

**Legislature Meeting**  
**February 24, 2021**

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Chairman Lynne M. Johnson called the meeting to order at 4:30 p.m. After the pledge to the flag and invocation, led by Veteran Legislator Ken DeRoller, the Clerk called the roll. All Legislators were in attendance in the Chambers.

Chairman Johnson asked for communications, Clerk Stenshorn stated there were no communications to be presented.

Treasurer DeFrank submitted an Analysis of Monthly Cash Receipts and Disbursements through January 2021. She then reported via Zoom that the cash flow is looking good, tax collection for January was down, but February is coming in nicely. We are still waiting for State Claims to be released, but our finances are stable.

Legislator Draper presented a Special Recognition award to Probation Director Luci and the Orleans County Probation Department in recognition for receiving, from the NYS Office of Probation and Correctional Alternatives, a Special Recognition for developing a “Best Practice” procedure for the return of Violation of Probation: Declaration of Delinquency Petitions from the courts. The department was also recognized by NYS for the creation and use of a “Probationer Handbook” which is a document developed to assist adult offenders placed under probation supervision with all aspects of their sentence.

Legislator Miller presented Melissa Blonar, Director of the Office for the Aging and Robert Batt, Executive Director for the Orleans County Coop Extension a Special Recognition to each for receiving the Leadership Orleans Alumni of the year for 2020 award. Both Melissa and Robert have gone far and beyond their professional leadership roles in serving the county residents during the COVID-19 pandemic. Both put in an extreme effort in organizing multiple food distribution and assisting with pandemic related needs.

Legislator Allport presented a Proclamation to Jill Pegelow from ARC, proclaiming March as Developmental Disabilities Awareness Month. Jill thanked the Legislator’s for their support for all the individuals that they serve and for supporting the staff that continue to come to work every day to support those individuals.

Chairman Johnson called for open discussion as it related to the resolutions, no discussion was raised.

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

**RESOLUTION NO. 65-221**

**AUTHORIZING FILLING POSITION IN THE DEPARTMENT OF MOTOR VEHICLES**

WHEREAS, the DMV has an employee that is retiring and it is important to continue servicing the public’s needs in the Department of Motor Vehicles; and

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full time Motor Vehicle Application Examiner position (1410.09) in the Motor Vehicle Department at Grade 9 of the CSEA Salary Schedule, effective March 8, 2021.

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

**RESOLUTION NO. 66-221**

APPROVING AGREEMENT BETWEEN REAL PROPERTY AND SYSTEMS DEVELOPMENT GROUP, INC.

RESOLVED, that this Legislature approves the agreement between Real Property Tax Services and Systems Development Group Inc. (SDG), 8140 State Route 12, Barneveld, New York 13304, for web-based delivery of the Orleans County Real Property Information for the period of March 1, 2021 through February 28, 2024, at a cost of \$3,300 for Software, support and hosting services.

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

**RESOLUTION NO. 67-221**

AUTHORIZING EXECUTION OF A PAYMENT IN LIEU OF TAXES AGREEMENTS WITH TJA-NY-11074 RIDGE ROAD MEDINA LLC FOR SOLAR ENERGY SYSTEMS IN RIDGEWAY 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, TJA-NY-11074 Ridge Road Medina 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 11074 Ridge Road, New York Tax Map 57.-1-53.1 (the “Project”); 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 PILOT Agreements, and any amendments thereto, with TJA-NY-11074 RIDGE ROAD MEDINA 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. 68-221**

AUTHORIZING EXECUTION OF A PAYMENT IN LIEU OF TAXES AGREEMENTS WITH TJA-NY-11202 RIDGE ROAD MEDINA LLC FOR SOLAR ENERGY SYSTEMS IN RIDGEWAY 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, TJA-NY-11202 Ridge Road Medina LLC has also 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 11202 Ridge Road, New York Tax Map 57.-1-52 (the “Project”); 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 PILOT Agreements, and any amendments thereto, with TJA-11202 RIDGE ROAD MEDINA 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. 69-221**

APPROVING MULTIPLE PROJECT HARDWARE PURCHASES UNKNOWN AT BUDGET TIME FOR THE 2021 ANNUAL BUDGET FOR COMPUTER SERVICES DEPARTMENT AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE COMPUTER SERVICES BUDGET

