



Zoom
Dial: 1 646 558 8656
Meeting ID: 853 3646 4419
Password: 476872

CONFERENCE SESSION

4:10 p.m. Melissa Blanar – Older Americans Month

4:15 p.m. Bill Carpenter – RGRTA

AGENDA

LEGISLATURE MEETING

April 28, 2021

4:30 p.m.

Call to Order

Pledge to the Flag and Invocation – Veteran Kenneth DeRoller

Roll Call

Presentation of Communications

Proclamations: May-Older Americans Month- OFA Director Melissa Blanar

May-Motorcycle Safety & Awareness Month

ABATE-Chuck Persons, President and Matt Tracy, Vice President

Treasurer's Report

Open Discussion – Legislators/Public Comment on Resolutions

Presentation of Resolutions:

141. Authorizing the County Clerk to Enter into an Agreement with Municipal Services Bureau (DeFilipps)
142. Authorizing the County Clerk to Enter into an Agreement with Five Star Bank (DeFilipps)
143. Authorizing the County Treasurer to Dissolve the Telephone Equipment/Communications Repair Reserve Account and Transfer those Monies into Computer Services Budget (DeFilipps)
144. Authorizing Creating and Filling Position in the Computer Services Department (DeFilipps)
145. Approving the Standard Work Day and Retirement Reporting for Elected and Appointed Officials (DeFilipps)
146. Approving Extension of Intermunicipal Agreement between County of Orleans and Medina Central School District (DeFilipps)
147. Approving Intermunicipal Agreement between County of Orleans and Lyndonville Central School District (DeFilipps)
148. Modifying Agreement of Interagency Installment Obligation Agreement between County of Orleans and County of Orleans Industrial Development Agency (DeFilipps)
149. Approving Agreement with Labella Associates to Prepare County Housing Market Analysis (DeRoller)
150. Approving Agreements between the Health Department and Various Agencies (Allport)
151. Authorizing Position Changes in the Public Health Department (Allport)
152. Approving Agreement between Probation Department and Automon Corporation (Draper)
153. Approving Numerous Agreements within the Sheriff's Office/Jail and Various Agencies (Draper)
154. Authorizing the Sheriff to Pursue Acquisition of Four New Sheriff's Fleet Patrol Vehicles (Draper)

155. Amending Resolution No. 531-1219 between the Sheriff's Office and the Animal Control Officers (Draper)
156. Approving the Legislature Chairman to Apply for and Accept Funds from the Criminal Justice Discovery Reform Grant (Draper)
157. Appointing Members to the NYS Governor's Traffic Safety Committee and the Stop-DWI Committee (Draper)
158. Authorizing Filling Vacancy in the Sheriff's Office (Draper)
159. Authorizing Stipends for Assistant Public Defenders for CAP Court Rotation (Draper)
160. Authorizing the use of Grant Funds for the Public Defender's Office to Purchase Books (Draper)
161. Authorizing County Treasurer to set up Grant Funds in the Public Defender Budget (Draper)
162. Resolution Approving Agreements with the Department of Social Services (Miller)
163. Authorizing Abolishing and Creating and Filling Positions in the Department of Social Services (Miller)
164. Amending Resolution No. 537-1220 between Office For the Aging and Center for Elder Law and Justice (Miller)
165. Authorizing Office For the Aging to Apply for 2021 Annual Implementation Plan Grant (Miller)
166. Approving Renewal Agreement between Office For the Aging Department and Language Line Services (Miller)
167. Approving Renewal Agreements between Office For the Aging and Various Agencies (Miller)
168. Approving Renewal Agreement between Office For the Aging Department and Supportive Care of Orleans (Miller)
169. Authorizing Creating and Filling Positions in Office For the Aging (Miller)
170. Approving Agreement between Orleans County and Livingston County on Behalf of the Glow Workforce Development Board (Miller)
171. Approving Nomination to Glow Workforce Development Board (Miller)
172. Approving the 2021 Youth Bureau Resource Allocation Plan (Miller)
173. Approving Appointments to Orleans County Youth Board (Miller)
174. Approving Agreement Extensions between Orleans County Board of Elections and New York State Board of Elections (Miller)
175. Approving Agreement between Department of Public Works and Stephenson Equipment, Inc. (Eick)
176. Awarding and Approving Agreement between Department of Public Works and Union Concrete and Construction Corp. (Eick)
177. Awarding and Approving an Agreement between Department of Public Works and CP Ward, Inc. (Eick)
178. Authorizing Treasurer to Set up Money within Department of Public Works Budget (Eick)
179. Authorizing Payments from Capital Project Lake Ontario REDI Account (Eick)
180. Authorizing Abolishing, Creating and Filling of Positions in the Buildings and Grounds Division of Department of Public Works (Eick)
181. 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 (Eick)
182. Approving and Accepting 2006 Mobile Command Vehicle from Erie County Department of Homeland Security and Emergency Services (Eick)
183. Approving an Agreement for the Annual Inspection of the Nine Communication Towers and Setting Up Grant Money in Emergency Management Budget (Eick)
184. Amending Resolution No. 57-121 between Orleans County and Toshiba Business Solutions (Eick)
185. Appointing Member to the Orleans County Board of Ethics (Eick)
186. Amending Resolution 481-1120 Authorizing the Non Proportional Allocation of Payments In Lieu Of Real Estate Taxes (Pilot Payments) in Connection with Heritage Wind Energy Project in the Town of Barre New York (Eick)
187. Setting Date for a Public Hearing Regarding the Submission of a Community Development Block Grant Cares Act Application to Implement the Niagara Orleans Regional Alliance (NORA) Workplan (Eick)
188. Setting Date of Public Hearing on Local Law No. 3-Intro of 2021 Adopting a Pilot Youth Deer Hunting Program (Eick)

