



Zoom

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CONFERENCE SESSION

4:05 Ed Morgan – Wester NY OTB Director for Orleans County
Henry Wojtaszek – President & CEO OTB

PUBLIC HEARING

4:25 Public Hearing - Local Law No. 3 Intro of 2021 – Salaries of Appointed/Elected Officials

LEGISLATURE MEETING - AGENDA

December 20, 2021, 4:30 p.m.

Call to Order

Pledge to the Flag and Invocation – Veteran Kenneth DeRoller

Roll Call

Presentation of Communications

Treasurer's Report

Open Discussion – Legislators/Public Comment on Resolutions

Presentation of Resolutions:

539. Authorizing Computer Services to Purchase an Upgrade for the Chambers and Engage a Vendor in Creating the Room and Setting Up its Operation and Authorizing the Treasurer to Move Funds to Cover Implementation Costs (DeFilipps)

540. Amending Res. No. 505-1207, Rescinding Res. No. 161-479, 379-920, 432-1021 and Approving Cellular Phone Reimbursements for Computer Services Department (DeFilipps)

541. Approving Appointments to the Employee Assistance Program Committee (DeFilipps)

542. Approving Agreement between Orleans County and Royal Employer Services (DeFilipps)

543. Approving Agreement between Orleans County Self Insurance Plan and Occupational Safety Consultants, Inc. (DeFilipps)

544. Approving Agreement between Orleans County Self Insurance Plan and Cahill Tech Inc.

545. Abolishing All Positions not Budgeted in 2022 (DeFilipps)

546. Approving The Management Compensation Plan for 2022 and 2023 (DeFilipps)

547. Authorizing Salary Schedules for Management, Certain Part-Time, and Unclassified Employees (DeFilipps)

548. Adopting Local Law No. 3 of 2021, Entitled A Local Law Increasing the Salaries of Various Employees of The County of Orleans Appointed or Elected for a Definite Term (DeFilipps)

549. Authorizing County Treasurer to Setup American Rescue Plan Act Funds for Payroll Expense in Public Safety (DeFilipps)
550. Requesting Special Legislation Authorizing The County of Orleans to Offer an Optional Twenty-Year Retirement Plan to Certain Deputy Sheriff's (DeFilipps)
551. Authorizing Cancellation of Interest and Penalties on Back Due Real Property Taxes on a Parcel of Land in The Town of Murray, Village of Holley, Tax Map No. 88.21-1-31 (DeFilipps)
552. Authorizing County Treasurer to Make Year End Adjustments for Year Ending December 31, 2021 (DeFilipps)
553. Approving Apportionment of 2022 Sales Tax to Towns and Villages (DeFilipps)
554. Authorizing Execution of Secretarial Services Agreement for Orleans County Attorney (DeFilipps)
555. Approving Agreement between the Offices of District Attorney and Orleans County Attorney (DeFilipps)
556. Amending Resolution No. 78-211 for the General Charter of Policy of The Orleans County Medical Scholarship Board (DeFilipps)
557. Requesting New York State Legislature Establish Solar Panel Recycling Regulations (DeRoller)
558. Resolution Approving Appointment to the County Planning Board (DeRoller)
559. Authorizing the Filling of a Position in the Planning and Development Department (DeRoller)
560. Approving Agreements With Lynne Menz Designs for Tourism and Design Services
561. Appointing and Authorizing Stipend for Marine Park Manager (DeRoller)
562. Authorizing Reimbursement to Tourism Director for Cell Phone Usage (DeRoller)
563. Approving a Supplemental Payment to the County of Orleans Industrial Development Agency (COIDA) (DeRoller)
564. Approving Agreements between Mental Health Department and Various Providers (Allport)
565. Amending Resolution No. 517-1220 between Orleans County Mental Health and Patrick Stein M.D. (Allport)
566. Amending Resolution No. 329-820 between Orleans County Mental Health and Brian Amos M.S., Ph.D. (Allport)
567. Authorizing Acceptance of a Donation to the Orleans County Suicide Prevention Coalition and Authorizing Treasurer to Set Up New Money in the Mental Health Budget (Allport)
568. Authorizing Filling Positions in the Mental Health Department (Allport)
569. Approving Agreements between the Health Department and Various Agencies (Allport)
570. Authorizing Making Purchase from Public Health Department Budget (Allport)
571. Approving Agreement between the Health Department and New York State, Authorizing County Treasurer to Set Up New Monies, Authorizing Grant Fund Purchase (Allport)
572. Resolution Approving Contract with Common Ground Health for Regional Covid-19 Communications Strategy (Allport)
573. Authorizing Out of State Travel for Health Department Employees (Allport)
574. Authorizing Filling Position in the Public Health Department (Allport)
575. Authorizing Out of State Travel for Probation Director (Draper)
576. Approving Agreements between the Sheriff's Office and Various Agencies (Draper)
577. Authorizing The Sheriff's Office To Apply For Grant Trough The New York State Division Of Criminal Justice Services (Draper)
578. Approving Purchases within the Sheriff's Office and Authorizing Transfer of Funds Within the Sheriff's Budget (Draper)

