law was held on November 20, 2019 at 4:20 p.m. in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

**ORLEANS COUNTY - STATE OF NEW YORK
LOCAL LAW NO. 2 FOR THE YEAR 2019**

A local law establishing a County Department of Public Works, pursuant to Section 10 (1)(ii)(a)(1) of the Municipal Home Rule Law of the State of New York.

BE IT ENACTED BY THE ORLEANS COUNTY LEGISLATURE, AS FOLLOWS:

SECTION 1: LEGISLATIVE INTENT.

The County of Orleans owns and maintains approximately 200 miles of County owned public roadways and thoroughfares for the benefit of its residents and others traveling through the County. Additionally, the County owns numerous buildings and other public grounds used for the conduct of County business and for the benefit of County residents. Orleans County additionally owns and maintains certain lands dedicated for public use and enjoyment as parklands. Ongoing maintenance, development and improvement of these various structures, lands and improvements have

heretofore been delegated and assigned to the Orleans County Highway and Buildings & Grounds Departments, which has also assumed responsibility for maintenance of County parklands. It is the intent of the County of Orleans to consolidate the various Public Works functions and duties of the County of Orleans heretofore performed by the Highway and Buildings & Grounds Departments under a single County Department and administration to more efficiently and economically serve the needs of the residents of Orleans County. For this reason, a Department of Public Works is necessary to coordinate and consolidate the functions previously performed by the Orleans County Highway and Buildings & Grounds Departments.

SECTION 2: CREATION OF DEPARTMENT OF PUBLIC WORKS AND DISSOLUTION OF COUNTY HIGHWAY AND BUILDINGS & GROUNDS DEPARTMENTS.

- A. Pursuant to the provisions of Section 10 of the Municipal Home Rule Law, the Orleans County Department of Public Works is hereby created. This Department shall be under the supervision and direction of a Commissioner of Public Works, who shall be appointed by the Orleans County Legislature. The Commissioner of Public Works shall appoint a Deputy Commissioner of Public Works. The Commissioner of Public Works shall report to the Orleans County Chief Administrative Officer, and shall serve at the pleasure of the Orleans County Legislature. The Commissioner of Public Works shall be responsible for the coordination and performance of all duties heretofore assigned to and performed by the Orleans County Highway and Buildings and Grounds Departments, which departments are hereby dissolved and the functions of which are hereby transferred to and consolidated into the Department of Public Works.
- B. The salary of the Commissioner of Public Works shall be fixed by the Legislature, payable by the Orleans County Treasurer in bi-weekly installments. In addition thereto the Commissioner of Public Works shall be paid the actual and necessary expenses incurred in the performance of his/her official duties, upon the audit of claims therefore by the Legislature in the manner provided by law.
- C. The Legislature may remove the Commissioner of Public Works for malfeasance or misfeasance in office upon written charges, after an opportunity to be heard not less than five (5) days after the service upon the Legislature of a copy of such charges.
- D. The Commissioner of Public Works shall function as the Highway Superintendent for the County of Orleans. The Deputy Commissioner of Public Works shall function as the Deputy Highway Superintendent. The term of office of the Commissioner of Public

Works shall be four (4) years, unless sooner removed by the Orleans County Legislature as provided herein. (See, Highway Law §100). A vacancy in the office of Commissioner of Public Works shall be filled by the Legislature for the unexpired term as prescribed by law. The position of Commissioner of Public Works shall be an unclassified position, as defined by the Civil Service Law of the State of New York.

SECTION 3: POWERS AND DUTIES.

The Commissioner of Public Works shall have all of the powers and duties specifically referred to in the New York State Highway Law, §102, and shall further have the power and authority to coordinate all duties and functions of the County relating to roads and highways, buildings and grounds, and parks. The Commissioner of Public Works shall have the following specific powers and duties, in addition to those powers and that authority specifically referred to in the New York State Highway Law, §102, and such other powers or duties as are necessarily implied within the grant of authority herein:

- A. To plan and supervise the maintenance and repair of the existing County highway system and the design and construction of new roads and bridges.
- B. To review engineering designs and the progress of current design projects.
- C. To study the need for improvement of the County Highway system and advances in methods, techniques and equipment in the civil engineering field.
- D. To direct equipment maintenance and repair programs for the Department.
- E. To direct the drawing of detailed engineering plans and to make recommendations relative to contracting with private firms as necessary.
- F. To confer with State and local officials on highway problems within the county.
- G. To ensure compliance with policy as established by the Legislature and New York State regulations.
- H. To develop, delegate and approve the preparation of specifications for and the purchase of equipment and materials.
- I. To oversee the preparation of the Department budget and to determine that necessary budget controls are maintained.
- J. To direct the preparation of Department activity records and reports.
- K. To negotiate the purchase of property for County rights of way.

- L. To approve and bear responsibility for plans for snow removal and ice control programs.
- M. To plan and supervise carpentry, plumbing, heating, electrical and mechanical repairs to buildings and equipment, whether by employees or by contractors.
- N. To assist in the technical supervision of all custodial work performed at County owned or leased facilities.
- O. To plan and prepare specifications for major alterations and repairs to buildings and equipment including electrical, plumbing and heating systems, development of grounds, and interior decoration.
- P. To act as purchasing agent for all custodial and maintenance supplies and equipment.
- Q. To inspect and otherwise exercise control over repair and alteration work performed by outside contractors.
- R. To act as technical advisor in the hiring of consultants, technicians and contractors.
- S. To make regular inspections of buildings to maintain proper cleaning and maintenance procedures and to make recommendations for improvements or new equipment.
- T. To maintain records and accounts pertaining to equipment, operation, purchase of supplies and equipment, and payments to suppliers.
- U. To prepare tentative budget estimates covering all custodial, maintenance and repair activities.
- V. To assist in hiring, training and scheduling custodial and maintenance personnel.
- W. To make a variety of oral and written reports of activities conducted by the Department.
- X. To appoint persons to the positions of employment established from time to time by the County Legislature for the Department.
- Y. To remove Departmental employees in the manner provided by law.
- Z. To adopt rules and regulations, not inconsistent with law, for the conduct of the affairs and business of the Department of Public Works.

SECTION 4: LIMITATION OF POWERS.

Nothing contained herein shall be construed to give to the Department of Public Works authority over the operation of any existing departments, officers or functions of the County, other than those Offices, Officers and functions specifically enumerated herein. Nor shall the Department of

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Public Works have any authority over programs maintained by public or private agencies not under the jurisdiction of the County of Orleans. The final determination as to the establishment or manner of operation of any Public Works program, the funding thereof, and the extent of County participation in such shall be made by the Orleans County Legislature, with the advice of the County Chief Administrative Officer. The Commissioner of Public Works shall report to the Orleans County Legislature and to the Orleans County Chief Administrative Officer.

SECTION 5: EFFECTIVE DATE.

This local law shall take effect when filed in the Office of the Secretary of State.

Moved, Eick; second, Draper.

Roll Call: 5 ayes: Allport, DeRoller, Draper, Eick, Johnson; 0 nays; 2 absent, DeFilipps and Miller.

Adopted

RESOLUTION NO. 469-1119

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve a Supplemental #1 agreement with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform construction support and construction inspection and estimating and technical assumptions for the Orleans County Preventative Maintenance Lakeside Bridge TIP project. The project location is in the Town of Carlton, BIN: 3318990; and be it

FURTHER RESOLVED, this agreement is effective through December 31, 2020, NYS Contract #D035981, at a cost not to exceed \$84,000.00 with an 80% reimbursement through federal funds of \$67,200, County cost of \$16,800.00; to be paid from Road Fund - Bridges Account D5120.470.2280 Capital Plan TIP Bridge account; and be it

FURTHER RESOLVED, Subject to the review of the Chief Administrative Officer and County Attorney.

Moved, Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 470-1119

AUTHORIZING REPAIR SERVICE FROM THE HIGHWAY BUDGET

RESOLVED, that this Legislature approves a service repair bill from George and Swede, 7155 Big Tree Road, Pavilion, NY 14525 for the repair of the 2007 Link-Belt Excavator at a total cost of \$5,874.01 to be paid from the Highway Budget account #DM5130.444.

Moved, Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 471-1119

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND CP WARD INC

WHEREAS, the Orleans County Highway Department sought bids for the Construction of Lakeside Bridge TIP Project, NYS DOT Contract #D035981 in the Town of Carlton; and

WHEREAS, such bids have been publicly received, opened and reviewed on November 12, 2019 at 1:30 p.m. to determine the lowest responsible bidder; and be it

RESOLVED, this Legislature awards and accepts the low bid submitted by C P. Ward Inc., 100 West River Road, PO Box 900, Scottsville, NY 14546 and authorizes the Chairman to execute an agreement with CP Ward Inc for the Lakeside Bridge Preventative Maintenance Project in Orleans County at a bid cost of \$308,126; agreement effective as soon as County gives notice to proceed;

FURTHER RESOLVED, that the Chairman is authorized to execute this agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 472-1119

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APPROVING PURCHASE AND AUTHORIZING TRANSFER OF FUNDS WITHIN THE HIGHWAY BUDGET

RESOLVED, that the Treasurer is authorized to transfer monies within the Highway Budget to cover the cost of (4) Tablets for Skilled Workforce Development and Public Employee Safety and Health OSHA Compliance training through CaHill TECH, 12391 Rapids Road, Akron, NY 14001:

From:		
03.5120.0418	Other Contractual (Bridge)	\$2,900.00
To:		
03.5010.0220	Office Equipment	\$2,900.00

Moved, Eick; second, Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 473-1119

AUTHORIZING A NO PUBLIC ACCESS ZONE AND NO PARKING ZONE ALONG THE NORTHERN END OF ROUTE 237 IN THE TOWN OF KENDALL

RESOLVED, that this Legislature does hereby authorize a no public access zone and no parking zone along the northern end of Route 237 in the Town of Kendall on Orleans County owned property from the intersection of Banner Beach Road and Route 237, approximately 200 feet from the shores of Lake Ontario along Route 237 for the purposes of road maintenance and lake shore maintenance; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the Highway Department to post said area with signs stating no public access and no parking with vehicles to be towed at owner's expense.

Moved, Eick; second, Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 474-1119

APPROVING AN AGREEMENT WITH THE HIGHWAY AND BUILDINGS AND GROUNDS DEPARTMENT AND AUCTIONS INTERNATIONAL

RESOLVED, that this Legislature approves an agreement between the Highway/Buildings and Grounds Department and Auctions International, 11167 Big Tree Road, East Aurora, NY 14052 to provide on line auction resource to liquidate Orleans County vehicles that no longer can be used by the county effective January 1, 2020 through December 31, 2022.

Moved, Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 475-1119

APPROVING RENEWAL AGREEMENT BETWEEN BUILDINGS & GROUNDS AND NYS UNIFIED COURT SYSTEM

RESOLVED, that this Legislature approves a one (1) year renewal agreement between Buildings & Grounds and the NYS Unified Court System for Court Cleaning and Minor Repairs (Contract No. C300472) for SFY 2019-2020 in the amount of \$244,125 of which is 100% reimbursable to the County by the State. The agreement shall commence on April 1, 2019 and shall terminate on March 31, 2020.

Moved, Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 476-1119

AUTHORIZING THE PUBLIC DEFENDER'S OFFICE TO RELOCATE TO THE OLD LEGISLATIVE OFFICE AND COMPLETE RENOVATIONS TO ACCOMMODATE THE REQUIREMENTS SET FORTH BY THE 2019 BAIL REFORM LAW

WHERE AS, the Public Defender's Office needs additional office space to accommodate the staffing requirements of the 2019 Bail Reform Law; and be it

RESOLVED, that this Legislature does hereby authorize the relocation of the Public Defender's Office to the old Legislative Office and

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complete all necessary renovations to accommodate the requirements set forth by the 2019 Bail Reform Law; and be it

FURTHER RESOLVED, that this Legislature authorizes the Buildings and Grounds Department to procure, in accordance with the County's Procurement Policy, the materials to complete renovations to the old Legislative Office; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute all necessary agreements and purchases, in accordance with the County's Procurement Policy, associated with the renovations to the old Legislative Office upon review and approval by the Chief Administrative Officer and the County Attorney.

Moved, Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 477-1119

**APPROVING ORLEANS COUNTY JOB DEVELOPMENT AGENCY
WORK SITES AGREEMENT FOR 2020-2021**

RESOLVED, that this Legislature approves the 2020-2021 Work Sites agreement utilized by the Orleans County Job Development Agency (OCJDA) to engage work sites throughout the County for the Orleans County Work Experience Program as related to the OCJDA Youth Employment Program and/or Work Experience opportunities for adults and dislocated workers in accordance with program policies and guidelines with no exchange of funds and no associated budget impacts. Effective January 1, 2020 through December 31, 2021. Subject to County Attorney approval.

Moved, Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 478-1119

**AUTHORIZING SETTING UP NEW MONEY IN THE JOB
DEVELOPMENT BUDGET**

RESOLVED, that the Treasurer is authorized to set up new money in the Job Development Budget for a donation from the Genesee County Agricultural Society to support 2019 GLOW with Your Hands as follows:

Revenue:		
014.0014.2705	Gifts and donations	\$801.24
Appropriation:		
014.6293.0418	Other Contractual: Supportive Services	\$801.24

Moved, Eick; second, Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 479-1119

**AUTHORIZING OFFICE FOR THE AGING TO REAPPLY FOR THE
MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS
ACT (MIPPA) FUNDING**

RESOLVED, that this Legislature authorizes Office for the Aging to apply for the MIPPA grant in the amount of \$13,491 to educate and assist Medicare beneficiaries with limited incomes, outreach and assistance with Medicare Part D for beneficiaries in rural areas, and assist with Low Income Subsidy and Medicare Savings Applications effective September 30, 2019 through September 29, 2020; No County Cost.