RESOLVED, that this Legislature approves the purchase of 100 additional Netmotion Licenses from Brite Computers aka Brite Upstate Wholesale Supply, INC, 7647 Main Street Fishers, Victor, NY 14564, in an amount not to exceed \$6,000.00 to be paid from Computer Services Budget 01.1680.0418 – Other Contractual; and be it

FURTHER RESOLVED, that this Legislature approves the purchase of one (1) Sangoma SwitchVox E535 cold spare from CDWG, 75 Remittance Drive, Suite # 1511, Chicago, IL 60675-1515, in an amount not to exceed \$3,900.00 to be paid from Computer Services Budget 01.1680.0418 – Other Contractual; and be it

FURTHER RESOLVED, that this Legislature approves the purchase of one (1) Sophos XG 550 Firewall cold spare and 56 Sophos APX 320 Wireless Access Points from Layer 3 Technologies, 1645 Lyell Ave., Suite # 200, Rochester, NY 14606, in an amount not to exceed \$30,445.00 to be paid from Computer Services Budget 01.1680.0270 – Capital Projects; and be it

FURTHER RESOLVED, that this Legislature approves the purchase of two Netgear M6100-44G3-POE switches from CDWG, 75 Remittance Drive, Suite # 1511, Chicago, IL 60675-1515, in an amount not to exceed \$13,900.00 to be paid from Computer Services Budget 01.1680.0270 – Capital Projects; and be it

FURTHER RESOLOVED, that the County Treasurer is authorized to transfer funds into the Computer Services' budget for these purchases as follows:

FROM:

01.1990.435	Contingency Fund	\$54,245.00
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TO:

01.1680.0418	Other Contractual Expenses	\$ 9,900.00
01.1680.0270	Capital Projects	\$44,345.00

Moved, DeFilipps; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller asked Treasurer DeFrank to comment on the relationship and experiences with Absolute Actions and Realty, Inc. The Treasurer stated they have used this company for quite a few years. They are very professional and would be very happy to use them for another three years.

**RESOLUTION NO. 70-221**

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, 2023 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. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 71-221**

**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 \$63,807.16 from the 2020 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, the County Treasurer is hereby authorized to set up funds from the reserve for repairs account in the amount of \$29,353.37 to Central Office Equipment Repair Account 01.1615.0443, and the amount of \$34,453.79 to Account 01.1615.0453 – Communications Repair Account.

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

**RESOLUTION NO. 72-221**

**RESOLUTION APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD**

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

<u>NAME &amp; MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Kirk Myhill 10835 West Shelby Road Medina, NY 14103	Town of Shelby	12-31-23

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

**RESOLUTION NO. 73-221**

**AUTHORIZING PAYMENT FROM TOURISM BUDGET**

RESOLVED, that this Legislature authorizes Orleans County Tourism to pay Genesee County Chamber of Commerce, located at 8276 Park Ave, Batavia NY, the amount of \$6,000.00 for a four (4) county collaborative with Genesee, Livingston, Orleans and Wyoming (GLOW) Counties on a tourism marketing campaign to promote tourism within each county and brand our GLOW region as “Fresh Air Adventure-New York’s Fall to Finger Lakes” to visitors coming to our region. The website/Facebook page for this collaboration is [www.freshairadventuresny.com](http://www.freshairadventuresny.com). This campaign will run from March 1, 2021 to December 31, 2021 to be paid from Tourism Account 01.6410.0432 - Miscellaneous Contracts.

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

**RESOLUTION NO. 74-221**

**AMENDING RESOLUTION NO. 448-992 AND 653-1293 MENTAL HEALTH CHANGING WITHDRAWAL LIMITS TO THE HEALTH HOME CARE MANAGEMENT PROGRAM CHECKING ACCOUNT**

WHEREAS, Resolution No. 448-992 and 653-1293 set the spending limits for the Mental Health Intensive Case Manager Program checking account, to a daily maximum available to be \$300.00, withdrawals over \$100.00 a day for any one client or plans to exceed \$500.00 of withdrawals per week ICM require Administrative approval; and

WHEREAS, the program has shifted to Health Home Care Management Program for emergency services and client specific services; and

WHEREAS, the cost of assisting clients has increased since 1993; be it

RESOLVED, that this Legislature does hereby authorize to increase the maximum amount available to the Care Manager on a daily basis to be \$300.00, withdrawals over \$100.00 a day for any one client or plans to exceed \$800.00 of withdrawals per week per Care Manager will require administrative approval.