579. Approving Purchase in the Sheriff's Dispatch and Authorizing Transfer of Funds Within the Sheriff's Budget (Draper)
580. Approving Appointments to the Alternatives to Incarceration Board (Draper)
581. Authorizing the Filling of Vacancies in the Sheriff's Jail (Draper)
582. Authorizing Contract between the Public Defender's Office and Language Line Services, Inc. (Draper)
583. Authorizing Contract between the Public Defender's Office and Language Line Services, Inc. for Use by the Assigned Counsel Program Panel Attorneys (Draper)
584. Authorizing Cell Phone Reimbursement to Contracted CAP Attorney in the Public Defender's Office (Draper)
585. Authorizing Appointment of the Public Defender (Draper)
586. Approving Agreements between the Orleans County Department of Social Services and Various Agencies (Eick)
587. Authorizing Filling Positions in the Department of Social Services (Eick)
588. Approving Agreements between Office for the Aging Department and Various Agencies (Eick)
589. Authorizing Office for the Aging to Reapply and Accept Grant for the Medicare Improvements for Patients and Providers Act (MIPPA) Funding and Accept Funding (Eick)
590. Approving Orleans County Job Development Agency Work Sites Agreement for 2022-2023 (Eick)
591. Approving Service and Maintenance Agreement between Orleans County Board of Elections and Tenex Software Solutions (Eick)
592. Approving Agreement Extension between Orleans County Board of Elections and New York State Board of Elections for the HAVA Cybersecurity Remediation and Mitigation Grant (Eick)
593. Approving Agreement with the Department of Public Works and Auctions International (Eick)
594. Approving Agreement between the Orleans County Department of Public Works and Suburban Electric (Eick)
595. Approving Agreement with the Department of Public Works and Labella Associates, P.C. (Eick)
596. Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-Aid and State "Marchiselli" Program-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore (Eick)
597. Authorizing Setting up New Money in the Department of Public Works (Eick)
598. Authorizing Payments from Capital Project Lake Ontario REDI Account (Eick)
599. Approving Renewal Agreement between Orleans County and Park Strategies, LLC (Eick)
600. Authorizing the Payment In Lieu Of Taxes allocation Agreement between the County of Orleans Industrial Development Agency and Heritage Wind, LLC (Eick)
601. Setting Date of 2022 Organizational Meeting (Eick)
602. Approving Appointments to the County of Orleans Industrial Development Agency (COIDA) (Eick)
603. Authorizing Treasurer to Transfer Funds within the Legislature Budget (Eick)
604. Authorizing Payment of Claims for January Against the County (Eick)

Unfinished Business

Adjournment

RESOLUTIONS:

RESOLUTION NO. 539-1221

AUTHORIZING COMPUTER SERVICES TO PURCHASE AN UPGRADE FOR THE CHAMBERS AND ENGAGE A VENDOR IN CREATING THE ROOM AND SETTING UP ITS OPERATION AND AUTHORIZING THE TREASURER TO MOVE FUNDS TO COVER IMPLEMENTATION COSTS

WHEREAS, the Legislature is aware that the advancement in technologies and the need for contactless collaborative meetings has increased to the point of a requirement to provide better capabilities for the Legislative Council Chambers; now be it

RESOLVED, that this Legislature authorizes Computer Services to create an AV environment in the current chambers with all audio and video equipment/capabilities outlined in Provisional #x-2100BAR on Quote # 18220, from Audio-Video Corporation, 213 Broadway, Albany, NY 12204 for \$10,175.50 for equipment, installation, testing and training, to be managed by the Computer Services department and paid for by the Computer Services department budget from budget line 01.1680.270 – Capital Equipment; and

FURTHER RESOLVED, that the Legislature authorizes the County Treasurer to transfer funds as follows:

FROM:

01.1990.0435	Contingency Fund	\$10,175.50
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TO:

01.1680.0270	Computer Services-Capital Projects	\$10,175.50
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FURTHER RESOLVED, that the Legislature Chairman is authorized to execute the agreement to initiate the Project with Audio-Video Corporation.

Moved, DeFilipps; second

RESOLUTION NO. 540-1221

AMENDING RES. NO. 505-1207, RESCINDING RES. NO. 161-479, 379-920, 432-1021 AND APPROVING CELLULAR PHONE REIMBURSEMENTS FOR COMPUTER SERVICES DEPARTMENT

WHEREAS, there have been multiple resolutions approving Cellular Phone Use Agreements in the Computer Services Department; now be it

RESOLVED, that this Legislature approves amending Resolution No. 505-1207 to remove the Cellular Phone Use Agreements for the following positions: 1680.04-IT Operations Analyst I, 1680.03- E-Mail and Internet Services Manager and 1680.06-Senior Network Services Manager; and be it

FURTHER RESOLVED, that this Legislature approves rescinding the following Resolutions that authorized adding cell phones to the Verizon Account and approving Cellular Phone Use Agreement as follows:

Resolution No.	Position Code:	Title:
161-479	1680.05	Computer Specialist
379-920	1680.03	Senior Email & Internet Services Manager
359-821	1680.08	Social Services Computer Specialist
432-1021	1680.04	IT Operations Analyst
432-1021	1680.06	Senior Network Services Manager

FURTHER RESOLVED, that this Legislature authorizes payment from the Computer Services budgets as partial reimbursement for cell phone charges, incurred in conducting daily business, in the amount of \$50.00 per officer per month, to be vouchered quarterly, effective January 1, 2022 for the following positions:

Position Code:	Title:
1680.02	Deputy Director
1680.03	Senior Email and Internet Services Manager
1680.05	Senior Computer Specialist
1680.06	Senior Network Services Manager
1680.08	Computer Specialist
1680.09	Computer Specialist.

Moved, DeFilipps; second,

RESOLUTION NO. 541-1221

APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

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

Nadine Hanlon, County Clerk - Management	1/1/21-12/31/22
Nola Goodrich-Kresse, Public Health (GCASA Liaison)	1/1/21-12/31/22
Nicole Spohr, Sheriff's Office – OCSEA Representative	1/1/21-12/31/22
Merle L. Draper, Legislature	1/1/21-12/31/22
Michele L. Sargent, Office for the Aging	1/1/21-12/31/22
Katie Harvey, Personnel – Management	1/1/22-12/31/23
Patricia Urquhart, Mental Health – CSEA	1/1/22-12/31/23
Amberlyn Robinson, Clerk of the Leg.–Mgt.	1/1/22-12/31/23
Jeffrey Cole, Sheriff – OCDSA	1/1/22-12/31/23

Moved DeFilipps, second

RESOLUTION NO. 542-1221

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND ROYAL EMPLOYER SERVICES

RESOLVED, that this Legislature approves a renewal agreement with Royal Employer Services, 430 East Main St., Batavia, NY 14020 for the provision of an Employee Assistance Program, at a cost \$6,400, with cost of agreement to be apportioned at 50% from Mental Health and 50% from Personnel; and said agreement effective from January 1, 2022 through December 31, 2022.