Moved, Eick; second, Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 480-1119

**APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL
SERVICES AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agencies:

Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2020 through December 31, 2020 at per diem rates 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.

Hillside Children's Center, Rochester, NY for the provision of residential foster care services; to be effective July 1, 2019 through June 30, 2020 at

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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.

GCASA, Batavia, NY for the provision of alcohol assessments for Public Assistance clients; to be effective January 1, 2020 through December 31, 2020 at a cost of \$169/client. Reimbursement/County cost is dependent upon case type (TANF – 0% local cost, Safety Net – 100% local cost).

Albion Central School, Albion, NY for the provision of preventive services to children and families through the assignment of two(2) Social Services Caseworkers to the School District; to be effective August 30, 2019 through August 29, 2020. Said services are to be funded 50% Federal, 31% State, and 19% School.

G4S Secure Solutions f/k/a The Wackenhut Corporation, Buffalo, NY for the provision of armed security services for the County Office Building; to be effective January 1, 2020 through December 31, 2020 at a cost of \$28.93 per hour. County cost is \$10.13 per hour.

Willcare, Inc. to provide personal care aide services to Medicaid clients at rates to be set by the NYS Department of Health for the period the period January 1, 2020 – December 31, 2020.

Ontario County Department of Social Services, Canandaigua, NY for the provision of Youth Care Facility for detention of PINS and JD youth; to be effective January 1, 2020 through December 31, 2020. County Cost 51%

Center for Disability Rights, Rochester, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2020 through December 31, 2020 at rates set by NYS Department of Health. County cost is \$0.

Moved, Eick; second Draper.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 481-1119

**APPROVING INTERMUNICIPAL AGREEMENTS BETWEEN
GENESEE COUNTY AND ORLEANS COUNTY**

WHEREAS, The Youth Bureau Director presented an agreement with Genesee County to the Economic Assistance and Opportunity Committee for the operation of the Youth Bureau and for the operation of the STOP-DWI Public Information and Education Component for 2020; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$7,369.50 per quarter from January 1, 2020 through December 31, 2020 for a total of \$29,478; and be it

FURTHER RESOLVED, that the Chair of the Orleans County Legislature is hereby authorized and directed to execute and agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the STOP-DWI Public Info and Education Program by Genesee County at a cost not to exceed \$10,375 to the Orleans County STOP-DWI Program for January 1, 2020 through December 31, 2020.

Moved Eick; second, Draper.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 482-1119

REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATION USE TAX

WHEREAS, the enactment of a special law amending the tax law in relation to extending the expiration of the authorization to the County of Orleans to impose an additional 1% sales and compensating use tax is in the best interests of the County of Orleans; be it

RESOLVED, that pursuant to Article IX of the Constitution, the County of Orleans requests the enactment of a senate bill and an assembly bill, entitled “An Act to amend the tax law in relation to extending the expiration of the authorization to the County of Orleans to impose an additional 1% sales and compensating use tax”; said bills to extend the sales tax increase through November 30, 2023.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

RESOLUTION NO. 483-1119

**AUTHORIZING PAYMENT OF CLAIMS FOR DECEMBER AGAINST
THE COUNTY**

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 December 11, 2019:

Fund/Department	Check Number (s):	Amount:
General	3913-4086	\$786,656.29
Highway	1589-1595; 3490-3522	\$552,460.22
Job Development	3245-3249; 3252	\$892.61
Self Insurance	62615, 62669, 1260	\$18,280.98

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 Superintendent of Highways, 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 December 24, 2019:

Fund/Department	Check Number (s):	Amount:
General	4087-4225	\$557,321.75
Highway	1596-1601-3523-3544	\$271,006.35
Job Development	3254-3265	\$47,681.05
Self Insurance	62659; 12654; 1261	\$13,118.02

Moved, Draper; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent, DeFilipps and Miller.

Chairman called for any unfinished business from the Legislators, which they offered none.

During Open Discussion, Chairman Johnson asked the public for any comment. John Metzler, Barre, indicated that he has attended Town of Barre Town Board minutes and have not been allowed to speak. He continued to explain the issues he has faced when trying to present at Barre Board Meetings. Chairman Johnson advised Mr. Metzler that the Orleans County Legislature is not in the position to tell our towns what to do. She inquired if the Town had an attorney and that might be the best way to communicate his concerns.

Legislator Draper moved to adjourn; second by Legislator DeRoller. Meeting adjourned at 5:09 p.m.

SPECIAL LEGISLATURE MEETING

December 4, 2019

Chairman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran and Ronald Ayrhault, the Clerk called the roll. All Legislators were present.

Chairman Johnson asked for any open comment from our Legislators. With hearing none, the following resolutions were presented for adoption.

RESOLUTION NO. 484-1219

ADOPTING THE 2020 ORLEANS COUNTY BUDGET

WHEREAS, the 2020 tentative budget for Orleans County was presented to the general public at a public hearing held at 6:30 p.m. on December 2, 2019; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now, be it

RESOLVED, that this Legislature does hereby adopt the 2020 tentative budget, as the Orleans County budget for 2020, with a tax levy of \$18,009,699.

Moved, DeFilipps, second, DeRoller.

Roll Call: 7 ayes: Allport, DeFilipps, DeRoller, Draper, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 485-1219

APPROVING APPORTIONMENT OF THE 2020 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2020, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature as provided below:

Town	Adjusted Taxable Value	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	Omitted Tax	2020 Total Levy	2020 Tax Levy
Albion	237,736,825	234,563,520	98%	242,588,597	12.84%	52,555.44	2,303,201.7097	2,303,201.71
Barre	108,162,945	106,431,395	100%	108,162,945	5.72%		1,026,928.2357	1,026,928.24
Carlton	228,518,560	224,490,030	98%	233,182,204	12.34%		2,213,894.8734	2,213,894.87

Clarendon	172,549,823	167,711,347	100%	172,549,823	9.13%	427.00	1,638,234.6588	1,638,234.66
Gaines	133,483,262	131,062,590	98%	136,207,410	7.21%		1,293,189.9686	1,293,189.97
Kendall	170,305,622	167,971,870	98%	173,781,247	9.20%		1,649,926.1305	1,649,926.13
Murray	197,688,411	193,296,309	98%	201,722,868	10.67%		1,915,211.4268	1,915,211.43
Ridgeway	243,234,035	238,118,673	100%	243,234,035	12.87%		2,309,329.6631	2,309,329.66
Shelby	201,466,619	198,068,252	100%	201,466,619	10.66%	13,103.91	1,912,778.5361	1,912,778.54
Yates	166,422,730	163,799,895	94%	177,045,457	9.37%		1,680,917.4274	1,680,917.43
Omitted Total								66,086.35
Totals	1,859,568,832	1,825,513,881		1,889,941,205	100%	66,086.35	17,943,612.6500	18,009,699.00

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 486-1219

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2019 Unpaid Solid Waste/Recycling Fees to the 2020 tax rolls of the several towns in Orleans County:

TOWN		AMOUNT
Albion	Inside	16,741.48
	Outside	4,731.30
Barre		7,764.16
Carlton		14,315.21
Clarendon		7,036.27
Gaines	Inside	970.52
	Outside	6,551.01
Kendall		7,764.16
Murray	Inside	6,308.39
	Outside	6,065.75
Ridgeway	Inside	12,859.39
	Outside	13,829.93
Shelby	Inside	11,160.98
	Outside	9,705.21
Yates	Inside	2,183.67
	Outside	8,006.82
Total		135,994.25

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 487-1219

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2020 tax rolls of the respective towns as of November 1, 2019:

TOWN		AMOUNT
Albion	Inside	\$139,453.41
	Outside	84,281.12
Barre		79,542.22
Carlton		244,099.94
Clarendon		180,231.08
Gaines	Inside	10,427.31
	Outside	73,444.57
Kendall		129,147.44
Murray	Inside	91,441.83
	Outside	194,629.12
Ridgeway	Inside	139,214.48
	Outside	165,858.14
Shelby	Inside	89,226.53
	Outside	126,180.44
Yates	Inside	34,305.64
	Outside	124,266.73
Total		\$1,905,750.00

Moved, DeFillips; second, DeRoller.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 488-1219

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2020 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWNS:	AMOUNT
Village of Albion	Town of Albion	\$174,958.00

	Town of Gaines	20,089.21
Village of Holley		56,578.42
Village of Lyndonville		20,428.24
Village of Medina	Town of Ridgeway	122,611.35
	Town of Shelby	79,438.40
TOTAL		\$474,103.62

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 489-1219

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2020; be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWNS	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion		272,379.00	
Barre		654,944.00	
Carlton		652,006.00	
Clarendon		421,961.00	
Gaines	42,500.00	167,100.00	16,000.00
Kendall		474,878.00	
Murray	194,413.00	202,509.00	40,840.00
Ridgeway	197,667.00	251,391.00	52,642.00
Shelby	303,873.00	180,845.00	45,417.00
Yates	218,356.00	26,663.00	10,024.00

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with

the respective Fire Protection and Improvement Districts in the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
Albion	Fire Protection	\$100,000.00
	Water District 1	17,742.00
	Water District 3	70,000.00
	Water District 4	28,569.00
	Water District 5	60,386.00
	Water District 6	22,800.00
	Water District 7	9,360.00
	Water District 8	15,221.00
	Water District 9	10,663.00
	Sewer District 1	50,765.00
Barre	Fire District	225,000.00
	Water District 2	11,375.00
	Water District 3	9,703.00
	Water District 4	13,825.00
	Water District 5	35,595.00
	Water District 6	46,660.00
	Water District 7	14,931.00
	Water District 8	29,152.00
Carlton	Fire Protection	174,840.00
	Light District I	5,800.00
	Light District II	8,200.00
	Water	368,035.00
Clarendon	Fire Protection	194,915.92
	Water District 2	28,902.00
	Water District 3	51,982.00
	Water District 4	44,949.00
	Water District 5	13,515.00
	Water District 6	29,031.00
	Water District 7	42,297.96
	Water District 8	8,899.00
	Water District 9	7,373.00
	Water District #9 Ext	4,254.00
	Water District 10	60,679.64
	Water District 11	54,053.44
	Water District 12	9,103.00
Water District 13	3,410.00	

Gaines	Fire Protection	105,000.00
	Water District 2	7,688.00
	Water District 3	6,402.00
	Water District 6	7,214.00
	Water District 7	5,827.00
	Water District 8	8,500.00
	Water District 9	8,818.00
	Water District 10	9,375.00
Kendall	Fire District 1 (Kendall)	163,900.00
	Fire District 2 (Morton)	79,435.74
	Light District 1	5,800.00
	Light District 2	3,485.00
	Light District 3	2,075.00
	Water District 1	4,503.00
	Water District 2	13,321.00
	Water District 3	20,263.45
	Water District 4	64,392.45
	Water District 5	13,596.72
	Water District 6	10,306.00
	Water District 7	12,896.26
	Water District 9	3,157.35
Murray	Fire Protection District 1	244,165.00
	Fire District 2 (FHM)	112,850.00
	Light District 1 (Fancher)	2,400.00
	Light District 2 (Hulberton)	3,700.00
	Light District 3 (Brockville)	1,250.00
	Water District 1	949.00
	Water District 2	31,000.00
	Water District 3	22,582.00
	Water District 4	6,000.00
	Water District 5	4,300.00
	Water District 6	12,000.00
	Water District 7	19,500.00
	Water District 8	16,260.00
	Water District 9	6,500.00
	Water District 10	7,000.00
Water District 11	104,000.00	
Water District 12	12,000.00	
Water District 13	18,916.00	
Water District 14 (Gaines)	3,467.00	

	Water District 15	56,106.00
	Water District 16	19,337.00
Ridgeway	Fire Protection	191,945.00
	Light	3,000.00
	Water Improvement 31-E	0.00
	Water improvement 269	7,105.00
	Water District 2	17,875.00
	Water District 3	32,291.00
	Water District 4	68,681.25
	Water District 5	26,588.63
	Water District 6	14,023.63
	Water District 7	7,405.88
	Water District 8	10,523.75
	Water District 9	5,048.14
	Water District 10	12,460.63
	Water District 11	1,956.25
	Water District 12	14,614.81
	Water District 13	11,393.13
	Knowlesville Sewer District	15,965.00
Shelby	Fire Protection District (Shelby & East Shelby)	263,798.00
	Light District 1 (Shelby)	3,000.00
	Light District 2 (Millville)	2,000.00
Yates	Fire Protection	107,600.00
	Water District 4	185,966.60

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	734.80			377,350.00
Barre				292,381.00
Carlton	6,090.16			353,044.00

Clarendon	17,482.01	542.50	399,238.87
Gaines	690.23		240,385.76
Kendall			264,325.77
Murray	2,725.19		390,111.00
Ridgeway	5,872.58		530,576.00
Shelby	35,512.96		555,782.00
Yates	2,001.09		398,399.00