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

**RESOLUTION NO. 75-221**

**AUTHORIZING COUNTY 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 Mental Health Budget to pay for Integrity Partners for Behavioral Health 2021 dues and to purchase a cell phone booster kit as follows:

<u>FROM:</u>	
Miscellaneous Reserve	\$11,440.00

TO:

01.4310.0466	Consultant Fees	\$10,000.00
01.4310.0418	Other Contractual	\$ 1,440.00

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

**RESOLUTION NO. 76-221**

**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 the setup of revenue and expense for Finger Lakes Performing Provider System money received as follows:

REVENUE:

01.4310.1625	Miscellaneous Revenue	\$32,433.00
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APPROPRIATION:

01.4310.0250	Other Equipment	\$ 598.00
01.4310.0418	Other Contractual	\$31,835.00

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

**RESOLUTION NO. 77-221**

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

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

ABCD Agri-Business Child Development at Batavia AKA Head Start. 18 Brooklyn Avenue, Batavia, NY 14020. MOA to establish the responsibilities of OCHD and Head Start relative to services for infant 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 regulation. For term February 1, 2021 through January 31, 2024. No County cost.

Orleans County Office of the Aging, (Accident Prevention) 14016 Rt. 31 West, Albion, NY 14411. Contract to provide chronic disease and accident prevention along with safety programs for Orleans County Residents sixty and over. Reimbursement from NYS Health Department. For a term January 1, 2021 through December 31, 2021. No Count cost.

Orleans County Sheriff's Office, 13925 Rt. 31, Public safety Building, Albion, NY 14411. Contract to provide Animal Control Services for Orleans County Health Department as required. To Collect and prepare animals for

rabies testing. Rate of pay is based on Management Compensation plan. Mileage is reimbursed at approved County rate. State aid reimbursement. For term January 1, 2021 through December 31, 2023.

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

**RESOLUTION NO. 78-221**

**AUTHORIZING SETTING UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT**

WHEREAS, Genesee Council on Alcoholism & Substance Abuse (GCASA) has partnered with Genesee and Orleans County Health Department to assist with sharing information on the New York State Prevention Agenda and the counties’ prevention priorities and community health work plan;

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 partnership in the amount of \$850.00 as follows:

<u>REVENUE:</u>		
01.4010.1606	GCASA	\$ 850.00
 <u>APPROPRIATIONS:</u>		
01.4010.0418	Other Contractual Expense	\$ 850.00

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

**RESOLUTION NO. 79-221**

**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, 2020 and

WHEREAS, the Committee on Human Services did review the request and does recommend approval at this time. Now, therefore, be it

RESOLVED, that the Orleans County Legislature does hereby reappoint Dr. Thomas Madejski of 100 Ohio Street, Medina, NY 14411 to the Genesee-Orleans County Board of Health effective January 1, 2021 through December 31, 2026.

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

**RESOLUTION NO. 80-221**

**AUTHORIZING THE SHERIFF’S OFFICE TO PURCHASE INSTREAM MICROFILM SCANPRO 2200**



RESOLVED, that this Legislature authorizes the Sheriff's Office to purchase InStream Microfilm ScanPro 2200 for Microfiche magnification in the amount of \$6,785.00 to InStream LLC, 1201 Indian Church Road, West Seneca, NY 14224.

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

**RESOLUTION NO. 81-221**

**APPROVING RENEWAL AGREEMENT BETWEEN SHERIFF'S JAIL AND LEXISNEXIS**

RESOLVED, that this Legislature does hereby approve the two year renewal agreement between the Sheriff's Jail and LexisNexis, PO Box 9584, New York, NY 10087-4584 for inmate access at the Orleans County Jail for electronic legal research library account, at the monthly fee in the amount of \$200.00, for a period of March 1, 2021 through February 28, 2023.