189. Authorizing Out of State Travel for County Officials and County Employees (Eick)
190. Support for the U.S. Constitution and NYS Constitution Guaranteeing Citizens' Rights (Allport)
191. Authorizing the Treasurer to Provide an Allocation to Cobblestone Museum from Contingency Fund (Miller)
192. Authorizing Payment of Claims for May against the County (Miller)

Unfinished Business

Adjournment

RESOLUTIONS:

RESOLUTION NO. 141-421

AUTHORIZING THE COUNTY CLERK TO ENTER INTO AN AGREEMENT WITH MUNICIPAL SERVICES BUREAU

RESOLVED, that this Legislature does hereby authorize the Orleans County Clerk to enter into an agreement between Gila LLC, d/b/a Municipal Services Bureau Payment Processing Division, 325 Daniel Zenker Drive, Suite 3, Horseheads, NY 14845 to serve as our vendor to provide on-line payment acceptance, and in person payment acceptance, of the use of credit/debit cards and e-checks, the initial term shall be for two (2) years and shall commence on the effective date, and at the end of the initial term, the agreement shall automatically renew for additional one (1) year terms, not to exceed five (5) years in the length of this agreement without further review and approval; and be it

FURTHER RESOLVED, that in consideration of the services contemplated for this agreement, MSB will receive the various fees described in Exhibit B, which will be paid directly by the card holder and will not be a cost to Orleans County taxpayers.

Moved, DeFilipps; second,

RESOLUTION NO. 142-421

AUTHORIZING THE COUNTY CLERK TO ENTER INTO AN AGREEMENT WITH FIVE STAR BANK

RESOLVED, that this Legislature does hereby authorize the Orleans County Clerk to enter into a Remote Deposit Capture Services agreement with Five Star Bank, 220 Liberty Street, Warsaw, NY 14589 to process daily check deposits with no fees; and such agreement not to exceed five years, or will be reviewed should any fees be accessed by Five Star Bank to continue with such agreement.

Moved, DeFilipps; second,

RESOLUTION NO. 143-421

AUTHORIZING THE COUNTY TREASURER TO DISSOLVE THE TELEPHONE EQUIPMENT/COMMUNICATIONS REPAIR RESERVE ACCOUNT AND TRANSFER THOSE MONIES INTO COMPUTER SERVICES BUDGET

WHEREAS, this Legislature is aware that the changes in technology created the current situation of no longer needing a telephone equipment/communications repair account for items that are now considered commodities and are replaced rather than repaired, and;

WHEREAS, this Legislature is also aware of the need for an equipment purchase capability for aging equipment hardware, now be it;

RESOLVED, this Legislature authorizes the County Treasurer to transfer the balance and dissolve the Telephone Equipment/Communications Repair Reserve Account as follows:

FROM:

01.1615.453	Telephone Equipment / Communications Repair	\$39,906.08
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TO:

01.1680.250	Other Equipment	\$39,906.08
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Moved, DeFilipps; second,

RESOLUTION NO. 144-421

AUTHORIZING CREATING AND FILLING POSITION IN THE COMPUTER SERVICES DEPARTMENT

WHEREAS, the Legislature is aware of the ever growing technology services that the Computer Services department provides; now be it

RESOLVED, that this Legislature hereby authorize the creation of a permanent full-time Computer Specialist position code (1680.08) in the Computer Services department at a Grade 16 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position effective April 29, 2021.

Moved, DeFilipps; second,

RESOLUTION NO. 145-421

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

WHEREAS, Resolution No. 287-720 approved the standard work day resolution for those officials who submitted record of activities and whose term began January 1, 2020; and

WHEREAS, a record of activities has been received from our Medical Director/Coroner's Physician 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 Submitted
APPOINTED OFFICIALS					
Medical Director	Thomas Madejski	6	1/1/2020-12/31/2020	1.60	

/Coroner's Physician					
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Moved, DeFilipps; second,

RESOLUTION NO. 146-421

APPROVING EXTENSION OF INTERMUNICIPAL AGREEMENT BETWEEN COUNTY OF ORLEANS AND MEDINA CENTRAL SCHOOL DISTRICT

WHEREAS, Resolution # 207-520 authorized the County Treasurer to be the sole and exclusive authority to collect the 2020/2021 Medina Central School District taxes with the option of a two year extension and

WHEREAS, the County Treasurer and Medina Central School District are desirous of extending the agreement with revisions for the collection of the 2021/2022 and 2022/2023 school tax years. The terms and conditions for this 2021/2022 and 2022/2023 School tax collection, and the consideration to be paid by Medina School to the County are set forth in such agreement

RESOLVED, this Legislature authorizes this revised agreement to be signed by the Chairwoman of this Legislature and the County Treasurer upon approval of the County Attorney.

Moved, DeFilipps; second,

RESOLUTION NO. 147-421

APPROVING INTERMUNICIPAL AGREEMENT BETWEEN COUNTY OF ORLEANS AND LYNDONVILLE CENTRAL SCHOOL DISTRICT

WHEREAS, the purpose of this agreement is to authorize the County Treasurer to be the sole and exclusive authority to collect the 2021/2022 and 2022/2023 Lyndonville Central School District taxes and

WHEREAS, the terms and conditions for this 2021/2022 and 2022/2023 School tax collection, and the consideration to be paid by Lyndonville School to the County are set forth in such agreement

RESOLVED, this Legislature authorizes this agreement to be signed by the Chairwoman of this Legislature and the County Treasurer upon approval of the County Attorney.