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 490-1219

AUTHORIZING COUNTY TREASURER TO CHARGE BACK ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND SCHOOL DISTRICTS

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 20, 2019, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	SOLID WASTE	TO VILLAGE	Court Order Total	TOTAL
ALBION									
James & Cheryl McCarthy	73.6-7-13	Mowing					1,667.50		1,667.50
Scott Neri	71.-1-52.1	2019	117.61		1680.17				1,797.78
CARLTON									
Suchecki, Leon	5.51-1-65	1999-2018	160.41	102.60	45.12				308.13
GAINES									
O'Dell, Edward	62.18-1-4	Mowing					1,842.50		1,842.50
KENDALL									
Englebert, Andrew & Elizabeth	11.13-1-6	2019		77.42					77.42
Corcoran, Craig & Patricia	33.-1-59	2019		579.86					579.86
Behnke, William & Jeanette	37.2-17.12	2019	1,639.52	1,133.04					2,772.56

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MURRAY									
Niagara Mohawk Power Corp	500.-7-1./KEND	2019	163.07	101.35					264.42
RIDGEWAY									
CCEO LLC	68.20-1-71	Mowing					1,390.00		1,390.00
Mucha, Linda	79.8-1-41	2017,2018					419.00		419.00
Shaw, Jack	79.36-1-67	Mowing					1,503.75		1,503.75
Kropf, Michael & Reale, Rebecca	69.-1-2	2019	136.57		1,951.26				2,087.85
SHELBY									
Johnson, Angela	80.45-3-38	1987,88,89	675.31	160.66	962.02				1,797.99
Unknown	125.-1-6.2	2019	14.47						14.47
TOTALS			\$2,906.98	\$2,154.93	\$4,638.57	\$419.00	\$6,403.75		\$16,523.23

Grand Total = \$16,523.23
 Moved, DeFilipps; second,

RESOLUTION NO. 491 -1219

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion		
Barre		
Carlton	102.60	
Clarendon		
Gaines		
Kendall	1,790.32	
Murray	101.35	
Ridgeway		
Shelby	160.66	
Yates		

Total amount charged to Towns: \$ 2,154.93

Moved, DeFilipps; second, DeRoller.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 492-1219

APPROVING CHARGE BACKS TO TOWNS FOR DATA MANAGEMENT SERVICES, USER FEES, TAX BILLS, AND RATE AND MAP FILES

RESOLVED, that this Legislature authorizes charge backs for Data Management Services, user fees, tax bills, and rate and map files to be levied on to the 2020 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2019

TOWN		NO. OF PARCELS	Real Property	Tax Collector User Fees	RATE & MAP Files	RPS User Fees	Total	Total Town
Albion	Inside	1589	\$ 1,986.25		\$ 150.00	\$ 1,276.00	\$ 1,986.25	\$ 4,608.50
	Outside	957	1,196.25				2,622.25	
Barre		1430	1,787.50		150.00	1,230.00	3,167.50	3,167.50
Carlton		2452	3,065.00		150.00	1,594.00	4,809.00	4,809.00
Clarendon		1801	2,251.25	216.12	150.00	1,290.00	3,907.37	3,907.37
Gaines	Inside	235	293.75		150.00	640.00	293.75	2,392.50
	Outside	1047	1,308.75				2,098.75	
Kendall		1661	2,076.25		150.00	1,267.00	3,493.25	3,493.25
Murray	Inside	682	852.50		150.00	1,539.00	852.50	4,321.50
	Outside	1424	1,780.00				3,469.00	
Ridgeway	Inside	1392	1,740.00		150.00	1,808.00	1,740.00	5,908.00
	Outside	1768	2,210.00				4,168.00	
Shelby	Inside	953	1,191.25		150.00	1,573.00	1,191.25	4,618.00
	Outside	1363	1,703.75				3,426.75	
Yates	Inside	389	486.25		150.00	1,283.00	486.25	3,633.00
	Outside	1371	1,713.75				3,146.75	
Totals		20514	\$25,642.50	\$216.12	1,500.00	13,500.00	\$40,858.62	\$40,858.62

Moved, DeFilippis; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 493-1219

SETTING UNIT CHARGE FOR 2020 COUNTY SOLID WASTE/RECYCLING PROGRAM

RESOLVED, that this Legislature sets the unit charge for the 2020 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 210.00
One-half unit of Service	\$ 105.00

and, be it

FURTHER RESOLVED, that an Administrative Fee of \$2.00 shall be added to each unit of service, and a \$1.00 fee to each half unit of service.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 494-1219

APPROVING ABSTRACT OF 2020 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2020 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

Town	No. of Units	*Cost per Unit	Total to be Collected
Albion	2,097.00	212.00	\$ 444,564.00
Barre	775.00	212.00	164,300.00
Carlton	1,571.00	212.00	333,052.00
Clarendon	1,089.50	212.00	230,974.00
Gaines	1,061.50	212.00	225,038.00
Kendall	1,116.00	212.00	236,592.00
Murray	1,594.00	212.00	337,928.00
Ridgeway	2,491.00	212.00	528,092.00
Shelby	1,714.50	212.00	363,474.00
Yates	1,169.50	212.00	247,934.00
Totals	14,678.00		\$3,111,948.00

*Includes \$2.00 Administrative charge per unit.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 495-1219

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein

contained, be and hereby are, adopted by this Legislature and that the several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 496-1219

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 497-1219

AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ORDER AND PURCHASE A NEW VEHICLE

RESOLVED, that this Legislature authorizes ordering a 2020 Chevrolet Silverado 3500 HD 4WD Crew Cab from Joe Basil Chevrolet, Inc., 5111 Transit Rd., Depew, NY 14043, per DCMO BOCES Cooperative Purchasing Member #2019-121 and NYS GML 100-104, with a delivery date of April 1, 2020 at a cost of \$52,044.50; said purchase to be made with

December 4, 2019
Resolution 484-498

FY19 Emergency Management Planning Grant (EMPG) Funds of \$20,695 and Matching County funds of \$20,695 from Emergency Management 2020 Budget line A3640.0250; remaining balance of \$10,654.50 to be paid from FY18 State Homeland Security Program (SHSP) Grant funds.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller moved a resolution to support New York State's expanded actions against the IJC on substantial lake shore flooding damages; seconded by Legislator DeFilipps. Legislator DeRoller reported that the lake level is currently at 246.02 inches which is fifteen inches higher than what it was at this time last year. Legislator Allport explained why he opposed this resolution. He said that this is a State organization going after a Federal organization which it all comes down to the same tax payer's money and it does not address the issue. Legislator Allport stated that sixteen years ago he attended meetings at the lakefront regarding flooding with Legislator Rush. He said at that time people were objecting that the permit process was so convoluted, and water was overflowing their break walls and couldn't get them repaired timely which was under the "58 Plan". During this plan back in the 1970's, people lost 20 to 30 feet of their frontal property due to flooding. It is even worse with the 2014 Plan. During these meetings with State and Federal Officials, it came up that the bottom line is that Montreal will not be allowed to flood. Legislator Allport stated the new player in the game is the shipping industry. He said the IJC is controlled in Canada by the shipping industry and Montreal where the Ottawa River and the St. Lawrence meet. The great lakes basin has only one outlet which is through the St. Lawrence River he explained. He questioned Jane Corwin, when they met with her recently, asking if an engineering solution is being considered to take the waters out of the Great Lakes Basin other than through this one outlet. He believes using the Missouri, Mississippi or Allegany water sheds are other options to control the water, or move water to Las Vegas to keep that city alive. This is what engineers need to look into. He is opposing this resolution because this does not fix the issue, it is just a public relations stunt and governments going against each other rather than fixing the problem.

Legislator DeRoller added that this resolution includes the International St. Lawrence River Board Control who controls the levels of the water at the damn. In Plan 2014, it was implemented in the dark of night on December 8, 2016, which was the wrong plan that allows too much water into Lake Ontario. Then when Mother Nature hits making the Great Lakes Basin full,

it does not allow enough water out to protect our shorelines. Now in the winter we have to contend with ice formation on the St. Lawrence River, where we then are in a jam. This is formation of a message to let them know our 25 miles of shoreline effects our property rights to enjoy our quality of life if something is not done.

Legislator DeFilipps expressed that we are part of New York State when sometimes we like it and sometimes we don't. His position is that we are part of this lawsuit whether we say we are or are not. We need to give a little more initiative to get these lake levels down. We need to do anything, even if it shows our support through this resolution that is why he is in favor of passage of this resolution today.

Chairman Johnson clarified that this is not signing onto a lawsuit, it is to just show support to Governor Cuomo's initiative to hold the IJC and the River Board accountable to our taxpayers along our lake shore. The following resolution was adopted:

RESOLUTION NO. 498-1219

**SUPPORTING NEW YORK STATE'S EXPANDED ACTIONS
AGAINST THE INTERNATIONAL JOINT COMMISSION ON
SUBSTANTIAL LAKE SHORE FLOODING DAMAGES**

WHEREAS, the International Joint Commission's (IJC) influence of St. Lawrence River Board of Control to act in response to the disastrous flooding of the Lake Ontario shoreline in Orleans County has caused Orleans County residents, businesses, individuals and families who have property along the shoreline devastation with damaging high lake levels; and

WHEREAS, the IJC's mismanagement of the Lake Ontario water levels has not only wreaked havoc on our vulnerable Orleans County shoreline communities but also has caused millions of dollars' worth of damage to the infrastructure, roads, homes and businesses along the lake shore of Orleans County; and

WHEREAS, New York State Attorney General Letitia James and Governor Andrew M. Cuomo have filed an expanded lawsuit with the NYS Department of Environmental Conservation against the IJC for failing to implement its flood protocol and failing in their primary mission of property managing Lake Ontario's water levels, stating New York is hopeful that this

December 4, 2019
Resolution 484-498

lawsuit will bring safety, security and justice to those impacted by the IJC's appraisal; now therefore be it

RESOLVED, that the Orleans County Legislature fully supports New York State's action in holding the IJC accountable for its failing to protect the shoreline of Orleans County; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward this resolution to Governor Cuomo; Senator Ortt; Assemblyman Hawley; Assemblyman Norris; Towns of Kendall, Yates and Carlton; Niagara, Monroe, Wayne, Cayuga, Oswego, Jefferson and St. Lawrence Counties and all others deemed necessary and proper.

Moved; DeRoller; second, DeFilipps.
Adopted. 6 ayes; 1 nay, Allport; 0 absent.

With there being no further business, Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 4:43 p.m.

LEGISLATURE MEETING

December 18, 2019

Chairman Johnson called the meeting to order at 4:27 PM. After the pledge to the flag and invocation, led by Veteran Legislator Ken DeRoller, the Clerk called the roll. All Legislators were present.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through November, 2019. Treasurer DeFrank reported that the cash flow is stable. Nearly \$1.2 million was paid out to Community Colleges in the past month. CHIPS funds were received yesterday and the DPW plans to repay the General Fund for their loans. As of the end of November, the bottom line is still above last year's balance. The CHIPS funding received was \$665,381.25 as requested by Legislator DeRoller.

Chairman Johnson called for open discussion from the Legislators. Legislator DeRoller stated that he is working with the Genesee Finger Lakes Regional Planning who will be doing a brainstorming session in 2020 to enhance the resiliency of flood plains, erosion management, and collectively working together on a regional approach. The Finger Lakes Regional Planning has nine counties involved – Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates. There are four key people who have been assigned to this task. Jim Bensley will be part of this process and it will be good to be in the room to benefit us when we participate.

Legislator Eick announced that it is Chuck's last meeting. They have worked on fourteen budgets together. He said that he has appreciated what Chuck has done and he will be missed. All of the other Legislators agreed and wished him well.

Chairman Johnson, said she could speak for the room and all the Department Heads in saying that "we all are going to miss you". The room shared their applause.

Chairman Johnson called upon Jim Bensley, Director of Planning and Development and Melissa Blonar, Director for the Office for the Aging, who were congratulated for graduating from the yearlong Leadership Orleans Program. They were also applauded.