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

**RESOLUTION NO. 82-221**

**APPROVING SHERIFF'S PUBLIC SAFETY COMMUNICATIONS EMERGENCY 911 CENTER TO ENTER INTO AGREEMENT WITH DOHERTY COMMUNICATIONS FOR THE COMMAND AND INSTALL ON THE 24 HOUR RECORDER PLACEMENT AND AUTHORIZING TREASURER TO SET UP MONEY INTO THE SHERIFF'S DISPATCH OTHER EQUIPMENT**

WHEREAS, Resolution No. 63-121 authorized the Sheriff's Public Safety Communications Emergency 911 center to purchase Stephen Campbell Associates Eventide Recording System on GSA Contract; now be it

RESOLVED, that this Legislature approves the Sheriff's Public Safety Communications Emergency 911 Center to enter into agreement with Doherty Communications, LLC, 16 Ryder Cup Circle, Pittsford, New York, for the command and install on the 24 Hour Recorder Replacement Project at the 911 Dispatch Office at a cost of \$8,250.00 effective February 1, 2021 through 30 days after vendor installation; now therefore be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up funds from Building and Equipment Reserve for the cost of the agreement in the total amount of \$8,250.00 to: Doherty Communication's, LLC ,16 Ryder Cup Circle, Pittsford, New York, to be paid from Sheriff's Public Safety Communications budget line 01.3020.0404-Communications Maintenance with appropriated budget as follows:

FROM:

Building and equipment Reserve \$8,250.00

TO:

01.3020.0404 Communications Maintenance \$8,250.00

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

**RESOLUTION NO. 83-221**

AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR 2020-2021 PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANTS 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, 2021 through December 31, 2021.

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

**RESOLUTION NO. 84-221**

SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 2 - INTRO OF 2021 REGARDING NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE FOR ORLEANS COUNTY; 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 24th day of March, 2021 at 4:20 p.m. at the Legislature Chambers, 14016 State Route 31, Albion, New York.

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

**RESOLUTION NO. 85-221**

AUTHORIZING THE CREATION AND FILLING OF A PART-TIME ASSISTANT PUBLIC DEFENDER POSITION WITHIN THE PUBLIC DEFENDER'S OFFICE

RESOLVED, that this Legislature authorizes the creation and the hiring of a part-time Assistant Public Defender to the Chief Public Defender at Grade 2, of the Management Salary Schedule, effective March 1, 2021; and it is hereby

FURTHER RESOLVED, that the salary shall be subject to annual automatic increases; and it is

FURTHER RESOLVED, that the salary and fringe necessary to pay for this position, and any increases thereafter, shall be covered by Contract #CSTWIDEHH33, and any subsequent contract; and it is

FURTHER RESOLVED, that this agreement shall have no County cost as the salary and fringe for this position is to be paid by grant funding from the New York State Office of Indigent Legal Services. This position is contingent upon continued funding; and it is

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds from the 2021 Public Defender budget:

FROM:

01.1170.0486.2020	Special Grants HHY2	\$48,169.00
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TO:

01.1170.0100	Personal Services	\$37,170.00
01.1170.0810	Retirement	\$ 7,211.00
01.1170.0820	Medicare	\$ 539.00
01.1170.0830	Social Security	\$ 2,305.00
01.1170.0840	Worker's compensation	\$ 799.00
01.1170.0850	Unemployment Insurance	\$ 80.00
01.1170.0880	Disability	\$ 65.00

Moved, Draper; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 86-221**

**APPOINTING MEMBERS TO THE EMERGENCY MEDICAL SERVICES BOARD**

RESOLVED, that this Legislature approve the following members to the Emergency Medical Services Council, all terms expiring December 31, 2021:

<u>AGENCY</u>	<u>NAME OF REP</u>	<u>ALERNATE</u>
Albion Fire Department	Fred Piano	Gregg Marston
Barre Fire Company	Kara Smith	Chris Flansburg
Carlton Fire Company	David Bertsch	Robin Hughson
Clarendon Fire Company	Donald Mosier	
East Shelby Fire Company	Michael Fuller	Sue Behrend
Murray Joint Fire District	Adam Blosenhauer	Eric Reed
Kendall Fire Company	Suzanne Maslyn	
Lyndonville Fire Company	Anna Schuner	Wallace Snyder
Medina Fire Department	Jacob Crooks	Steven Cooley
Ridgeway Fire Company	Kristin McAdoo	Chantelle Blackburn
Shelby Fire Company	Jeffery Lyons	Tiffany Petry