Moved, DeFilipps; second,

RESOLUTION NO. 148-421

MODIFYING AGREEMENT OF INTERAGENCY INSTALLMENT OBLIGATION AGREEMENT BETWEEN THE COUNTY OF ORLEANS AND THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, Resolution No. 270-716 was modified by Resolution No. 327-917, 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

RESOLVED, that the Interagency Installment Obligation agreement be modified to provide that the balance due of \$66,666.67 shall be repaid in two annual installments of principal in the amount of \$33,333.33 and \$33,333.34 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, 2021 and September 1, 2022, 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 whereby all other terms and provisions of the Interagency Installment Obligation Agreement shall remain the same.

Moved, DeFilipps; second

RESOLUTION NO. 149-421

APPROVING AGREEMENT WITH LABELLA ASSOCIATES TO PREPARE COUNTY HOUSING MARKET ANALYSIS

WHEREAS, housing has an important economic impact on communities that comprise Orleans County; and

WHEREAS, numerous factors exist that affect housing, such as supply, demand, relevant demographics, suitability, and market preferences, and

WHEREAS, such factors can experience significant change over time, with consequences on prospects for future community development, and

WHEREAS, Orleans County seeks summary analysis of its housing market to influence effective strategies in the County, and its town and villages to retain existing residents and attract new ones; now be it

RESOLVED, this County Legislature hereby approves an agreement with LaBella Associates, D.P.C. in the amount of \$5,000.00 to prepare a brief housing assessment to be completed by December 31, 2021 which can be used for greater benefit to the community by economic development officials, planners, private developers, and policy makers.

Moved, DeRoller; second,

RESOLUTION NO. 150-421

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Orleans Community Health aka Medina Memorial Hospital, 200 Ohio Street, Medina, NY 14103. Contract 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, for a term of October 1, 2020 through September 20, 2021. No County Cost.

Agri-Business Child Development Newfane ABCD – 3820 Ridgeway Center, Lockport–Olcott Road, Lockport, NY 14094. 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. For a term of April 6, 2021 through April 5, 2024. No County Cost

Moved, Allport; second

RESOLUTION NO. 151-421

AUTHORIZING POSITION CHANGES IN THE PUBLIC 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,

RESOLVED, that this Legislature does hereby authorize the creation of a 37 ½ hour per week full-time Public Health Emergency Preparedness Educator position at Grade 19 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of this newly created vacant Public Health Emergency Preparedness Educator position effective May 3, 2021.

FURTHER RESOLVED, that this Legislature, subsequent to the filling of newly created Public Health Emergency Preparedness Educator position, authorizes the abolishment of the full-time Public Health Emergency Preparedness Assistant position code (4010.25); and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a 37 ½ hour per week full-time Principal Account Clerk position at Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature, does hereby authorize the filling of this newly created vacant Principal Account Clerk position (4010.34) effective May 3, 2021.

FURTHER RESOLVED, that this Legislature, subsequent to the filling of newly created Principal Account Clerk position, authorizes the abolishment of the full-time Senior Account Clerk position code (4010.XX)

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the vacant Temporary Epidemiologist position (4010.51) at Grade 21 of the CSEA Salary Schedule effective May 3, 2021.

Moved, Allport; second,

RESOLUTION NO. 152-421

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, 2021 through June 20, 2022 at a cost of \$7,042.44.

Moved, Draper; second,

RESOLUTION NO. 153-421

APPROVING NUMEROUS AGREEMENTS WITHIN THE SHERIFF'S OFFICE/JAIL AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements between the Sheriff's Office/Jail and the following agencies:

Wyoming County Sheriff/Jail, 151 North Main Street, Warsaw, NY 14569 for the housing of Orleans County prisoners in the Wyoming County Jail from the Sheriff's Jail budget at a cost of \$90 per inmate/ per day, effective term January 1, 2021 through December 31, 2023.

Genesee County Sheriff/Jail, 165 Park Rd, Batavia, NY 14020, for the housing of Genesee County prisoners in the Orleans County jail at a cost of \$90 per inmate/per day, effective term January 1, 2021 through December 31, 2023.

Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, NY for the purchase of fuel for marine vessels in conducting 2021 marine and border security patrols, to be paid from Sheriff's budget, with partial reimbursement through available grant funding for term April 1, 2021 through December 15, 2021.

SolutionOne, Inc. PO Box 521, Spencerport, NY 14559, for the semi-annual hood suppression test and inspection at Sheriff's Jail, to be paid from the Jail's budget at a cost of \$460.00 yearly, effective term April 1, 2021 through March 31, 2023.

TRIO Adult Educational Opportunity Center (AEOC) grant funded by the Department of Education and sponsored by SUNY Genesee Community College located at, 1 College Drive, Batavia, NY 14420 to provide outreach educational and career services to inmates at zero cost to County, term April 1, 2021 through August 31, 2026.

Moved, Draper; second,

RESOLUTION NO. 154-421

AUTHORIZING THE SHERIFF TO PURSUE ACQUISITION OF FOUR NEW SHERIFF'S FLEET PATROL VEHICLES

WHEREAS, the Sheriff Department suffered a totaled patrol vehicle that needs replacement this Legislature authorizes the Sheriff to proceed with the buyout purchase of one (1) vehicle not to exceed the amount of insurance recovery funds received from NYMIR; and be it

RESOLVED, that due to COVID-19 manufacturing shutdown, there is a statewide shortage of patrol vehicles, that this Legislature does hereby authorize the Sheriff to proceed with acquiring the lease purchase and up-fitting of three (3) patrol vehicles, not to exceed \$56,079.00 as budgeted in the Sheriff Capital Equipment line item 01.3110.0270 for the advanced fleet patrol vehicles.