December 18, 2019
Resolution 499-557

Legislator Eick moved to add one resolution to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 499-1219

APPROVING AGREEMENTS BETWEEN COUNTY CLERK AND ABSTRACT COMPANIES

RESOLVED, that this Legislature approves the lease agreements with the following Abstract Companies for the leasing of space in the County Clerk's Office, agreements effective for the calendar years 2020 and 2021 at an annual costs of \$2,760 per year per company:

Steward Title Insurance Company, 47 West Main St, Rochester, NY 14614
Orleans Abstract, P O Box 129, Albion, NY 14411
Crossroads Abstract Corporation, 121 N. Main St, Ste 200, Albion, NY 14411

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 500-1219

AUTHORIZING PAYMENT FROM THE REAL PROPERTY TAX SERVICES BUDGET

RESOLVED, that this Legislature authorizes payment to the Office of Real Property Tax Services NYS Department of Taxation and Finance, W.A. Harriman State Campus, Building 8A- Check Processing Unit, Albany, NY 12227 in the amount of \$10,200 (PO 61272) for the Annual Real Property System Licensing Fee (RPS) which will be charged back to the Towns in the 2020 Tax Bills.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO 501-1219

AUTHORIZING COMPUTER SERVICES TO INITIATE A NEW SPECTRUM CIRCUIT TO THE NEW COUNTY OFFICE BUILDING LOCATION

WHEREAS, the Legislature is aware that the Computer Services Department has been consolidating services at the new data center located at the new County Office Building and has taken numerous steps to provide better management and administration to the technology environment for the county; and

WHEREAS, the Legislature is also aware that the current network schema has evolved past the current capabilities to manage throughput in multiple segments of the network, negatively impacting the production environment; now be it

RESOLVED, that this Legislature authorizes the initiation of one Time Warner Cable/Spectrum Business Class circuit between the County Clerks building, 3 S. Main St. Albion, NY 14411, and the new County Office Building data center, 14016 State Route 31, Ste 246, Albion. NY 14411, to be managed by the Computer Services Department, at a yearly cost of \$16,776 paid for by apportionment from all County Departments AXXXX.421 – Telephone and Internet Services for a term December 30, 2019 through December 29, 2024.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 502-1219

APPROVING AGREEMENT BETWEEN COMPUTER SERVICES AND TIME WARNER/SPECTRUM COMMUNICATIONS

WHEREAS, this Legislature approved an agreement between Time Warner Cable Business Class and Computer Services, Resolution 203-612, for a 10 X 10 megabit per second connection at 13925 Route 31 (Public Safety Building) for county operations; and

WHEREAS, this Legislature approved an amendment to that resolution to increase the bandwidth of the circuit to 20 X 20 megabits per second in 2016 (classified as Internet DIA-Direct Internet Access), and

WHEREAS, this Legislature approved an agreement between Spectrum Business Class and Computer Services, Resolution 189-517, to increase the bandwidth to a 100 X 100 Internet FIA circuit (Classified as Internet FIA-Fiber Internet Access), and

WHEREAS, this Legislature approved an agreement between Spectrum Business Class and Computer Services, Resolution 366-918, to increase the bandwidth to a 200 X 200 Internet FIA circuit (Classified as Internet FIA-Fiber Internet Access), and

WHEREAS, this Legislature is aware of the changes in State operated computers and additional needs of those specific environments as well as additional changes in the methodology of the daily operations of multiple departments in Orleans County, and an increase needed in the Guest network due to evolving changes in third party needs and devices while at Orleans County, placing greater strain on the bandwidth requirements of the county's Internet circuit, now be it

RESOLVED, that the Orleans County Legislature authorizes the increase of that circuit to 1000 X 1000 Internet FIA, with full annual payments be equalized and apportioned in cost for Internet services across all departments and computers at a yearly cost of \$20,520, a 54% increase in cost over our current internet access. Term of the contract shall be effective December 30th, 2019 through December 29th, 2024.

Moved, DeFilipps: second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 503-1219

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND ROYAL EMPLOYER SERVICES

RESOLVED, that this Legislature approves a renewal agreement with Royal Employer Services, 430 East Main St., Batavia, NY 14020 for the provision of an Employee Assistance Program, at a cost \$6,400, with cost of agreement to be apportioned at 50% from Mental Health; 25% from Personnel; and 25% from Employee Assistance Program and said agreement effective from January 1, 2020 through December 31, 2020.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 504-1219

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF-INSURANCE PLAN AND OCCUPATIONAL SAFETY CONSULTANTS, INC.

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan, be it

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc. for safety consulting services at an hourly rate of \$135; and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$10,778 for 2020.

Moved DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 505-1219

ABOLISHING ALL POSITIONS NOT BUDGETED IN 2020

RESOLVED, that effective January 1, 2020, all positions for which an appropriation has not been included in the 2020 County Budget are hereby abolished; and be it

FURTHER RESOLVED, that all County Departments are hereby directed to review the positions on the salary schedule prepared by the Personnel Office and to notify the Director of Personnel of each position not budgeted; and be it

FURTHER RESOLVED, that upon receipt of such notification the Personnel Department will take the appropriate action to insure that non-budgeted positions are abolished and removed from the 2020 salary schedule.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 506-1219

MODIFYING RESOLUTION NO. 367-918 WHICH UPDATED THE MANAGEMENT COMPENSATION PLAN FOR 2019 AND 2020

WHEREAS, Resolution No 367-918, which updated the Management Compensation Plan for 2019 and 2020; 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 December 20, 2019; 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, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 507-1219

AUTHORIZING SALARY SCHEDULES FOR MANAGEMENT, CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES

WHEREAS, the Orleans County Legislature approved the 2019/2020 Management Compensation Plan by passing Resolution No. 367-918; now be it

RESOLVED, that employees are also authorized to receive any increments they are entitled to under the plan; and be it

FURTHER RESOLVED, that the following salaries, effective January 1, 2020, are authorized for certain part-time and unclassified employees:

<u>Annual:</u>	<u>1/1/20-12/31/20</u>
Administrative Assistant – MFCTF	\$ 3,018
Deputy Budget Officer	3,641
Deputy Fire Coordinator	2,311
Fire Investigator	2,311
Historian	11,500
Insurance Program Assistant	1,138
Records Management Officer	2,500

Director of Computer Services	\$ 88,230
IT Operations Analyst I	63,195
Secretary to the Highway Superintendent	53,485
Director of Community Health Services	82,715

Daily:

Court Attendant	\$75.43
Examination Monitor (Full Day)	130.69
Examination Monitor (Half Day)	65.36

Hourly (Part-Time Employees)

Animal Control Officer	\$15.07
Clerk (Elections)	11.80
Correctional Officer (Jail)	15.07
Correctional Officer (Jail) Second rate	20.80
Crew Leader (Sheriff)	14.09
Deputy Sheriff Marine Patrol – Non Certified	14.52
Deputy Sheriff Marine Patrol – Certified	17.34
Dispatchers	14.52
Medical Director	105.00
Voting Machine Technicians	19.06

Hourly (Full Time Employees)

Director of Emergency Management	\$17.01
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and be it

FURTHER RESOLVED, that the Chairman of the Legislature will be paid an annual salary of \$18,496 for 2020; the Vice-Chairperson will be paid an annual salary of \$13,985 for 2020; with the remaining members of the Legislature to be paid an annual salary of \$12,329 each for 2020.

Moved DeFilipps, second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 508-1219

ADOPTING LOCAL LAW NO. 3 OF 2019, ENTITLED A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

WHEREAS, Local Law No. 3-Intro of the year 2019 was introduced at a regular meeting of the Orleans County Legislature held on November 21, 2019 and a Public Hearing was held on December 18, 2019, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 3 of 2019, (filed as Local Law No. 1 of 2020) as follows:

COUNTY OF ORLEANS
 LOCAL LAW NO. 3 of 2019

A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

Be it enacted by the Legislature of the County of Orleans, as follows:

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salaries of the following County Employees are raised as follows, at an annualized salary as set forth below:

<u>Employee</u>	<u>Proposed</u>	<u>Annual Longevity Bonus</u>
County Clerk	\$83,921	*****\$1,750
County Treasurer	\$75,081	****\$1,250
Director of Personnel	\$91,220	**\$500
Real Property Tax Director	\$77,201	*\$200
Social Services Commissioner	\$99,152	*\$200
Coroners	\$2,048	
	Plus \$100 per case/\$50 Hospice Case	

- * Indicates 10 years of service and at top of the grade
- ** Indicates 15-19 years of service
- *** Indicates 20-24 years of service
- **** Indicates 25-29 years of service
- ***** Indicates 30-34 years of service
- ***** Indicates 35 and over years of service

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by one affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, after petition, whichever event first occurs.

Moved, DeFilipps; second, DeRoller.
Roll Call: 7 ayes: Allport, DeFilipps, DeRoller, Draper, Eick, Johnson, Miller; 0 nays; 0 absent.
Adopted.

RESOLUTION NO. 509-1219

AUTHORIZING COUNTY TREASURER TO MAKE YEAR END ADJUSTMENTS FOR YEAR ENDING DECEMBER 31, 2019

WHEREAS, the independent auditors have recommended that the County Treasurer request a “blanket resolution” to allow for any budget adjustments that may be required at year-end; be it

RESOLVED, that this Legislature authorizes the Treasurer to make the necessary budget adjustment and inter-fund transfers, and furnish copy of said adjustment to the Clerk of the Legislature when completed.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 510-1219

APPROVING APPORTIONMENT OF 2020 SALES TAX TO TOWNS AND VILLAGES

RESOLVED, that the apportionment of the 2020 Sales Tax to Towns and Villages as presented below by the Clerk of the Legislature in the foregoing warrants be, and hereby is approved by this Legislature.

2020 Sales Tax Apportioned to Towns and Villages				
	Apportioned	% Due	Amount	Amount
Town	To Town	Village	Due Village	Due Town Outside
Albion	\$269,873.14	54.37%	\$146,730.03	\$123,143.11

Barre	\$64,536.27			\$64,536.27
Carlton	\$95,418.07			\$95,418.07
Clarendon	\$116,260.89			\$116,260.89
Gaines	\$107,656.06	17.61%	\$18,958.23	\$88,697.83
Kendall	\$86,813.23			\$86,813.23
Murray	\$158,966.37	28.34%	\$45,051.07	\$113,915.30
Ridgeway	\$216,076.99	39.77%	\$85,933.82	\$130,143.17
Shelby	\$169,515.26	37.58%	\$63,703.83	\$105,811.43
Yates	\$81,554.72	18.69%	\$15,242.58	\$66,312.14
Totals	\$1,366,671.00		\$375,619.56	\$991,051.44

*The percentage due to the village is determined by dividing the village taxable value by the town taxable value

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeFilipps presented a resolution to authorize borrowing funds related to the remediation to the Lakeshore Flooding in the amount of \$2,863,000; seconded by Legislator DeRoller. Chairman Johnson indicated that we need to upfront the money and then we will be reimbursed, therefore there is no cost to the county taxpayers for this. The following resolution was adopted:

RESOLUTION NO. 511-1219

AUTHORIZING REMEDIATION RELATED TO LAKE ONTARIO LAKESHORE FLOODING, IN AND FOR THE COUNTY OF ORLEANS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,863,000 AND AUTHORIZING THE ISSUANCE OF \$2,863,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Orleans, New York, as follows:

Section 1. Remediation related to Lake Ontario lakeshore flooding in and for the County of Orleans, New York, including shoreline stabilization, Point Breeze boat launch improvements/modifications and safety markers, is hereby authorized at a maximum estimated cost of \$2,863,000.

Section 2. It is hereby determined that the plan for the financing of said specific objects or purposes is by the issuance of \$2,863,000 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is five years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Orleans, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain

such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in The Daily News, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 512-1219

AUTHORIZING WAIVING THE INTEREST AND PENALTIES OF BACK DUE REAL PROPERTY TAXES OF A PARCEL OF LAND IN THE VILLAGE OF ALBION, TAX MAP NO. 73.6-2-3, KNOWN AS 120 WEST BANK STREET, ALBION NY 14411

WHEREAS, a parcel of land known as 120 West Bank Street, Albion NY 14411 was included in the In Rem Tax Foreclosure Proceeding relating to the 2016 Town and County tax, Index No. 19-46155, and

WHEREAS, the current owner of the parcel of land, the Village of

Albion, has passed a resolution authorizing the transfer of this parcel of land to the Niagara Orleans Land Improvement Corporation (NORLIC), attached hereto, with the understanding that the Village of Albion pay the current balance of the principal of the taxes due on said parcel, and

WHEREAS, the Village of Albion will pay to the County the principal amount of taxes currently due, in the sum of \$6222.28 and the County will waive the interest and penalties currently due on said parcel, now therefor be it

RESOLVED, the County Treasurer is hereby authorized to redeem the taxes upon this parcel upon the payment of the sum of \$6,222.28 by the Village of Albion with the penalty and interest of same hereby as being waived.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 513-1219

AUTHORIZING EXECUTION OF SECRETARIAL SERVICES AGREEMENT FOR ORLEANS COUNTY ATTORNEY

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, an agreement for Secretarial Services for the Orleans County Attorney, at an annual cost of \$19,620; said amount to be paid in equal monthly installments of \$1,635, upon the submission of a county voucher at the end of each month; agreement effective for the 2020 and 2021 calendar years.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 514-1219

APPROVING AGREEMENT BETWEEN THE OFFICES OF DISTRICT ATTORNEY AND ORLEANS COUNTY ATTORNEY

WHEREAS, Resolution No. 409-1007 authorized the District Attorney to handle and prosecute juvenile delinquency proceedings and further authorized an agreement between the offices of the County Attorney and District Attorney; be it

RESOLVED, that this Legislature approves a renewal agreement between the offices of County Attorney and District Attorney for attorney and staff services in handling juvenile delinquency proceedings in the amount of \$11,585 for the 2020 calendar year.