COVA  
Orleans County EMS-  
Coordinator/EMO  
Orleans County Public Health  
Orleans County Sheriff  
Orleans County 911 Center  
Orleans Community Health

Laurie Schwab  
  
Justin Niederhofer  
David Bell  
Christopher Bourke  
Allen Turner  
LeighAnn VanAuker

Chuck Prentice  
  
Gerald Bentley  
Cora Young

NON VOTING MEMBERS

County Legislature Chairman  
Public Safety Chairman  
NYS DOH  
Monroe Ambulance  
Mercy Flight  
Lake Plains Community Care-  
Network EMS

Lynne M. Johnson  
Merle Draper  
Edward Mager  
Michael Bove  
Thomas LaBelle  
Rob McCartin

William Eick, Vice  
  
John Williams  
  
Charlotte Crawford

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

**RESOLUTION NO. 87-221**

APPOINTING MEMBERS TO THE ORLEANS COUNTY FIRE ADVISORY BOARD

RESOLVED, that this Legislature approve the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2021 with all terms expiring December 31, 2021.

AGENCY

Albion Fire Department  
Barre Fire Company  
Carlton Fire Company  
Clarendon Fire Company  
E. Shelby Fire Company  
Kendall Fire Company  
Lyndonville Fire Company  
Medina Fire Department  
Murray Joint Fire District  
Ridgeway Fire Company  
Shelby Fire Company

PRIMARY

Harry Papponetti  
James Neal  
Dale Niehaus  
Robert Frieda  
Allen Turner  
Dan Schultz  
Ben Bane  
Matt Jackson  
Harris Reed  
Pat Kelly  
Jason Watts

ALTERNATE

Rob Conner  
  
Andrew Niederhofer  
  
Mike Schultz  
  
Jonathan Higgins

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

Orleans County Emergency Management  
Orleans County Emergency Management  
Orleans 2 Deputy Coordinator  
Orleans 3 Deputy Coordinator

H. Dale Banker-Director  
Justin Niederhofer-Deputy Director  
Francis Gaylord  
Gerald Bentley

Orleans 4 Deputy Coordinator  
Orleans 5 Fire Investigator  
Orleans 7 Fire Investigator  
Orleans 8 Fire Investigator  
Chairman of the Legislature  
Vice Chairman of the Legislature  
Orleans County Sheriff  
COVA  
NYS OFPC

David Hydock  
David Clary  
Cole Hardenbrook  
Steven Cooley  
Lynne M. Johnson  
William Eick  
Christopher Bourke  
Laurie Schwab  
Rachel Ford-FPS

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 88-221**

#### **APPOINTING MEMBERS TO THE RADIO SYSTEM ADVISORY BOARD**

FURTHER RESOLVED, that this Legislature appoint the following members to the Radio System Advisory Board for a one year term beginning January 1, 2021 through December 31, 2021:

Lynne M. Johnson	Chairman of the Legislature
William Eick	Vice Chairman of the Legislature
Merle Draper	Chair, Public Safety Committee
John C. Welch, Jr.	Chief Administrative Officer
Christopher Bourke	Sheriff
H. Dale Banker	Director of Emergency Management
Justin Niederhofer	Deputy Director/County Interop Coordinator
John Papponetti	Commissioner of Department of Public Works
Allen Turner	Dispatch
David Mogle	Lieutenant-Albion/Holley Police Depts.
Tim Warth	Public Safety Communications Mgr.
Gerald Bentley	Fire Chief's Association
Jonathan Higgins	Fire Advisory Board
Chad Kenward	Chief of Police-Medina

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 89-221**

#### **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's:

Orleans County Sheriff's Department (OCSD), Albion, NY for the provision of deputy security services in the way of screening visitors and managing the metal detector in the entrance of the Orleans County Office Building. Deputy will also manage noncompliant visitors to the complex and respond to requests from employees for assistance as needed.

The Department of Public Works, Albion, NY for the provision of Messenger and Custodial Services; to be effective January 1, 2021 through December 31, 2021 at a cost of \$67,978. County cost is \$23,792.

Orleans County Attorney, Medina, NY for the provision of 0.75 part-time attorney assigned to Social Services; to be effective January 1, 2021 through December 31, 2021 at a cost of \$59,982. County cost is \$20,394.

Center for Disability Rights, Rochester, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2021 through December 31, 2021 at rates set by NYS Department of Health. County cost is \$0.