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to negotiate the financing for these future purchases; and be it

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

Moved, Draper; second,

RESOLUTION NO. 155-421

AMENDING RESOLUTION NO. 531-1219 BETWEEN THE SHERIFF'S OFFICE AND THE ANIMAL CONTROL OFFICERS

WHEREAS, Resolution No. 531-1219 between the Orleans County Sheriff's Office and Orleans County Animal Control Officers provided 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; now be it

RESOLVED, that this Legislature amends Resolution 531-1219 changing compensation from Animal Control Officer name to position codes of; 3510.01, 3510.03, and 3510.04.

Moved, Draper; second,

RESOLUTION NO. 156-421

APPROVING THE LEGISLATURE CHAIRMAN TO APPLY FOR AND ACCEPT FUNDS FROM THE CRIMINAL JUSTICE DISCOVERY REFORM GRANT

WHEREAS, the NYS Division of Criminal Justice Services is providing funding to support the increase of expenses directly related to the implementation of the NYS Discovery and Bail Reforms that took effect January 1, 2020; be it

RESOLVED, that this Legislature does hereby authorize the Chairman of the Legislature, as directed by the DCJS, to apply for and accept funds from the 2020-21 Criminal Justice Discovery Reform Grant Project ID No: DG20-1033-D00 in the amount of \$170,541.00 for expenses incurred effective April 1, 2020 through March 31, 2021; and be it

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

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to accept these funds into the Sheriff and District Attorney budget revenues as listed below:

REVENUES:

01.3110.3392	\$86,624.00	Sheriff-Criminal Justice Discovery Reform Grant
01.1165.3392	\$83,917.00	District Attorney-Criminal Justice Discovery Reform Grant

Moved, Draper; second,

RESOLUTION NO. 157-421

APPOINTING MEMBERS TO THE NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND THE STOP-DWI COMMITTEE

RESOLVED, due to a resignation, this Legislature does hereby authorize the appointments to both the NYS Governor's Traffic Safety Committee and the STOP-DWI Committee effective through June 30, 2022 as follows:

David M. Mogle	Lieutenant, Albion Police Department
Robert Barton	Chief, Holley Police Department

Moved, Draper; second,

RESOLUTION NO. 158-421

AUTHORIZING FILLING VACANCY IN THE SHERIFF'S OFFICE

RESOLVED, due to a resignation, this Legislature does hereby authorize the filling of a vacant permanent part-time Sheriff Deputy Marine position (3110.81) in the Sheriff's Office at Grade 25 of the OCDSA Salary Schedule effective April 30, 2021.

Moved, Draper; second,

RESOLUTION NO. 159-421

AUTHORIZING STIPENDS FOR ASSISTANT PUBLIC DEFENDERS FOR CAP COURT ROTATION

RESOLVED, that this Legislature authorizes the payments of stipends for four (4) Assistant Public Defenders who covered the CAP Court rotation from April 20, 2020, through March 31, 2021. The position codes are as follows: 1170.03, 1170.04, 1170.05, and 1170.06; and be it

FURTHER RESOLVED, that the stipend is in the amount of \$10,000 per attorney, with fringe in the amount of \$2,705, per attorney; and be it

FURTHER RESOLVED, that the payments shall be made in a lump sum to each of the four (4) Assistant Public Defenders listed herein; and be it

FURTHER RESOLVED, that this additional stipend shall have no County cost as the amounts for this Resolution shall be paid through grant funding from Indigent Legal Services, grant #CSTWIDEHH33.

FURTHER RESOLVED, that the stipend payment shall expire when this stipend is no longer eligible for reimbursement under the grant from Indigent Legal Services.

Moved, Draper; second,

RESOLUTION NO. 160-421

AUTHORIZING THE USE OF GRANT FUNDS FOR THE PUBLIC DEFENDER'S OFFICE TO PURCHASE BOOKS

WHEREAS, various books maintained in the Public Defender's Office are in need of replacement, and additional books are required; and

WHEREAS, funds from the Hurrell-Harring grant (CSTWIDEHH33) were previously allocated for the purchase of books; now be it

RESOLVED, that this Legislature authorizes the Public Defender's Office to purchase books from Thomas Reuter in the amount of \$7,678.80, at no cost to the County.

Moved, Draper; second,

RESOLUTION NO. 161-421

AUTHORIZING COUNTY TREASURER TO SET UP GRANT FUNDS IN THE PUBLIC DEFENDER BUDGET

WHEREAS, various 2020 resolutions authorized expending grant funds in the Public Defender's Office for Special Grants for "Quality Improvements", "CAFA" and "Caseload Reduction" (CSTWIDEHH33); and

WHEREAS, the Special grants have continued into 2021; now be it

RESOLVED, that this Legislature authorizes the County Treasurer to set up CSTWIDEHH33, Hurrell-Harring grant funds in the 2021 Public Defender budget, as follows:

REVENUE

01.1170.3088		\$ 141,530.52
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APPROPRIATIONS

01.1170.0486.1001	Quality Improvements	\$ 29,615.77
01.1170.0486.1003	Caseload Reduction	\$ 111,914.75

Moved, Draper; second,

RESOLUTION NO. 162-421

RESOLUTION 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 agency:

G4S Secure Solutions a Florida Corporation with an office located in Buffalo, NY for the provision of armed security services for the County Office Building; to be effective January 1, 2021 through December 31, 2021 at a cost of \$28.93 per hour. County cost is \$10.13 per hour.