Moved, DeFilipps; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 515-1219

APPROVING AGREEMENT WITH TETRA TECH, INC. TO PREPARE UPDATE TO COUNTY MULTI-JURISDICTIONAL LOCAL MULTI-HAZARD MITIGATION PLAN

WHEREAS, the Orleans County Legislature approved an agreement per Resolution No. 326-189 with the New York State Division of Homeland Security and Emergency Services to fund an update to the Orleans County Multi-Jurisdictional Local Multi-Hazard Mitigation Plan and authorized the Treasurer to set up new monies in the Department of Planning and Development account (Revenue A3904 and Appropriation A8020.486); and

WHEREAS, the Department of Planning and Development issued a Request for Proposals (RFP) to update the Orleans County Multi-Jurisdictional Local Multi-Hazard Mitigation Plan pursuant to 44 C.F.R. Part 201, § 201.6; and

WHEREAS, a Selection Committee comprised of several members of the Orleans County Hazard Mitigation Plan Steering Committee objectively evaluated and scored each proposal received in response to the RFP and rendered a recommendation, be it

RESOLVED, that this Legislature approves an Agreement between the Orleans County and Tetra Tech Inc., 240 Continental Drive, Suite 200, Newark, DE 19713 in the amount of \$112,500 to update the Orleans County Multi-Jurisdictional Local Multi-Hazard Mitigation Plan; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the Chairman of the Legislature to execute this Agreement upon review and approval by the County Attorney and Chief Administrative Officer.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 516-1219

AUTHORIZING PLANNING DIRECTOR TO APPLY FOR FUNDS AVAILABLE FROM THE CENSUS 2020 COMPLETE COUNT OUTREACH GRANTS

RESOLVED, that this Legislature authorizes the Orleans County Planning and Development Director to submit all necessary documentation to obtain the funding in the amount up to \$73,092 that has been allocated to Orleans County to help New York State’s mission to accurately obtain census information; to support efforts to encourage residents in hard to count populations to complete census questionnaires and maximize census participation; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute all necessary and needed documentation to obtain this funding and support the mission of this grant upon the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 517-1219

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

RESOLVED, that this Legislature approves the following appointment to the Orleans County Planning Board:

<u>NAME:</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Matthew Hand 416 West State Street Albion, New York 14411	Village of Albion	12-31-22
Kathleen Blackburn 901 West Center Street Medina, New York 14103	Village of Medina	12-31-22
Daniel M. Gardner 11611 East Yates Center Road Lyndonville, New York 14098	Village of Medina (Alternate)	12-31-22

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Thomas Fenton 12411 Ridge Road Medina, New York 14103	Town of Ridgeway	12-31-22
Timothy Elliott 201 Mead Avenue Medina, New York 14103	Town of Ridgeway (Alternate)	12-31-22

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 518-1219

APPROVING AGREEMENTS WITH LYNNE MENZ DESIGNS FOR TOURISM AND DESIGN SERVICES

RESOLVED, that this Legislature hereby approves an agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide Tourism Coordinator Services to Orleans County in 2020 at a cost not to exceed \$18,720 to be paid in equal monthly installments from Tourism Account A6410.466 – Consultant Fees; said agreement to be in effect from January 1, 2020 to December 31, 2020; and be it

FURTHER RESOLVED, that this Legislature hereby approves an agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide design services to Orleans County in 2020 at a cost not to exceed \$22,000; said agreement to be in effect from January 1, 2020 to December 31, 2020. This agreement includes costs associated with advertising design, publication design, social media, photography and video production to be paid on a project basis from Tourism Account A6410.468 – I Love New York.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 abstention, Draper; 0 absent.

Legislator DeRoller moved to authorize travel to attend travel and trade shows to promote Orleans County Tourism; second by Legislator DeFilipps. Legislator DeRoller stated that Tourism Director Dawn Borchert reaches about 330,000 people when she attends these shows and costs are shared by many agencies. The following resolution was adopted:

RESOLUTION NO. 519-1219

**AUTHORIZING ATTENDANCE AT OUT OF STATE TRAVEL SHOWS
FOR TOURISM PROMOTIONS**

RESOLVED, that this Legislature does hereby authorize attendance at the following travel and trade shows, to be paid from account A6410.468 - Tourism, I Love New York except as noted:

Fly Fishing Show, Edison, NJ, January 25th – 28th, 2020, to be attended by Dawn L. Borchert. Total Cost to be paid by Lake Ontario Sportfishing Promotion Council.

Great American Outdoor Show, Harrisburg Pennsylvania, January 30th – February 4th, 2020, to be attended by Dawn L. Borchert. Total Cost to be paid by Lake Ontario Sportfishing Promotional Council

AAA Great Vacation Travel Expo, Columbus, OH, February 6th – 11th, 2020, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

Pittsburgh Car Show, Pittsburgh, PA, February 12th – 18th, 2020, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

The Outdoor Adventure Show, Mississauga, ONT Canada, February 20th – 25th, 2020, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

AAA Vacation Expo, Cleveland, OH, October 16th – 20th, 2020, to be attended by Dawn L. Borchert. Total Cost to be paid by New York State Tourism Industry Association.

Moved, DeRoller; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 520-1219

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH
DEPARTMENT AND VARIOUS PROVIDERS**

RESOLVED, that this Legislature approve the following agreements between Mental Health Department and the following providers:

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Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127-0631 to provide mental health crisis response services via their CARES Team to residents of Orleans County from January 1, 2020 to December 31, 2020 at a cost of \$82,565.00. 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. County cost is 0.

Oak Orchard Community Health Center, 300 West Avenue, Brockport, NY 14420 to lease renovated space in the Mental Health building for the purpose of establishing a part-time satellite clinic for the provision of primary care medical services. The part-time clinic will provide services to community patients as well as those seen for services by the Mental Health Department. The lease will be from February 1, 2020 to December 31, 2020, renewable annually for up to five years at an agreed upon lease payment of \$1 per month by Oak Orchard Community Health Care Center.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 521-1219

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF MENTAL HEALTH AND MONROE PLAN FOR MEDICAL CARE INC. TO ARRANGE FOR THE PROVISION OF MANAGED BEHAVIORAL HEALTH CARE TO COVERED INDIVIDUALS

WHEREAS, Monroe Plan for Medical Care Inc. now manages Medicaid Managed Care and Commercial health insurance business lines; and

WHEREAS, this Agreement is for the Orleans County Department of Mental Health be it

RESOLVED, that his Legislature authorizes the Orleans County Department of Mental Health to enable Monroe Plan for Medical Care Inc. to authorize to arrange for and pay for the provision of managed behavioral health care services to covered individuals.

Moved, Draper; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 522-1219

AUTHORIZING SETTING UP NEW MONIES AND TRANSFER FUNDS IN THE MENTAL HEALTH BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health budget for Federal Medicaid Salary Sharing monies received as follows:

Revenue:		
A4490	Mental Health Federal	\$59,429
Appropriation:		
A4310.0418	Other Contractual	\$59,429

And be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds within the Mental Health Budget to purchase multifunction printer for school satellite as follows:

From:		
A4310.0418	Other Contractual	\$138
To:		
A4310.0220	Office Equipment	\$138

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 523-1219

AUTHORIZING PURCHASE OF HARDWARE FROM DELL FROM THE MENTAL HEALTH BUDGET AND AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE MENTAL HEALTH BUDGET

WHEREAS, the Orleans County Legislature is aware of the age of the current mobility solutions in the Mental Health department and the need to continue with this type of solution to facilitate the quality management of both school system Clinicians while at the local schools and of new and

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existing Orleans County Mental Health clients in-house at the Mental Health Department building, now be it

RESOLVED, that this Legislature approves the purchase of 6 Laptop computers and ancillary docking stations from DELL Financial Services, P.O. Box 6515, Carol Stream, IL 60197-1515, from quote number 3000049370345.4 under NCPA Contract #56AHC, Customer Agreement # PM20820/1000041162 for \$6,842.34 to be paid from Mental Health budget A4310.220 – Office Equipment.; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds within the Mental Health Budget for the purchase of these laptops as follows:

From:		
A4310.0418	Other Contractual	\$6,842.34
To:		
A4310.0220	Office Equipment	\$6,842.34

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 524-1219

APPROVING APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the appointment of Kevin Bogan to the Community Services Board, to serve an initial four year term to begin December 19, 2019 and ending November 22, 2023.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 525-1219

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve agreements between the Health Department and the following agencies:

Kit Trapasso, 1117 West Avenue, Medina NY 14103. To provide Related Services to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. Partial Reimbursement from NYS (59.5%) Education Department and Medicaid. The Related services rates are set by the county. For term October 1, 2019 through June 30, 2022. County Cost 40.5%.

Schneider Laboratories Global, Inc., 2512 West Cary Street, Richmond, VA 23220 to provide Lead analysis services for the Orleans County Health Department for the Lead Program regarding Lab samples taken with in the Environmental and Nursing Divisions for a term November 1, 2019 through October 31, 2022. Cost to County laid out in lab quote appendix K.

Moved Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 526-1219

AMENDING RESOLUTION NO 459-1119 CONCERNING GENESEE COUNTY ADMINISTRATIVE SHARED SERVICES AGREEMENT

WHEREAS, Genesee and Orleans County have a Shared Administrative Service(s) Agreement in place and whereas Genesee County's Director of Weights & Measures has submitted resignation

RESOLVED, that this legislature approves adding the Director of Weights and Measures position as a shared service with a 60% Genesee/40% Orleans cost share based on the number of devices requiring yearly inspections. The contract term remains 5 years beginning January 1, 2020 through December 31, 2024.

FURTHER RESOLVED, that this Legislature does hereby approve an increase in hours for the Director of Weights and Measures from 35 hours per week to 40 hours per week to accommodate the increased workload for the expanded coverage.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

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APPROVING REAPPOINTMENT TO GENESEE-ORLEANS COUNTY BOARD OF HEALTH

WHEREAS, a vacancy does exist on the Genesee-Orleans County Board of Health due to a term expiration December 31, 2019; now be it

RESOLVED, that the Genesee County Legislature does hereby reappoint Mary Obear, MD to the Genesee-Orleans County Board of Health effective January 1, 2020 through December 31, 2025.

Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 528-1219

AUTHORIZING PROBATION DIRECTOR TO APPLY FOR AND ACCEPT MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT

RESOLVED, that this Legislature approves the Orleans County Probation Director to apply and accept aid in the amount of \$16,000 effective January 1, 2020 to December 31, 2020 to offset cost of providing Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport moved to approve an agreement with Satellite Tracking of People with the Probation Department; second by Legislator Draper. Legislator DeRoller asked Luci Welch, Probation Director, to explain the use of these electronic monitoring devices. Director Welch indicated that these monitoring devices are only going to be used for Raise the Age cases because that is the funding source. These will include ankle bracelets that would be used for 16 and 17 years old that were arrested after October 1, 2018 and October 1, 2019. So the Raise the Age is in full swing. These are state of the art devices include GPS, and hopefully we will never have to use them indicated Director Welch. The following resolution was adopted:

RESOLUTION NO. 529-1219

APPROVING AGREEMENT BETWEEN PROBATION DEPARTMENT AND SATELLITE TRACKING OF PEOPLE, LLC.

RESOLVED, that this Legislature approves an agreement between the Orleans County Probation Department and Satellite Tracking of People, LLC. for Electronic Monitoring Equipment, monitoring and insurance. Off shelf cost per unit is \$3.58 per day, per person. Contract includes up to five (5) units. Electronic Monitoring devices are funded by the Raise The Age Reimbursement and are only authorized to be used for Raise The Age eligible cases term effective January 1, 2020 through December 31, 2020 at costs indicated in agreement.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 530-1219

**AUTHORIZING CREATING, FILLING AND ABOLISHING
POSITIONS IN THE PROBATION DEPARTMENT**

RESOLVED, that this Legislature authorizes the creation of two full time Senior Probation Officer positions in the Probation Department at a Grade 19 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective January 1, 2020; and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishing of two full time Probation Officer positions, when vacated.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 531-1219

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND THE ANIMAL CONTROL OFFICERS FOR SERVICES
RENDERED**

RESOLVED, that this Legislature approves agreements between the Orleans County Sheriff's Office and Orleans County Animal Control Officer Ariel Ambrose, Dustin Meredith and Kathleen Smith for compensation to each Animal Control Officer for collection and preparation of rabies specimens at a rate of \$25.00 per specimen for contract period January 1, 2020 through December 31, 2021.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 532-1219

**APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND
LAW ENFORCEMENT PSYCHOLOGICAL ASSOCIATES**

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and Law Enforcement Psychological Associates, 448 White Spruce Blvd, Rochester, NY 14623 for pre-employment psychological screenings and fitness for duty psychological evaluations for the Orleans County Sheriff's Office at rates set forth in the fee schedule effective for term January 1, 2020 through December 31, 2021.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 533-1219

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE
AND EM SYSTEMS, INC.**

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff's Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226 for Jail Management System (JMS) software support and maintenance, in the amount of \$5,500, and for on-site maintenance at \$125.00 per hour plus travel expenses, for period January 1, 2020 through December 31, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 534-1219

**AUTHORIZING SETTING UP NEW MONEY IN SHERIFF'S STOP-
DWI BUDGET**

RESOLVED, that this County Treasurer is authorized to set up new money from NYS STOP-DWI Foundation as reimbursement for STOP-

DWI Holiday Crackdown enforcement patrols, in the Sheriff's STOP-DWI budget, as follows:

Revenue:		
A3315.2615	STOP-DWI Program	\$619.26
Appropriation:		
A3315.0486	Special Grants	\$619.26

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 535-1219

AUTHORIZING CREATING AND FILLING POSITIONS IN THE SHERIFF'S OFFICE

WHEREAS, the Confidential Secretary to the Sheriff is retiring effective December 31, 2019; now be it

RESOLVED, that this Legislature approves the filling of a vacant full time Confidential Secretary to the Sheriff in the Sheriff's Office at a Grade 4 Step 6 of the Management Compensation Plan at a 40 hours per work week at a salary of \$53,485 per year effective January 1, 2020; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a temporary part time Confidential Secretary to the Sheriff in the Sheriff's Office, and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant temporary part time Confidential Secretary to the Sheriff in the Sheriff's Office at an hourly rate of \$27.74 effective January 2, 2020; and be it.

FURTHER RESOLVED, that the temporary part time Confidential Secretary to the Sheriff in the Sheriff's Office shall expire on March 31, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

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Chairman Johnson thanked Randall Bower, Orleans County Sheriff for his years of service with the Orleans County Sheriff's Department and for serving as our Sheriff for the last four years and she stated that he will also be missed. He was applauded for his services.