Villa of Hope Youth and Family Services, Rochester, NY for the provision of residential foster care services; to be effective March 13, 2021 through March 12, 2021 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.

Willcare, Inc. of Lafayette, LA 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, 2021 through December 31, 2021.

William George Agency, for the provision of "Raise the Age" residential foster care services; to be effective January 1, 2021 through December 31, 2021, 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. 90-221**

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

RESOLVED, that this Legislature authorizes Office for the Aging to apply for the MIPPA grant in the amount of \$13,090 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, 2020 through September 29, 2021; No County Cost,

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator DeRoller asked Kelly Kiebala the Director of Job Development to comment of the role of the GLOW Workforce Development Board. Kelly Kiebala stated the board is comprised of members for the four counties (GLOW). There is federal legislation called WIOA (Workforce Innovation and Opportunities Act) that dictates the makeup of the

board. It is to be made up of mainly private sector employers. Orleans Community Health, Mary William has been the representative for many year. She has retired, Tom Bloomer is her replacement as voting member. We are thankful that he is doing that for us.

**RESOLUTION NO. 91-221**

**APPROVING NOMINATION TO GLOW WORKFORCE DEVELOPMENT BOARD**

RESOLVED, that this Legislature does hereby approve the nomination of Tom Bloomer, Vice President of Human Resources, Orleans Community Health/Medina Memorial Hospital, to replace Mary Williams, Orleans Community Health/Medina Memorial Hospital, to represent an Orleans County Private Sector Business 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. The term of membership would be March 16, 2021 through March 16, 2023.

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. County Cost \$0.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 92-221**

**AUTHORIZING TREASURER TO SET UP MONEY FROM MISCELLANEOUS RESERVE TO VETERANS SERVICES BUDGET FOR DWYER PEER TO PEER PROGRAM**

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 2020 as follows:

<u>FROM:</u>		
Miscellaneous Reserve		\$67,509.10
 <u>TO:</u>		
01.6510.0486	Special Grants	\$67,509.10

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 93-221**

**AMENDING RESOLUTION NO. 439-1020 AND AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PURCHASE A 2021 CHEVROLET SILVERADO**

WHEREAS, Resolution No. 439-1020 authorized the Department of Public Works to purchase (3) three Chevrolet Silverado trucks through Enterprise Fleet Management at a total cost of \$130,000.00; and

WHEREAS, due to COVID-19 shutdowns, General Motors has a shortage of parts and cannot fulfill (2) two Chevy Silverado purchase orders resulting in a cancellation of the both orders totaling \$82,468.58; and

WHEREAS, Enterprise Fleet Management has located (1) one 2021 Chevrolet Silverado 2500HD that has become available due to another client's purchase cancellation; therefore be it

RESOLVED, that this Legislature authorizes the Department of Public Works to purchase (1) one 2021 Chevrolet Silverado 2500HD Pickup truck through Enterprise Fleet Management at a cost of \$49,097.34 to be reimbursable through CHIPS with no County cost; to be paid out of the Machinery Fund budget account 04.5130.0270 – Capital Equipment; and be it

FURTHER RESOLVED, that this resolution authorizes the Treasurer to set up monies in the Department of Public Works Machinery fund budget as follows:

REVENUE:

04.5130.3501	Machinery CHIPS Revenue Account	\$49,097.34
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APPROPRIATION:

04.5130.0270	Machinery Capital Equipment Account	\$49,097.34
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and be it;

FURTHER RESOLVED, that this Chairman is authorized to execute all necessary documentation to lease this vehicle, 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. 94-221**

**APPROVING PAYMENT FOR EMERGENCY REPAIRS TO THE COUNTY CLERK AND COURTHOUSE BOILER SYSTEM TO TRANE U.S., INC.**

RESOLVED, that this Legislature approves the payment for emergency repairs to the County Clerk and Courthouse Boiler System to TRANE U.S., Inc. located at 45 Eahart Drive #103, Buffalo, New York 14221 in the amount of \$9,853.04 (OMINIA Partners Proposal #48-737646-21-001, under CO-OP Contract #USC-15-JLP-023). Payment to be made from Account A1620.403 – Maintenance Projects.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

The following resolution was withdrawn by Legislator Eick.