Children's Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services; to be effective May 6, 2021 through May 5, 2022 at per diem rates established by the State, not to exceed \$500,000.00. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Moved, Miller; second,

RESOLUTION NO. 163-421

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 resignations, promotions and reorganizations; now be it

RESOLVED, as a result of a retirement that this Legislature does hereby authorize filling a full-time Social Welfare Examiner position (6010.0403) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective June 1, 2021; and be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Child Support Specialist position (6010.0808) at Grade 11 of the CSEA Salary Schedule effective April 29, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Clerk position (6010.0603) at Grade 7 of the CSEA Salary Schedule effective April 29, 2021; and be it

FURTHER RESOLVED, as a result of a retirement, that this Legislature does hereby abolish a full-time Receptionist position (6010.2010) effective May 10, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize to create and fill one full-time Clerk position in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective May 10, 2021.

Moved, Miller; second,

RESOLUTION NO. 164-421

AMENDING RESOLUTION NO. 537-1220 BETWEEN OFFICE FOR THE AGING AND CENTER FOR ELDER LAW AND JUSTICE

WHEREAS, the Legislature approved Resolution No. 537-1220, the grant acceptance agreement between the Office for the Aging and Center for Elder Law & Justice, 438 Main Street, Suite 1200, Buffalo, NY 14202 for a contract period of January 1, 2021 to December 31, 2021, in the amount of \$7,000 a year, county cost is \$700; and be it

WHEREAS, the agreement requires an amendment to allow the Office for the Aging to add an additional \$1,000 using COVID relief funding; be it

RESOLVED, that this legislature authorizes this amendment to this agreement.

Moved, Miller; second,

RESOLUTION NO. 165-421

AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR 2021 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 \$1,325,077 with a county cost of \$113,442 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,

RESOLUTION NO. 166-421

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 contract dated October 25, 2020 through October 24, 2023 at a cost of \$0.75/minute of translation services. County cost \$.08 per minute of translation services.

Moved, Miller; second,

RESOLUTION NO. 167-421

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, 2021 to April 30, 2022 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 2022. 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, 2021 to April 30, 2022 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 2022. 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, 2021 to April 30, 2022 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 2024. County cost is \$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, 2021 to March 31, 2022 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 2025. County cost \$0 – Revenue Source.

Moved, Miller; second,

RESOLUTION NO. 168-421

APPROVING A RENEWAL AGREEMENT BETWEEN OFFICE FOR THE AGING DEPARTMENT AND SUPPORTIVE CARE OF ORLEANS

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

Supportive Care Of Orleans, 14080 Route 31 W, Albion, NY 14411 -Orleans County Office for the Aging's subcontractor to provide Meals through their nutrition program from May 1, 2021 to April 30, 2022 to residents needing meals, Supportive Care of Orleans will reimburse Orleans County Office for the Aging per meal. County cost \$0 – Revenue Source.

Moved, Miller; second,

RESOLUTION NO. 169-421

AUTHORIZING CREATING AND FILLING POSITIONS IN OFFICE FOR THE AGING

WHEREAS, there is a Full-Time Assistant Director that is 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 creation of a temporary Part-time Assistant Director in the Office for the Aging from June 1, 2021 through December 31, 2021 at a Grade 5 at salary of \$30.87/hour in the Management schedule in the Orleans County Management Plan, and be it;

FURTHER RESOLVED, that this legislature authorizes filling of newly created vacant Temporary Part-Time Assistant Director position effective June 1, 2021.

FURTHER RESOLVED, the director will be recruiting a full time Assistant Director; and be it

FURTHER RESOLVED, that this legislature authorizes filling of a Full-Time Assistant Director effective December 6, 2021 at a Grade 5 in the Management schedule

Moved, Miller; second,

RESOLUTION NO. 170-421

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND LIVINGSTON COUNTY ON BEHALF OF THE GLOW WORKFORCE DEVELOPMENT BOARD

RESOLVED, that this Legislature approves the agreement between Orleans County and Livingston County, on behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Geneseo, NY, 14454, for Orleans County Job Development to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated Worker and Youth Services from July 1, 2021 through June 30, 2022 at a cost of \$258,860. County cost \$0. Subject to County Attorney approval.

Moved, Miller; second,

RESOLUTION NO. 171-421

APPROVING NOMINATION TO GLOW WORKFORCE DEVELOPMENT BOARD

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

RESOLVED, that this Legislature does hereby approve the nomination of Rae Frank, Director of Independent Living of the Genesee Region, to represent a Community Based Organization on the GLOW WDB, pursuant to the GLOW Workforce Development Board (GLOW WDB) By-Laws and in compliance with New York State Local Workforce Development Board (LWDB) eligibility criteria, ongoing at the discretion of the GLOW CEOs with an initial term of May 18, 2021 through May 18, 2023. County cost \$0.