Moved, DeFilipps; second,

RESOLUTION NO. 543-1221

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF INSURANCE PLAN AND OCCUPATIONAL SAFETY CONSULTANTS, INC.

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan, be it

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc. for safety consulting services at an hourly rate of \$145; and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$7,020 for 2022.

Moved, DeFilipps; second,

RESOLUTION NO. 544-1221

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF INSURANCE PLAN AND CAHILL TECH INC.

WHEREAS, safety is a valuable component of managing our Orleans County Self Insurance Plan, and

WHEREAS, the Orleans County Self Insurance Plan strives to find delivery systems of safety information that is relevant to the hazards our members are facing in a timely and effective manner, now be it

RESOLVED, that this Legislature authorizes an App Software License Agreement with CaHill TECH, Inc., P O Box 166, Akron, NY 14001 at a licensing rate not to exceed \$140 per user annual license with a total license cost of \$14,000 beginning December 1, 2021 through December 1, 2022 and be it

FURTHER RESOLVED, that this is a budgeted contractual expense for Orleans County Self Insurance Plan.

FURTHER RESOLVED, that any additional charges for devices, onboarding, materials or custom modules shall be at the expense of the individual members of the Orleans County Self Insurance Plan which will allow the members to customize the software for maximum by the local municipality.

Moved, DeFilipps; second,

RESOLUTION NO. 545-1221

ABOLISHING ALL POSITIONS NOT BUDGETED IN 2022

RESOLVED, that effective January 1, 2022, all positions for which an appropriation has not been included in the 2022 County Budget are hereby abolished; and be it

FURTHER RESOLVED, that all County Departments are hereby directed to review the positions on the salary schedule prepared by the Personnel Office and to notify the Director of Personnel of each position not budgeted; and be it

FURTHER RESOLVED, that upon receipt of such notification the Personnel Department will take the appropriate action to insure that non-budgeted positions are abolished and removed from the 2022 salary schedule.

Moved, DeFilipps; second,

RESOLUTION NO. 546-1221

APPROVING THE MANAGEMENT COMPENSATION PLAN FOR 2022 AND 2023

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

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

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

Moved, DeFilipps; second,

RESOLUTION NO. 547-1221

AUTHORIZING SALARY SCHEDULES FOR MANAGEMENT, CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES

WHEREAS, the Orleans County Legislature approved the 2021/2022 Management Compensation Plan by passing Resolution No. 502-1220; now be it

RESOLVED, that employees are also authorized to receive any increments they are entitled to under the plan; and be it

FURTHER RESOLVED, that the following salaries, effective January 1, 2022, are authorized for certain part-time and unclassified employees:

and be it

<u>Annual:</u>	<u>1/1/22-12/31/22</u>
Administrative Assistant – MFCTF	\$ 3,140
Deputy Budget Officer	3,789
Deputy Fire Coordinator	2,404
Fire Investigator	2,404
Historian	11,730
Public Defencder-Stipend	35,145
Assistant Public Defender-CAP Stipend	10,200
Assistant Public Defender-Felony Stipend	6,630
Assistant Public Defender-Parole Stipend	6,630
Assistant Public Defender-Pay Parity Stipend	2,040
Director of Computer Services	\$ 97,047
Deputy Director of Computer Services	82,130
Confidential Secretary to the District Attorney	55,646
Secretary to the Assistant District Attorney (1165.06)	47,094
Secretary to the Assistant District Attorney (1165.13)	39,856
Secretary to the Highway Superintendent	58,829
Public Health Director	107,496
Director of Community Health Services	86,057
Public Health Administrative Officer	61,638
Confidentail Secretary to the Sheriff	58,829
<u>Daily:</u>	
Examination Monitor (Full Day)	135.97
Examination Monitor (Half Day)	67.99
<u>Hourly (Part-Time Employees)</u>	
Animal Control Officer	\$ 15.68
Clerk (Elections)	13.20
Correctional Officer (Jail)	15.68
Correctional Officer (Jail) Second rate	21.90
Crew Leader (Sheriff)	14.67
Deputy Sheriff Marine Patrol – Non Certified	15.11
Deputy Sheriff Marine Patrol – Certified	18.04
Dispatchers	15.68
Medical Director	109.14