RESOLUTION NO. 536-1219

AUTHORIZING THE CREATION OF A COUNSEL AT FIRST ARRAIGNMENT (CAFA) PROGRAM TO BE MONITORED BY THE ORLEANS COUNTY PUBLIC DEFENDER'S OFFICE

RESOLVED, that this Legislature authorizes the creation of the Counsel at First Appearance (CAFA) program through the Orleans County Public Defender's Office, which said program is to be implemented in conjunction with the mandates of the State of New York to provide counsel for defendants at all initial arraignments. All attorneys participating in said CAFA program to be paid in accordance with the CAFA Agreement.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 537-1219

AUTHORIZING EXECUTION OF SECRETARIAL SERVICES CONTRACT FOR ORLEANS COUNTY PUBLIC DEFENDER

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a contract for Secretarial Services with Joanne L Best, Esq., for the Orleans County Public Defender, commencing on January 1, 2020, at a monthly cost of \$2,209.00; and said amount to be paid upon submission of a County Voucher at the end of each month; and said monthly contract shall be extended each month, as necessary.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 538-1219

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves an extension grant agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E., Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210 (Contract #C000734) for Distribution #7 for ½ of 3rd Assistant Public Defender pay effective January 1, 2020 through December 31, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport moved to modify previous resolution 150-318, which created and filled positions in the office of the Public Defender; second by Legislator Draper. Chairman Johnson stated that many positions were added due to many items, which include the Bail and Discovery Reform. Chairman Johnson called upon Joanne Best, Public Defender to explain these positions. Public Defender Best indicated that these positions are due to the Hurrell-Harring settlement but not necessary Bail Reform. This settlement goes back several years which the funding was already slated to various Public Defender offices throughout the state, where as the Bail Reform was passed this past April. The Public Defender is not receiving funds for Bail Reform which is important to distinguish she expressed. The money that is being received is for quality improvement, case management and other items. The following resolution was adopted:

RESOLUTION NO. 539-1219

MODIFYING RESOLUTION 150-318 AND CREATING AND FILLING POSITIONS IN THE OFFICE OF PUBLIC DEFENDER

WHEREAS, the New York State Office of Indigent Legal Services' is providing grants for providing caseload reduction and the quality improvement of indigent representation; and

WHEREAS, resolution 150-318 modified two part time Assistant Public Defender positions; now be it

RESOLVED, that this Legislature approves changing two part time positions of Assistant Public Defender (1170.4 and 1170.12) to 21 hours per week effective January 1, 2020; and be it

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FURTHER RESOLVED, that this Legislature authorizes the creation of a full time Assistant Public Defender in the Public Defender's Office at a Grade 9 of the Management Compensation Plan, and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part time Assistant Public Defender in the Public Defender's Office at a Grade 2 of the Management Compensation Plan at a rate of 21 hours per week, and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective January 1, 2020 up to a Step 9 in the Management Compensation Plan; and be it.

FURTHER RESOLVED, that these changes shall have no county cost because these incremental increases are to be paid by grant funding from the New York State Office of Indigent Legal Services'.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 540-1219

AUTHORIZING THE CREATING AND FILLING OF POSITIONS IN THE DISTRICT ATTORNEY'S OFFICE AND MODIFICATION OF SALARIES

WHEREAS New York State has passed criminal justice reform which has the components of bail reform, discovery reform and speed trial reform to be effective January 1, 2020, and

WHEREAS, the District Attorney's Office will need to make modifications in the structure of this office in order to manage these new reforms, therefore, it is

RESOLVED, that this Legislature authorizes the creation of an additional full time Assistant District Attorney in the District Attorney's Office at a Grade 9 of the Management Compensation Plan, and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of an additional full time Secretary to Assistant District Attorney in the District Attorney's Office at a Grade 1 of the Management Compensation Plan at 40 hours per work week of the, and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective January 1, 2020 and be it

FURTHER RESOLVED, that this Legislature approves the change for the following two positions in the Management Compensation Plan, Confidential Secretary to the District Attorney and Secretary to Assistant District Attorney, from a 35 hours per work week to a 40 hours per work week effective January 1, 2020 and be it

FURTHER RESOLVED, that this Legislature authorizes the following annual salaries, effective January 1, 2020:

Confidential Secretary to the District Attorney (position 1165.4)	\$53,485
Secretary to Assistant District Attorney (position 1165.6)	\$45,265
Secretary to Assistant District Attorney (position 1165.13)	\$36,240

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 541-1219

**AUTHORIZING FILLING VACANCY IN EMERGENCY
MANAGEMENT OFFICE**

WHEREAS, a permanent part-time Fire Investigator employed at the Orleans County Emergency Management office has submitted his letter of resignation effective December 31, 2019; now be it

RESOLVED, that this Legislature does hereby authorize the filling of the vacant part-time Fire Investigator position (3640.10) in the Emergency Management Office effective January 1, 2020.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 542-1219

**APPROVING PURCHASE AND AUTHORIZING TRANSFER OF
FUNDS WITHIN THE HIGHWAY BUDGET**

RESOLVED, that the Treasurer is authorized to transfer monies within the Highway Budget to cover the cost of a new Hot Water Pressure

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Washer through Haun Welding Supply, 300 Woodward Avenue,
Tonawanda, NY 14217 as follows:

From:		
04.5130.0444	Repairs to Equipment & Property	\$4,900.00
To:		
04.5130.0250	Other Equipment	\$4,900.00

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 543-1219

APPROVING MEMORANDUM OF AGREEMENT WITH ALBION
KNIGHTS OF COLUMBUS COUNCIL NO. 1330 FOR THE
CONSTRUCTION AND MAINTENANCE OF A VETERANS
MEMORIAL AT THE COUNTY COURTHOUSE SQUARE

RESOLVED, that this Legislature approves a perpetual
agreement with the Albion Knights of Columbus Council No. 1330 to
construct and maintain a Veterans Memorial at the County Courthouse
Square, and be it

FURTHER RESOLVED, the Knights of Columbus Council No.
1330 agrees to indemnify, defend and hold harmless the County of
Orleans, its officers, employees and agents from and against any and all
liability, loss claim, damage or expense, including defense costs and legal
fees, incurred in connection with the construction and maintenance of
said Veterans Memorial, and be it

FURTHER RESOLVED, the Knights of Columbus Council No.
1330 agrees to maintain the memorial and all its appurtenances for the
life of this agreement.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 544-1219

AUTHORIZING TREASURER TO TRANSFER FUNDS TO
CONTRIBUTE TOWARDS GLOW WORKFORCE DEVELOPMENT

**BOARD INCORPORATION AND ESTABLISHMENT OF 501(C)(3)
STATUS**

WHEREAS, Resolution No. 486-1118 Authorized Treasurer to Transfer funds to contribute towards the GLOW Workforce Development Board Incorporation and for the establishment of 501 (c)(3) status however that did not occur in the 2018 budget year; now be it

RESOLVED, that this Legislature continues to support the GLOW Workforce Development Board's (WDB) incorporation and establishment of 501(c)(3) status and therefore commits to contributing one-quarter of the related costs of \$5,000. County cost \$1,250; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Legislature Budget to facilitate the costs for GLOW WDB as follows:

From:		
A1990.0435	Contingency Fund	\$1,250
To:		
A1010.0418	Other Contractual Expenses	\$1,250

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 545-1219

**APPROVING RENEWAL AGREEMENTS BETWEEN OFFICE FOR
THE AGING DEPARTMENT AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby authorize the following agreement for the Aging Department:

Center for Elder Law Justice, Inc. 438 Main Street, Suite 1200 Buffalo, NY 14203 to provide legal services for Orleans County residents age 60 and older from January 1, 2020 to December 31, 2020 at a cost of \$7,000. County cost is \$700.

ARC of Orleans County, 122 Caroline St., Albion, NY 14411 to provide – Renewal Contract for the Nutrition Program services; Contract will be from January 1, 2020-December 31, 2022 at a cost of \$440,690 for 2020. County

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cost is \$24,357 for 2020. Rate changes for the years following 2020 will be adjusted upwards based upon the Consumer Price Index for all urban consumers as published by the US Department of Labor, Bureau of Labor Statistics for the Northeast Region.

Ellen Foster, RD of 33 Willmont Street, Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2020 to December 31, 2020 at a cost not to exceed \$14,840. County cost \$651.

Community Action of Orleans and Genesee, Inc 409-411 E. State Street, Albion, NY to provide transportation services for Orleans County residents age 60 and older from January 1, 2020 to December 31, 2020 at a cost of \$25,500. County cost is \$3,159.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 546-1219

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR 2020 ANNUAL IMPLEMENTATION PLAN GRANT

RESOLVED, that the Office for the Aging is authorized to apply for the New York State Office for the Aging Annual Implementation Plan grant, in the amount of \$1,363,072 with a county cost of \$123,998; and be it

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the grant agreement and all related documents associated with this grant, subject to review by the County Attorney.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 547-1219

AMENDING RESOLUTION NO. 326-718 BETWEEN OFFICE FOR THE AGING AND HEALTH FOUNDATION OF WESTERN AND CENTRAL NEW YORK

WHEREAS, Resolution No. 326-718 approved the grant acceptance agreement that the Office for the Aging to apply for the Aging by Design Grant in the amount of \$71,000; and

WHEREAS, the Legislature approved the grant acceptance agreement between the Office for the Aging and the Health Foundation of Western and Central New York, 726 Exchange Street, Buffalo, NY 14210 for a contract period of July 15, 2018 to November 15, 2019, grant award is \$71,000-four payments to be divided over two years, county cost is \$0; and be it

WHEREAS, the agreement requires an amendment to allow the Office for the Aging to extend the grant another year, new date ending December 1, 2020; be it

RESOLVED, that this legislature authorizes this amendment to this agreement to extend the grant completion date to December 1, 2020.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTON NO. 548-1219

APPROVING AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve agreements between the Department of Social Services and the various agencies:

Angels in Your Home, Hilton, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2020 through December 31, 2020 at rates set by NYS Department of Health. County cost is \$0.

Angels in Your Home, Hilton, NY for the provision of Personal Care Aide services to eligible Medicaid clients; to be effective January 1, 2020 through December 31, 2020 at rates set by NYS Department of Health. County cost is \$0.

Pathstone Corporation, Rochester, NY for the provision of housing at a safe dwelling to victims of domestic violence who are eligible for DSS payment of these services; to be effective January 1, 2020 through December 31, 2020. Rates are established by NYS Office of Children & Family Services.

Job Development Agency, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to

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be effective January 1, 2020 through December 31, 2020. County cost is \$80,018.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 549-1219

AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operations of county business due to recent retirement, resignations and reorganizations; now be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Sr. Legal Assistant position (6010.2011) at grade 15 of the CSEA salary schedule effective January 21, 2020.

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 550-1219

AUTHORIZING PURCHASE FOR THE DEPARTMENT OF SOCIAL SERVICES OF KODAK LARGE FORMAT SCANNERS

WHEREAS, that this Legislature is aware of the aging hardware currently being utilized for scanning client submitted documentation in DSS, and

WHEREAS, the opportunity exists to fully utilize both Federal and State reimbursement programs to defray the burden on the local taxpayer levy; now be it

RESOLVED, that this Legislature authorizes the purchase of two (2) large format Kodak Scanners (i3400) from CDWG, 75 Remittance Drive, Suite # 1515, Chicago, IL 60675-1515 for \$6,598.00 on Purchase Order # 61233, which will increase the productivity of the Department of Social Services in file submission for the Supplemental Nutrition Assistance Program. Purchase Order and pricing under Sourcewell (NJPA) 100614#CDW Technology Catalog. \$6,000.00 is SNAP grant and NYS standard reimbursable funding from Federal and State funding resources.

Local cost is \$598.00, payable from Department of Social Services budget, A6010.220 – Office Equipment

Moved, Miller; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 551-1219

AUTHORIZING THE TREASURER TO PROVIDE AN ALLOCATION TO COBBLESTONE MUSEUM FROM THE CONTINGENCY FUND

RESOLVED, that the Treasurer is authorized to provide an allocation to the Cobblestone Museum for programs as follows:

From:		
A1990.435	Contingency Fund	\$3,000
To:		
A7450.439	Cobblestone Museum	\$3,000

Moved, Miller; second, DeRoller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 552-1219

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND DOMINION VOTING

RESOLVED, that this Legislature approves a renewal agreement between the Orleans County Board of Elections and Dominion Voting, 215 Spadina Avenue, Suite 200, Toronto, Ontario M5T 2C7 Canada, to provide Firmware Maintenance for 14 ICP-BMD'S and Hardware Warranty for 14 ICP-BMD's for the period commencing January 1, 2020 through December 31, 2022, with payment of \$9,072.00 USD will be due to Dominion Voting by January 1, 2020. County cost is zero reimbursement through HAVA Grant.