Moved, Miller; second,

RESOLUTION NO. 172-421

APPROVING THE 2021 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 2021 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 2021 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,

RESOLUTION NO. 173-421

APPROVING APPOINTMENTS TO ORLEANS COUNTY YOUTH BOARD

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

RESOLVED, that this Legislature approves the following renewal appointment of one current member and a new appointment to serve on the Orleans County Youth Board with a terms and representation as noted:

Renewal Appointment:

Barbara Flow	Kendall/At Large	May 1, 2021 - April 30, 2024
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New Appointment:

Shannon Brett	Law Enforcement Rep.	May 1, 2021 - April 30, 2024
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Moved, Miller; second,

RESOLUTION NO. 174-421

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, 2021 through March 31, 2022 that funds are available to the local board of elections for the following:

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

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

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

Moved, Miller; second,

RESOLUTION NO. 175-421

APPROVING AGREEMENT BETWEEN DEPARTMENT OF PUBLIC WORKS AND STEPHENSON EQUIPMENT, INC.

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Stephenson Equipment Inc., 6108 Drott Drive, Syracuse, New York 13057 for a Roller Rental from May 3, 2021 through August 31, 2021; NYS OGS Rental Award #PS69119 at a cost of \$4,000.00/month; and subject to a partial reimbursement through the Consolidated Highway Improvement Program and town payments; and be it

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

Moved, Eick; second

RESOLUTION NO. 176-421

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND UNION CONCRETE AND CONSTRUCTION CORP

WHEREAS, the Orleans County Department of Public Works sought bids for the Construction of Transit Road Bridge NY Project over West Branch of Sandy Creek in the Town of Murray in Orleans County on April 12, 2021; and be it

RESOLVED, this Legislature awards and accepts the low bid submitted by Union Concrete and Construction Corp., 435 Meyer Road, West Seneca, NY 14224 and authorizes the Chairman to execute an agreement with Union Concrete and Construction Corp. for the Transit Road Bridge NY Project at a bid cost of \$839,739.00; to be paid out of Road Fund Budget Account 03.5120.0470.2285. Project is 95% reimbursable through Bridge NY funds; County Cost \$41,986.95; and be it

FURTHER RESOLVED, agreement effective as soon as County gives notice to proceed; agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second,

RESOLUTION NO. 177-421

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND CP WARD, INC.

WHEREAS, the Orleans County Department of Public Works sought bids for the Construction of Point Breeze Boat Launch REDI Project No. 27, Contract No. 21-1 in Orleans County on April 12, 2021; and be it

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 Inc. for the Point Breeze Boat Launch REDI Project No. 27 at a bid cost of \$439,850.00, to be paid out of Capital Infrastructure Redi Project bond money account: H1620.250; agreement effective as soon as County gives notice to proceed;

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

Moved, Eick; second

RESOLUTION NO. 178-421

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

RESOLVED, that the Treasurer is authorized to set up monies from the Infrastructure Reserve Account to the Department of Public Works budget to cover the cost of a detailed Energy Efficiency Study to identify and evaluate facility improvements to reduce annual energy and operational costs as follows:

FROM:

Infrastructure Reserve Account	\$32,000.00
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TO:

01.1620.0470	Capital Construction Projects	\$32,000.00
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Moved, Eick; second,

RESOLUTION NO. 179-421

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT LAKE ONTARIO REDI ACCOUNT

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

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$16,162.12	Wendel	Professional services for Lakeshore Road Redi Project rendered through 2/28/2021

Moved, Eick; second,

RESOLUTION NO. 180-421

AUTHORIZING ABOLISHING, CREATING AND FILLING OF POSITIONS IN THE BUILDINGS AND GROUNDS DIVISION OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the County must, from time to time, create, fill and abolish positions due to retirements, terminations, promotions, and departmental reorganizations in order to continue to maintain an effective workforce; and

RESOLVED, that this Legislature authorizes the creation of a two full-time Senior Building Maintenance Workers; position codes (1620.21) and (1620.22) in the Buildings and Grounds Division at a Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the two newly created vacant Senior Building Maintenance Worker positions effective May 10, 2021; and be it

FURTHER RESOLVED, that this Legislature, subsequent to the filling of one created vacant Senior Building Maintenance Worker position, authorizes the filling of one vacant Building Maintenance Worker position code (1620.24) at a Grade 12 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature, subsequent to the filling of one created vacant Senior Building Maintenance Worker position, authorizes the abolishment of one Building Maintenance Worker position code (1620.10) in the Buildings and Grounds Division.

Moved, Eick; second,

RESOLUTION NO. 181-421

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 \$89,625 to continue participation in the State Homeland Security Program grant cycle (SHSP/SLETPP) for FY2021; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH21-XXXX-XXX, Contract #XXXXXX in the amount of \$67,219 for the Emergency Management Office for use to support terrorism preparedness, protection at soft targets/crowded places and continue to address homeland security needs in the county based on the County Emergency Preparedness Assessment (CEPA) as allowed under FY21 SHSP allocation effective October 1, 2021 through September 30, 2024; and be it

FURTHER RESOLVED, that this Legislature authorize the Chairman to electronically sign e-grant LE21-XXXX-XXX, Contract #XXXXXX in the amount of \$22,406 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under the FY21 SLETPP allocation, effective October 1, 2021 through September 30, 2024.

Moved, Eick; second,

RESOLUTION NO. 182-421

APPROVING AND ACCEPTING 2006 MOBILE COMMAND VEHICLE FROM ERIE COUNTY DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, on March 18, 2021, Erie County Resolution No. COMM. 5E-11 (2021) authorized the transfer of one (1) 2006 Chevrolet Mobile Command Vehicle, VIN #1GBE5V1206F42326 to Orleans County Office of Emergency Management at no cost; and

WHEREAS, this Mobile Command Vehicle was originally purchased utilizing Homeland Security Grant funds as part of regional grant objectives and the Orleans County Office of Emergency Management will continue with the mission of the equipment and the original deliverables of the grant; now be it

RESOLVED, that this Legislature accept this Mobile Command Vehicle at no cost and approve adding the registration and insurance to the vehicle.