**RESOLUTION NO. 95-221-*Withdrawn***

**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 Private Water/Wastewater Systems program to undertake activities that focus on community development needs such as improving infrastructure to low and moderate income areas; and

WHEREAS, Orleans County (the “County”) desires to partner with The Villages of Orleans Health and Rehabilitation Center as a sub-recipient to apply to the New York State Office of Community Renewal (“OCR”) for \$250,000 for eligible Private Water/Wastewater system improvements which will reduce maintenance and energy expenses as well as reduce the risk for system failure; and

WHEREAS, the County has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and regarding the Private Water/Wastewater program.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application in the amount of \$250,000, such amount to be used to design and implement an upgraded Wastewater processing and pumping system; 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 Villages of Orleans Health and Rehabilitation Center relating to the use and administration of the grant funds, subject to review and approval by the County Attorney.

The following resolution was withdrawn by Legislator Eick.

**RESOLUTION NO. 96-221-*Withdrawn***

**AUTHORIZING THE COUNTY OF ORLEANS TO ENTER A COOPERATION AGREEMENT WITH THE VILLAGES OF ORLEANS HEALTH AND REHABILITATION CENTER FOR THE ADMINISTRATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS Orleans County and the Villages of Orleans Health and Rehabilitation Center have a reciprocal easement agreement allowing for shared use of certain common infrastructure; and

WHEREAS Orleans County is applying on behalf of the Villages of Orleans Health and Rehabilitation Center for CDBG funding to upgrade and rehabilitate the wastewater system servicing the facility; and

WHEREAS a public hearing was held to discuss community development plans, identifying and prioritizing needs along with activities to be undertaken with CDBG funds to address those needs; and therefore be it

RESOLVED, that the Chairman is authorized to apply for the CDBG Grant on behalf of The Villages of Orleans Health and Rehabilitation Center; and be it further

FURTHER RESOLVED, that the Chairman is hereby authorized to enter into a cooperation agreement with the Villages of Orleans Health and Rehabilitation Center which sets forth the respective responsibilities of the County and the Villages for administration of the CDBG program subject to grant approval and review and approval by the County Attorney.

**RESOLUTION NO. 97-221**

**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 sub-recipient 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, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 98-221**

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 \$5,000.00 for the 2021 calendar year; no increase from 2018.

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

**RESOLUTION NO. 99-221**

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>
\$3,744.00	AAA Sound & Video	6 Purelink AVEcho Plus kit – AV Presentation Materials & Labor

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

**RESOLUTION NO. 100-221**

AUTHORIZING PAYMENT OF CLAIMS FOR MARCH 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 March 10, 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 March 24, 2021:

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

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

### **ADD ON RESOLUTION(S)**

#### **RESOLUTION NO. 101-221**

**AUTHORIZING THE SHERIFF'S OFFICE TO CONTINUE WITH THE ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING THE CONTINUED APPLICATION FOR GRANT FUNDING FOR THIS PROGRAM**

RESOLVED, that this Legislature authorizes the Sheriff's Office to continue the Alternatives to Incarceration (ATI) 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 Programs, at a reimbursable cost to the county of \$10,762.00, effective for the grant period July 1, 2020 through June 30, 2021; and be it

FURTHER RESOLVED, that upon approval by NYS DCJS, the Chairman is hereby authorized to execute grant agreement B-1 2020-2021, Contract # C523944, and all related documents associated with this grant subject to the review and approval of the County Attorney.

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

Chairman Johnson called for any unfinished business and none was offered. She then opened the Zoom call for any comments from today's callers.

Kenny Ortiz, Medina: Mr. Ortiz spoke about wasteful spending, stating the Medina Police Department pays \$25,000 a year to publish press releases. His concern is that the past two press releases have failed to notify the public of the Zoom meetings. On February 22<sup>nd</sup> the Police Reform had two press releases but there were no links for the Zoom information on how to participate. Chairman Johnson thanked Mr. Ortiz and stated that this is a Village of Medina issue regarding their press releases. We have no control over that. Kenny Ortiz also stated the HUB is more of a resource for daily news. There was nothing published in the Daily News notifying the community. Chairman Johnson thanked Mr. Ortiz for attending the County police reform meetings.

Legislator DeRoller moved to adjourn; second, Legislator DeFilippis. Meeting adjourned at 5:00 p.m.