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 553-1219

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND
COMMUNITY ACTION OF ORLEANS & GENESEE

RESOLVED, that this Legislature approves the agreement between the County of Orleans and Community Action of Orleans & Genesee, 409 East State Street, Albion, NY 14411 to provide services for an Orleans County leadership development program (Leadership Orleans). Leadership Orleans is a year-long education program focused on building leadership skills while exposing participants to the necessary knowledge, experiences and people that make a community work. This contract will encompass program development and implementation to ensure a successful 2020 Leadership Orleans program with a class size of 25, subject to County Attorney approval. Effective January 1, 2020 through December 31, 2020 at a cost of \$16,000 to be paid from Undistributed Expense Account A1910.418 – Other Contractual. County cost \$16,000

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 554-1219

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT COUNTY
OFFICE BUILDING ADDITION AND RENOVATIONS ACCOUNT

RESOLVED, that this Legislature authorizes the following payments to be made from account H1610.250, Capital Project – County Office Building Addition and Renovations Account:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$5,217.66	Wendel WD A/E/S/LA, PC	Professional Services, 9/1/19-9/30/2019, Inv #500267 – Construction Admin, Project Coordination Labor.
\$2,256.52	Wendel WD A/E/S/LA, PC	Professional Services, 10/1/19-10/30/2019, Inv #500330 – Construction Admin, Project Coordination Labor and Reimbursable Expenses.
\$464.00	AAA Sound & Video	Inv # 17818 XM Serius Music Brightsign Media Player Materials and labor
\$2,146.15	Linstar Inc.	Inv # 94225 COB-S Upgrades and Additions to Access Control
\$273.10	American	Inv 001424535 & 001424693 Soff Saw

	Rentals LLC	6” Cut Gas SRX-150 rental for sidewalk installation
\$2,045.23	Orleans Ready Mix	Inv 5963 4000 psi, #1 & #2 stone, fiber mesh for sidewalk installation
\$24,830.70	Trane	Inv# 310428104 Replace Chiller circuit #1 compressor Contract #: USC 15-JLP-023

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 555-1219

SETTING DATE OF 2020 ORGANIZATIONAL MEETING

RESOLVED, that the Organizational Meeting of the Orleans County Legislature will be held on Monday, January 6, 2020 at 4:30 p.m. at the Legislative Chambers, 14016 Route 31 West, Suite 200. Albion, NY 14411.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 556-1219

AUTHORIZING PAYMENT OF CLAIMS FOR JANUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 Superintendent of Highways, 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 January 8, 2020:

Fund/Department	Check Number (s):	Amount:
General	4226-4366	\$266,928.44
Utility Payments	Paid on line	\$3,730.70

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Highway	1602-1611; 3545-3569	\$259,172.84
Job Development	3268-3278	\$3,815.40
Self Insurance	1262-1263; 62808-62810, 62831, 62893, 62917	\$59,130.60

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 Superintendent of Highways, 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 January 22, 2020:

Fund/Department	Check Number (s):	Amount:
General	4367-4368; 4372-4576	\$1,103,685.85
Utility Payments	Paid on line	\$11,788.74
Highway	1612-1623; 3572-3614	\$165,287.69
Job Development	3280-3289	\$770.17
Self Insurance	1265-1266; 62915	\$175.22

Moved, Eick; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

The following add on resolution was presented for adoption:

RESOLUTION NO. 557-1219

IMPLORING THE STATE OF NEW YORK TO IMMEDIATELY AMEND OR DELAY IMPLEMENTATION OF BAIL AND DISCOVERY REFORM LAWS THAT WILL ENDANGER THE PEOPLE OF NEW YORK AND REVERSE DECADES OF BIPARTISAN PROGRESS IN REDUCING CRIME

WHEREAS, protecting the people from harm by enforcing the rule of law is the foundational role of government, and

WHEREAS, County governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the socioeconomically disadvantaged, the disabled, the elderly, and children, and

WHEREAS, no group is more vulnerable than the victims of crime, and a just society demands that crime victims should be recognized as key

participants within the criminal justice system and be treated with dignity, fairness, and respect, and,

WHEREAS, for the past twenty-five years the State of New York has committed itself to reducing crime, and has succeeded as evidenced by official U.S. Department of Justice Uniform Crime Reporting Statistics showing that New York transformed from the second most dangerous state in America in the early 1990s to the safest large state in America by the early 2000s, and

WHEREAS, in the final stages of adopting its FY 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors, and

WHEREAS, under bail reform, beginning January 1, 2020, judges will be stripped of their discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants will be released back into the general public, and

WHEREAS, these crimes include those that result in the deaths of innocent people, including several subcategories of homicide and manslaughter, resulting in those responsible for these deaths being released back into the community of grieving families, and

WHEREAS, these crimes include Making a Terroristic Threat and Money Laundering in Support of Terrorism in the Third and Fourth degree, resulting in those alleged to have supported terrorism in this manner, or who have threatened to commit acts of terrorism, being released immediately from police custody, and

WHEREAS, these crimes include Promoting an Obscene Sexual Performance by a Child; Possessing an Obscene Sexual Performance by a Child; Failure to Register as a Sex Offender; and Patronizing a Person for Prostitution in a School Zone, resulting in suspected child predators being released and returning into our community, and

WHEREAS, these crimes include Aggravated Assault Upon a Person Less than Eleven Years Old; Reckless Assault of a Child by a Daycare Provider; Criminal Sale of a Controlled Substance to a Child; Abandonment of a Child; and Criminal Possession of a Weapon on School Grounds, resulting in those suspected to have physically harmed or endangered children in this manner being free from custody, and

WHEREAS, these crimes include Female Genital Mutilation; Stalking in the Second Degree; and Aggravated Harassment, resulting in those suspected of violating victims in this manner being returned to the community of those victims, and

WHEREAS, these crimes include Endangering the Welfare of a Vulnerable Elderly Person or an Incompetent or Physically Disabled Person, resulting in the potential for further endangerment of seniors and these defenseless individuals, and

WHEREAS, these crimes include Aggravated Cruelty to Animals; Torturing Animals and Injuring Animals, resulting in the immediate release of those suspected of deliberately injuring, torturing and killing animals, and

WHEREAS, these crimes include Assault in the Third Degree, Aggravated Vehicular Assault, and other crimes of physical violence against people, and

WHEREAS, these crimes include Burglary of a Residence, resulting in the immediate release of these individuals back into the neighborhoods they are suspected of targeting, and

WHEREAS, these crimes include Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle, resulting in release on recognizance of the very individuals who have demonstrated a propensity to evade the law, and

WHEREAS, all of the offenders mentioned heretofore are at risk of not showing up for court, thereby placing a burden on public employees who, under this law, are required to send multiple court appearance reminders to these offenders, as well as police officers and District Attorneys who must commit resources to tracking and pursuing those who evade prosecution, and

WHEREAS, all offenders who are currently being held in custody for non-qualifying crimes including those mentioned heretofore will be eligible for release from custody on January 1, 2020, and

WHEREAS, the discovery mandates imposed by the State of New York will require police and District Attorneys, beginning January 1, 2020, to turn over voluminous trial-related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants, and

WHEREAS, the office of New York State's chief law enforcement officer, Attorney General Letitia James, testified at a state legislative hearing on October 28, 2019, that there will be implementation difficulties because prosecutors across the state lack the resources required to fully comply with discovery mandates, and

WHEREAS, the Attorney General's office further testified that their own office, which carries a limited criminal caseload, lacks resources required to fully comply with discovery mandates and consequently needs an additional \$10 million in state funding, and

WHEREAS, discovery reform will also result in an opportunity for defendants to gain access to crime scenes that may include a victim's residence, thereby giving defendants accused of burglaries, assaults, rapes and other crimes committed in victims' homes the right to return to those same homes, and

WHEREAS, the issues mentioned heretofore will undeniably impact past, present and future victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals, and

WHEREAS, these bail and discovery laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime, and

WHEREAS, the fundamental responsibility of governments to protect the vulnerable in society demands that the shortcomings of these

laws be remedied prior to their effective date of January 1, 2020, now, therefore, be it

RESOLVED, that the Orleans County Legislature does hereby implore the State of New York to immediately amend or otherwise delay implementation of these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed possible by the State, and to do so before December 31, 2019, and be it further

RESOLVED, that the following improvements to these laws be implemented as soon as possible:

1. Give judges the discretion to impose bail when appropriate for all of the crimes enumerated in this resolution;
2. Increase the discovery timeline from 15 days to a minimum of 45 days;
3. Phase in discovery reform by applying these new mandates only to misdemeanors effective January 1, 2020, and then to felonies effective January 1, 2021, and repeal the provision that makes the new discovery mandates applicable to violations of the Vehicle and Traffic Law;
4. Require that court appearance reminders are sent not only to defendants but also to the victims of their crimes; and
5. Extend appropriate dignity, fairness and respect to crime victims by soliciting input from victim advocate organizations and considering their suggestions for improving these laws, and be it further

RESOLVED, that the Orleans County Legislature asks all counties in New York State to urge their state representatives to take immediate action on the foregoing issues, and be it further

RESOLVED, that copies of this resolution be provided to every member of the New York State Legislature, Governor Andrew Cuomo, Lieutenant Governor Kathy Hochul, Attorney General Letitia James, Senator Kirsten Gillibrand, Senator Charles Schumer, Senator Robert Ort; Assemblyman Steve Hawley, Assemblyman Michael Norris, the New York State Association of Counties, the New York State Sheriffs' Association, the New York State Association of Chiefs of Police, the District Attorneys Association of New York, the New York State Defenders Association, the New York State Probation Officers Association, the New York Council of Probation Administrators, the Association of Justices of the Supreme Court of the State of New York, the New York State Association of City Court

Judges, the County Judges Association of the State of New York, and the County Attorneys' Association of the State of New York.

Moved, Allport; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson called for any further comments from the Legislators or from the public.

With there being no further business for the year of 2019, Legislator Allport moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 4:59 p.m.

Town Budgets

SUMMARY OF THE TOWN BUDGETS FOR THE YEAR 2020

	Expenditures	Estimated Revenue	Unexpended Balance	Amount to be Raised by Tax
ALBION				
General	\$ 664,849.00	\$ 110,870.00	\$ 176,629.00	\$ 377,350.00
General Outside Village	\$ 214,399.00	\$ 138,500.00	\$ 75,899.00	\$ -
Highway Townwide	\$ 662,688.00	\$ 323,800.00	\$ 66,509.00	\$ 272,379.00
Highway Outside Village	\$ 190,985.00	\$ 141,000.00	\$ 49,985.00	\$ -
Fire District	\$ 104,877.00		\$ 4,877.00	\$ 100,000.00
Water District #1	\$ 90,755.00	\$ 65,300.00	\$ 7,713.00	\$ 17,742.00
Water District #2	\$ 44,633.00	\$ 40,175.00	\$ 4,458.00	\$ -
Water District #3	\$ 137,318.00	\$ 60,300.00	\$ 7,018.00	\$ 70,000.00
Water District #4	\$ 69,034.00	\$ 32,500.00	\$ 7,965.00	\$ 28,569.00
Water District #5	\$ 125,763.00	\$ 50,750.00	\$ 14,627.00	\$ 60,386.00
Water District #6	\$ 35,379.00	\$ 12,579.00		\$ 22,800.00
Water District #7	\$ 13,160.00	\$ 3,800.00		\$ 9,360.00
Water District #8	\$ 24,889.00	\$ 9,668.00		\$ 15,221.00
Water District #9	\$ 15,121.00	\$ 3,350.00	\$ 1,108.00	\$ 10,663.00
Sewer District #1	\$ 103,566.00	\$ 41,000.00	\$ 11,801.00	\$ 50,765.00
Sewer District #2	\$ 150.00	\$ 150.00		\$ -
TOTALS	\$2,497,566.00	\$1,033,742.00	\$ 428,589.00	\$ 1,035,235.00
BARRE				
General	\$ 524,112.00	\$ 127,361.00	\$ 104,370.00	\$ 292,381.00
Highway Townwide	\$1,051,254.00	\$ 268,856.00	\$ 127,454.00	\$ 654,944.00
Barre Fire District	\$ 225,000.00			\$ 225,000.00
Water District #1	\$ 218,260.00	\$ 218,260.00		
Water District #2	\$ 25,075.00	\$ 13,700.00		\$ 11,375.00
Water District #3	\$ 23,903.00	\$ 14,200.00		\$ 9,703.00
Water District #4	\$ 33,325.00	\$ 19,500.00		\$ 13,825.00
Water District #5	\$ 47,695.00	\$ 12,100.00		\$ 35,595.00
Water District #6	\$ 59,460.00	\$ 12,800.00		\$ 46,660.00
Water District #7	\$ 20,031.00	\$ 5,100.00		\$ 14,931.00
Water District #8	\$ 35,622.00	\$ 6,470.00		\$ 29,152.00
TOTALS	\$2,263,737.00	\$ 698,347.00	\$ 231,824.00	\$ 1,333,566.00

CARLTON				
General	\$ 570,276.00	\$ 171,880.00	\$ 45,352.00	\$ 353,044.00
Highway Townwide	\$1,250,208.00	\$ 378,300.00	\$ 219,902.00	\$ 652,006.00
Light District 1	\$ 12,020.00	\$ 3,440.00	\$ 2,780.00	\$ 5,800.00
Light District 2	\$ 15,980.00	\$ 4,560.00	\$ 3,220.00	\$ 8,200.00
Carlton Water District	\$ 956,191.00	\$ 535,500.00	\$ 52,656.00	\$ 368,035.00
Carlton Fire District	\$ 179,840.00		\$ 5,000.00	\$ 174,840.00
TOTALS	\$2,984,515.00	\$1,093,680.00	\$ 328,910.00	\$ 1,561,925.00