Moved, Eick; second,

RESOLUTION NO. 183-421

APPROVING AN AGREEMENT FOR THE ANNUAL INSPECTION OF THE NINE COMMUNICATION TOWERS AND SETTING UP GRANT MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature approve an agreement with Patriot Towers, 870 Scottsville-Chili Rd., Scottsville, NY 14546 from May 1, 2021 to December 31, 2021 for the inspection of all nine LMR communication towers at a cost of \$8,890; and be it

FURTHER RESOLVED, that this Legislature authorize the Treasurer to set up Statewide Interoperable Communication FY19 Formula Grant funds as follows:

REVENUE:

01.3640.4309.1974	Statewide Interoperable Communications Grant	\$8,890.00
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APPROPRIATION:

01.3640.0486.1974	Special Grants-SICG FY19	\$8,890.00
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FURTHER RESOLVED, that the Chairman is authorized to execute all necessary documents, subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second,

RESOLUTION NO. 184-421

AMENDING RESOLUTION NO. 57-121 BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

WHEREAS, resolution 57-121 approved a 48 month lease contract with Toshiba Business Solutions for multiple machines to begin on March 1, 2021; and

WHEREAS, the manufacturing Toshiba products has been delayed due to the COVID-19 pandemic; so be it

RESOLVED, that the lease date for those Toshiba installed multifunction machines will be effective April 1, 2021 through March 31, 2025.

Moved, Eick; second,

RESOLUTION NO. 185-421

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 appoints the following member to the County Board of Ethics with the following term expiration:

Name:	Term expires:
Eileen Aina	12/31/2023

Moved, Eick; second,

RESOLUTION NO. 186-421

AMENDING RESOLUTION 481-1120 AUTHORIZING THE NON PROPORTIONAL ALLOCATION OF PAYMENTS IN LIEU OF REAL ESTATE TAXES (PILOT PAYMENTS) IN CONNECTION WITH THE HERITAGE WIND ENERGY PROJECT IN THE TOWN OF BARRE NEW YORK

WHEREAS, Resolution 481-1120 authorized said PILOT and now amends said PILOT as Heritage Wind, LLC (the "Company") has proposed to construct and equip an approximate 184.8 megawatt (MW) wind-powered electric generating project in the Town of Barre, New York (the "Project"); and

WHEREAS, by letter dated October 12, 2018, the Town of Barre requested that the County of Orleans Industrial Development Agency (COIDA) assist with the development of a payment in lieu of tax (PILOT) agreement for the Project; and

WHEREAS, in November 2019, the Company submitted a project application to COIDA seeking an abatement of real property taxes for the Project and a PILOT agreement providing for payments to be calculated on a per-megawatt (MW) basis instead of the assessed value of the Project; and

WHEREAS, COIDA convened and moderated a series of discussions with representatives of the Town of Barre, the County of Orleans, the Albion Central School District and the Oakfield-Alabama Central School District (each an "Affected Tax Jurisdiction" and collectively, the "Affected Tax Jurisdictions") and the Company to develop the terms of an agreement for the Project, by which Company will pay the Affected Tax Jurisdictions Nine Thousand Dollars (\$9,000.00) per megawatt of Project installed capacity ("Base Rate"), of which 75% will be paid to Town of Barre ("Barre Share") and 25% to be shared by the remaining Affected Tax Jurisdictions, as provided herein below ("PILOT Payments"); and

WHEREAS, each of the Affected Tax Jurisdictions desires to consent in writing to a PILOT agreement which does not provide for payments to be allocated among the Affected Tax Jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each Affected Tax Jurisdiction had the Project not been tax exempt due to the status of COIDA, and under which the County of Orleans, the Albion Central School District and the Oakfield-Alabama Central School District will receive their agreed portions of the PILOT Payments; and

NOW, THEREFORE, THE COUNTY OF ORLEANS HEREBY RESOLVES AS FOLLOWS:

1. The County of Orleans hereby consents to the non-proportional allocation of payments in lieu of real estate tax and other taxes pursuant to a PILOT agreement with a term of twenty-five (25) years, to be entered into between COIDA and the Company in connection with the Project.

2. The County of Orleans is hereby authorized to execute and deliver a PILOT Allocation Agreement by and among COIDA and each of the Affected Tax Jurisdictions, which agreement shall authorize COIDA to allocate and distribute PILOT Payments received from the Company on a non-proportionate percentage basis as follows:

County of Orleans:	50%
Town of Barre:	0%
Albion CSD:	48.485%
Oakfield-Alabama CSD:	1.515%

The amount of such PILOT Payments shall increase at an annual rate of 2% beginning in Year 2 of the payment term of the PILOT Agreement, and at an annual rate of 2.5% beginning in Year 15.

3. The County of Orleans is hereby authorized to take such steps and actions and to execute any and all necessary documents, agreements and/or modifications thereto as may be reasonably necessary to effectuate the purpose and intent of these resolutions.
4. These resolutions shall be effective immediately.

Moved, Eick; second,

RESOLUTION NO. 187-421

SETTING DATE FOR A PUBLIC HEARING REGARDING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT CARES ACT APPLICATION TO IMPLEMENT THE NIAGARA ORLEANS REGIONAL ALLIANCE (NORA) WORKPLAN

WHEREAS, the County Legislature wishes to assess the advisability of submitting a Community Development Block Grant COVID-19 Response (“CDBG-CV”) application to the New York State Office of Community Renewal (the “OCR”) through the Coronavirus Aid, Relief, and Economic Securities Act (“CARES”) to implement the Niagara Orleans Regional Alliance (“NORA”) Workplan designed to bring broadband access to unserved and underserved areas of Niagara and Orleans Counties, and

WHEREAS, Orleans County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG-CV funding, now, therefore, be it

RESOLVED, that the County Legislature hereby calls for a Public Hearing where all interested parties shall be heard regarding the CDBG-CV program, the County’s community development and economic development programs, the County’s response to the Coronavirus, and the proposed funding application on the 26th day of May 2021 at 4:20 p.m. 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, Eick; second,

RESOLUTION NO. 188-421

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 3-INTRO OF 2021 ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled "A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM"; 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 May 2021 at 4:25 p.m. at the Legislative Chambers, 14016 Route 31 West, 2nd Floor, Albion, New York and be it.

Moved, Eick; second,

RESOLUTION NO. 189-421

AUTHORIZING OUT OF STATE TRAVEL FOR COUNTY OFFICIALS AND COUNTY EMPLOYEES

RESOLVED, that this Legislature does hereby approve Chairman Lynne M. Johnson, Legislator Merle "Skip" Draper, Emergency Management Director Dale Banker, Deputy EMO Director Justin Niederhofer, Undersheriff Michael Mele and Chief Jeff Gifaldi to travel out of state on August 29, 2021 through September 2, 2021 to attend the 2021 National Homeland Security conference in Las Vegas, Nevada.

Moved, Eick; second

RESOLUTION NO. 190-421

SUPPORT FOR THE U.S. CONSTITUTION AND NYS CONSTITUTION GUARANTEEING CITIZENS' RIGHTS

On behalf of the citizens of Orleans County, New York, the Orleans County Legislature state and accept as true the following:

WHEREAS, the "most sacred of liberties" of which Justice Tolman spoke was personal liberty. The definition of personal liberty is:

"Personal liberty, or the Right to enjoyment of life and liberty, is one of the fundamental or natural Rights, which has been protected by its inclusion as a guarantee in the various constitutions, which is not derived from, or dependent on, the U.S. Constitution, which may not be submitted to a vote and may not depend on the outcome of an election. It is one of the most sacred and valuable Rights, as sacred as the Right to private property ... and is regarded as inalienable."

WHEREAS, Infringe Law and Legal Definition. Infringe means to violate; It means to encroach upon the law or rights of another; exceed the limits of. Infringed simply means "to trespass or violate"; in this case, the right of the people to keep and bear arms shall not be violated.

WHEREAS, abridge - Legal Definition. v. To diminish, lessen, or restrict a legal right. To condense or shorten the whole of something, such as a book, and not merely a portion of it.

WHEREAS, Civil and political rights are a class of rights that protect individuals' freedom from infringement by governments, social organizations, and private individuals. They ensure one's entitlement to participate in the civil and political life of the society and state without discrimination or repression.

WHEREAS, The Constitution of the United States recognizes a number of inalienable human rights, including freedom of speech, freedom of assembly, freedom of religion, the right to keep and bear arms, freedom from cruel and unusual punishment and the right to a fair trial by jury.

WHEREAS, The 9th Amendment to the U.S. Constitution protects against federal infringement of unremunerated rights. The text reads: The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

WHEREAS, The 14th Amendment to the U.S. Constitution protects against state abridging rights of citizens. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. This clause clearly makes the point that states can in no way undermine the laws as defined by the Constitution of the United States.

WHEREAS, The Second Amendment to the U.S. Constitution protects the citizen to own firearms and make a militia. 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.

WHEREAS, The N.Y. Constitution Article 1§1. No member of this state shall be disfranchised, or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land, or the judgment of his or her peers.

WHEREAS, The N.Y. Constitution Article 1 § 11 Equal protection of laws; discrimination in civil rights prohibited No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, creed or religion, be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation, or institution, or by the State or any agency or subdivision of the state.

WHEREAS, Article 12 § 1. The defense and protection of the state and of the United States is an obligation of all persons within the state. The legislature shall provide for the discharge of this obligation and for the maintenance and regulation of an organized militia.

WHEREAS, New York Civil Rights Law article II, § 4 provides that "[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."

The U.S. Constitution Article VI. This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding.

WHEREAS, all states of the United States are bound that the Constitution of the United States of America is "The Law of the Land."

WHEREAS, The following Supreme Court Rulings are in line with the intent of the De Jure Law. Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." *Miranda v. Arizona*, (1966) 384 US 436, 491.. ."There should be no arbitrary deprivation of Life or Liberty..."

WHEREAS, we the citizens of Orleans County are of good moral character acknowledge that law is important to maintain a civilized society.

THEREFORE BE IT RESOLVED, the Orleans County Government recognizes the U.S. Constitution as the law of the land, support the rights bestowed on the citizens of this great republic and oppose any law infringing on their rights.

Moved, Allport; second,

RESOLUTION NO. 191-421

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>		
01.1990.0435	Contingency Fund	\$3,000.00
<u>TO:</u>		
01.7450.0439	Cobblestone Museum	\$3,000.00

Moved, Miller; second,

RESOLUTION NO. 192-421

AUTHORIZING PAYMENT OF CLAIMS FOR MAY AGAINST THE COUNTY

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

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Commissioner of the Department of Public Works, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for May 12, 2021:

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

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Commissioner of the Department of Public Works, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for May 26, 2021:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General		

Utility Payments
Department of Public Works
Job Development
Self Insurance

Paid on line

Moved, Miller; second,