CLARENDON				
General	\$ 653,048.87	\$ 225,810.00	\$ 28,000.00	\$ 399,238.87
Highway Fund Townwide	\$ 829,770.00	\$ 332,809.00	\$ 75,000.00	\$ 421,961.00
Water District No. 1	\$ 62,050.00	\$ 62,050.00		
Water District No.2	\$ 58,362.00	\$ 23,000.00	\$ 6,460.00	\$ 28,902.00
Water District No. 3	\$ 93,310.00	\$ 37,000.00	\$ 4,328.00	\$ 51,982.00
Water District No. 4	\$ 77,252.00	\$ 23,000.00	\$ 9,303.00	\$ 44,949.00
Water District No. 5	\$ 31,565.00	\$ 9,000.00	\$ 9,050.00	\$ 13,515.00
Water District No. 6	\$ 40,031.00	\$ 11,000.00		\$ 29,031.00
Water District No. 7	\$ 56,704.00	\$ 14,000.00		\$ 42,704.00
Water District No. 8	\$ 13,499.00	\$ 2,900.00	\$ 1,700.00	\$ 8,899.00
Water District No. 9	\$ 12,873.00	\$ 3,000.00	\$ 2,500.00	\$ 7,373.00
Water District No. 10	\$ 82,160.00	\$ 15,000.00	\$ 5,521.00	\$ 61,639.00
Water District No. 11	\$ 81,157.00	\$ 16,000.00	\$ 7,500.00	\$ 57,657.00
Water District No. 12	\$ 13,103.00	\$ 4,000.00		\$ 9,103.00
Water District No. 13	\$ 5,910.00	\$ 2,500.00		\$ 3,410.00
Water District No. 9 Ext.	\$ 33,954.00		\$ 29,700.00	\$ 4,254.00
Fire District	\$ 194,915.92			\$ 194,915.92
TOTALS	\$2,339,664.79	\$ 781,069.00	\$ 179,062.00	\$ 1,379,533.79

GAINES				
General	\$ 412,410.76	\$ 104,220.00	\$ 67,805.00	\$ 240,385.76
General Outside Village	\$ 28,115.00	\$ 4,230.00	\$ 7,885.00	\$ 16,000.00
Highway Townwide	\$ 387,600.00	\$ 140,500.00	\$ 80,000.00	\$ 167,100.00
Highway Outside Village	\$ 166,400.00	\$ 107,900.00	\$ 16,000.00	\$ 42,500.00

Town Budgets

Water District No.1	\$ 86,121.00	\$ 86,121.00		
Water District No.2	\$ 24,988.00	\$ 17,300.00		\$ 7,688.00
Water District No. 3	\$ 22,167.00	\$ 15,765.00		\$ 6,402.00
Water District No. 4	\$ 28,630.00	\$ 28,630.00		
Water District No. 5	\$ 94,330.00	\$ 94,330.00		
Water District No. 6	\$ 10,114.00	\$ 2,900.00		\$ 7,214.00
Water District No. 7	\$ 12,382.00	\$ 6,555.00		\$ 5,827.00
Water District No. 8	\$ 15,930.00	\$ 7,430.00		\$ 8,500.00
Water District No. 9	\$ 12,838.00	\$ 4,020.00		\$ 8,818.00
Water District No. 10	\$ 42,150.00	\$ 32,775.00		\$ 9,375.00
Fire District	\$ 105,000.00			\$ 105,000.00
TOTALS	\$1,449,175.76	\$ 652,676.00	\$ 171,690.00	\$ 624,809.76

KENDALL

General	\$ 578,195.77	\$ 257,870.00	\$ 56,000.00	\$ 264,325.77
Highway	\$ 767,732.00	\$ 287,854.00	\$ 5,000.00	\$ 474,878.00
Library	\$ 2,000.00	\$ 1,010.00	\$ 990.00	
Water District No.1	\$ 4,503.00			\$ 4,503.00
Water District No.2	\$ 13,571.00		\$ 250.00	\$ 13,321.00
Water District No.3	\$ 20,513.45		\$ 250.00	\$ 20,263.45
Water District No. 4	\$ 65,492.45		\$ 1,100.00	\$ 64,392.45
Water District No. 5	\$ 27,571.72	\$ 12,875.00	\$ 1,100.00	\$ 13,596.72
Water District No. 6	\$ 24,506.00	\$ 7,200.00	\$ 7,000.00	\$ 10,306.00
Water District No. 7	\$ 12,896.26			\$ 12,896.26
Water District No. 9	\$ 5,657.35		\$ 2,500.00	\$ 3,157.35
Light District No. 1	\$ 5,800.00			\$ 5,800.00
Light District No. 2	\$ 3,485.00			\$ 3,485.00
Light District No. 3	\$ 2,075.00			\$ 2,075.00
Fire District No. 1	\$ 165,000.00	\$ 100.00	\$ 1,000.00	\$ 163,900.00
Fire District No. 2	\$ 79,916.00			\$ 79,916.00
TOTALS	\$1,778,915.00	\$ 566,909.00	\$ 75,190.00	\$ 1,136,816.00

MURRAY

General	\$ 574,520.00	\$ 94,939.00	\$ 89,470.00	\$ 390,111.00
General Outside Village	\$ 59,240.00	\$ 18,400.00		\$ 40,840.00

Town Budgets

Highway Townwide	\$ 417,849.00	\$ 172,000.00	\$ 43,340.00	\$ 202,509.00
Highway Outside Village	\$ 390,488.00	\$ 180,000.00	\$ 16,075.00	\$ 194,413.00
Light Dist. #1 (Fancher)	\$ 2,600.00		\$ 200.00	\$ 2,400.00
Light Dist. #2 (Hulberton)	\$ 4,000.00		\$ 300.00	\$ 3,700.00
Light Dist. #3 (Brockville)	\$ 1,450.00		\$ 200.00	\$ 1,250.00
Murray Fire District	\$ 244,165.00			\$ 244,165.00
FHM Fire District	\$ 112,850.00			\$ 112,850.00
Water District No. 1	\$ 11,199.00	\$ 10,250.00		\$ 949.00
Water District No. 2	\$ 111,707.00	\$ 75,750.00	\$ 4,957.00	\$ 31,000.00
Water District No. 3	\$ 82,706.00	\$ 55,000.00	\$ 5,124.00	\$ 22,582.00
Water District No. 4	\$ 11,546.00	\$ 4,000.00	\$ 1,546.00	\$ 6,000.00
Water District No. 5	\$ 7,797.00	\$ 3,000.00	\$ 497.00	\$ 4,300.00
Water District No. 6	\$ 91,775.00	\$ 65,000.00	\$ 14,775.00	\$ 12,000.00
Water District No. 7	\$ 43,500.00	\$ 24,000.00		\$ 19,500.00
Water District No. 8	\$ 28,435.00	\$ 9,700.00	\$ 2,475.00	\$ 16,260.00
Water District No. 9	\$ 12,141.00	\$ 4,500.00	\$ 1,141.00	\$ 6,500.00
Water District No. 10	\$ 14,000.00	\$ 7,000.00		\$ 7,000.00
Water District No. 11	\$ 191,165.00	\$ 83,250.00	\$ 3,915.00	\$ 104,000.00
Water District No. 12	\$ 17,796.00	\$ 3,000.00	\$ 2,796.00	\$ 12,000.00
Water District No. 13	\$ 28,410.00	\$ 7,400.00	\$ 2,094.00	\$ 18,916.00
Water District No. 14	\$ 4,967.00	\$ 1,500.00		\$ 3,467.00
Water District No. 15	\$ 67,831.00	\$ 11,725.00		\$ 56,106.00
Water District No. 16	\$ 22,678.00	\$ 3,000.00	\$ 341.00	\$ 19,337.00
Water District No. 20	\$ 6,547.00	\$ 6,000.00	\$ 547.00	\$ -
TOTALS	\$2,561,362.00	\$ 839,414.00	\$ 189,793.00	\$ 1,532,155.00

RIDGEWAY

General	\$ 714,154.00	\$ 183,578.00		\$ 530,576.00
General Outside Village	\$ 88,192.00	\$ 35,550.00		\$ 52,642.00
Highway Townwide	\$ 597,561.00	\$ 157,670.00	\$ 188,500.00	\$ 251,391.00
Highway Outside Village	\$ 467,677.00	\$ 270,010.00		\$ 197,667.00
Fire Protection District	\$ 203,945.00		\$ 12,000.00	\$ 191,945.00
Knowlesville Light District	\$ 3,000.00			\$ 3,000.00
Knowlesville Sewer District	\$ 30,965.00		\$ 15,000.00	\$ 15,965.00
Water Debt Service 269	\$ 7,105.00			\$ 7,105.00

Town Budgets

Water #2 Debt Service	\$ 17,875.00			\$ 17,875.00
Water #3 Debt Service	\$ 32,291.00			\$ 32,291.00
Water #4 Debt Service	\$ 68,681.25			\$ 68,681.25
Water #5 Debt Service	\$ 26,588.63			\$ 26,588.63
Water #6 Debt Service	\$ 14,023.63			\$ 14,023.63
Water #7 Debt Service	\$ 7,405.88			\$ 7,405.88
Water #8 Debt Service	\$ 10,523.75			\$ 10,523.75
Water #9 Debt Service	\$ 5,048.14			\$ 5,048.14
Water #10 Debt Service	\$ 12,460.63			\$ 12,460.63
Water #11 Debt Service	\$ 1,956.25			\$ 1,956.25
Water #12 Debt Service	\$ 14,614.81			\$ 14,614.81
Water #13 Debt Service	\$ 11,393.13			\$ 11,393.13
TOTALS	\$2,335,461.10	\$ 646,808.00	\$ 215,500.00	\$ 1,473,153.10

SHELBY				
General	\$1,192,257.00	\$ 300,475.00	\$ 336,000.00	\$ 555,782.00
General Outside Village	\$ 127,034.00	\$ 62,617.00	\$ 19,000.00	\$ 45,417.00
Highway Townwide	\$ 545,045.00	\$ 168,700.00	\$ 195,500.00	\$ 180,845.00
Highway Outside Village	\$ 581,475.00	\$ 252,102.00	\$ 25,500.00	\$ 303,873.00
Shelby Center Light	\$ 3,000.00		\$ 450.00	\$ 2,550.00
Millville Light	\$ 1,500.00		\$ 220.00	\$ 1,280.00
Shelby Fire Co.	\$ 304,798.00		\$ 41,000.00	\$ 263,798.00
Cemetery	\$ 10,000.00	\$ 9,200.00	\$ 800.00	\$ -
Water District No. 1	\$ 72,450.00	\$ 72,400.00	\$ 50.00	\$ -
Water District No. 2	\$ 24,287.00	\$ 24,230.00	\$ 57.00	\$ -
Water District No. 3	\$ 52,541.00	\$ 52,500.00	\$ 41.00	\$ -
Water District No. 4-A	\$ 56,934.00	\$ 56,843.00	\$ 91.00	\$ -
Water District No. 4-B	\$ 57,332.00	\$ 57,250.00	\$ 82.00	\$ -
Water District No. 5	\$ 8,646.00	\$ 8,579.00	\$ 67.00	\$ -
Water District No. 6	\$ 61,197.00	\$ 61,119.00	\$ 78.00	\$ -
Water District No. 7	\$ 62,338.00	\$ 62,300.00	\$ 38.00	\$ -
Water District No. 8	\$ 54,816.00	\$ 54,775.00	\$ 41.00	\$ -
Water District No. 9	\$ 54,405.00	\$ 54,314.00	\$ 91.00	\$ -
Water District No. 10	\$ 40,174.00	\$ 40,120.00	\$ 54.00	\$ -
Water District No. 11	\$ 45,910.00	\$ 45,868.00	\$ 42.00	\$ -

Town Budgets

Water District No. 12	\$ 60,018.00	\$ 59,972.00	\$ 46.00	\$ -
TOTALS	\$3,416,157.00	\$1,443,364.00	\$ 619,248.00	\$ 1,353,545.00

YATES				
General	\$ 486,599.00	\$ 88,200.00		\$ 398,399.00
General Outside Village	\$ 24,724.00	\$ 4,700.00	\$ 10,000.00	\$ 10,024.00
Highway Townwide	\$ 397,663.00	\$ 142,000.00	\$ 229,000.00	\$ 26,663.00
Highway Outside Village	\$ 462,256.00	\$ 166,400.00	\$ 77,500.00	\$ 218,356.00
Fire Protection District	\$ 107,600.00			\$ 107,600.00
Water District No. 2	\$ 154,600.00	\$ 156,990.69	\$ (2,390.69)	\$ -
Water District No. 4	\$ 367,283.91	\$ 136,317.31	\$ 45,000.00	\$ 185,966.60
TOTALS	\$2,000,725.91	\$ 694,608.00	\$ 359,109.31	\$ 947,008.60

SALARIES OF TOWN OFFICERS - 2020

TOWN	SUPERVISOR	HIGHWAY SUPER.	TOWN CLERK	JUSTICES	COUNCILMEN
Albion	\$6,285.00	\$59,915.00	\$39,713.00	\$18,744.00	\$4,049.00
Barre	\$9,000.00	\$60,500.00	\$30,139.00	\$12,000.00	\$2,244.00
Carlton	\$10,965.00	\$57,254.00	\$30,307.00	\$10,628.00	\$3,443.00
Clarendon	\$12,000.00	\$55,000.00	\$40,630.00	\$14,684.00	\$3,807.00
Gaines	\$6,500.00	\$52,500.00	\$33,380.52	\$16,778.00	\$2,800.00
Kendall	\$8,400.00	\$56,250.00	\$30,250.00	\$15,140.00	\$3,250.00
Murray	\$8,500.00	\$55,001.00	\$32,312.00	\$27,148.00	\$3,400.00
Ridgeway	\$12,500.00	\$62,672.00	\$38,000.00	\$28,562.00	\$5,000.00
Shelby	\$10,878.00	\$65,892.00	\$34,827.39	\$23,489.58	\$4,712.40
Yates	\$8,000.00	\$69,784.00	\$46,614.00	\$8,670.00	\$3,275.00

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