Voting Machine Technicians 19.83

Hourly (Full Time Employees)
Director of Emergency Management \$ 20.00

Moved DeFilipps, second,

RESOLUTION NO. 548-1221

ADOPTING LOCAL LAW NO. 3 OF 2021, ENTITLED A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

WHEREAS, Local Law No. 3-Intro of the year 2021 was introduced at a regular meeting of the Orleans County Legislature held on November 17, 2021 and a Public Hearing was held on December 20, 2021, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 3 of 2021, (filed as Local Law No. 1 of 2022) as follows:

COUNTY OF ORLEANS
LOCAL LAW NO. 3 of 2021

A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM

Be it enacted by the Legislature of the County of Orleans, as follows:

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salaries of the following County Employees are raised as follows, at an annualized salary as set forth below:

Employee	Proposed	Annual Longevity Bonus
Clerk of the County	\$75,976	**\$500
Commissioner of Public works	\$100,330	
Director of Personnel	\$80,320	
Real Property Tax Director	\$84,916	**\$500
Sheriff	\$97,580	*****\$2,000
Social Services Commissioner	\$89,774	*****\$2,000
Coroners	\$2,131	
	Plus \$100 per case/\$50 Hospice Case	

- * Indicates 10 years of service and at top of the grade
- ** Indicates 15-19 years of service
- *** Indicates 20-24 years of service
- **** Indicates 25-29 years of service
- ***** Indicates 30-34 years of service
- ***** Indicates 35 and over years of service

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by one affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, after petition, whichever event first occurs.

Moved, DeFilipps; second,
Roll Call

RESOLUTION NO. 549-1221

AUTHORIZING COUNTY TREASURER TO SETUP AMERICAN RESCUE PLAN ACT FUNDS FOR PAYROLL EXPENSE IN PUBLIC SAFETY

WHEREAS, the interim final rule for the American Rescue Plan Act funds specifically states the funds may be used for payroll and covered benefits expense for public safety and public health, and

WHEREAS, for administrative convenience, the recipient may consider public health and safety employees to be entirely devoted to mitigating or responding to the COVID-19 public health emergency; therefore be it

RESOLVED, that this Legislature hereby authorizes the County Treasurer to setup funds from the American Rescue Plan Act funds for payroll in July, August, September, October and November 2021 for Public Safety Communication System, Sheriff and Jail as follows:

REVENUE:

01.1326.4096	American Rescue Plan	\$2,451,949.23
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EXPENSE:

01.1326.0100.3020	Personal Services	\$ 263,769.16
01.1326.0820.3020	Medicare	\$ 3,729.79
01.1326.0830.3020	Social Security	\$ 15,947.99
01.1326.0100.3110	Personal Services	\$1,013,066.95
01.1326.0820.3110	Medicare	\$ 14,255.74
01.1326.0830.3110	Social Security	\$ 60,955.44
01.1326.0100.3150	Personal Services	\$1,004,827.38
01.1326.0820.3150	Medicare	\$ 14,290.91
01.1326.0830.3150	Social Security	\$ 61,105.87

FURTHER RESOLVED, the County Treasurer is authorized to create the appropriate journal entry to reimburse the payroll lines in the Public Safety Communication System, Sheriff and Jail Departments.

Moved, DeFilipps;

RESOLUTION NO. 550-1221

REQUESTING SPECIAL LEGISLATION AUTHORIZING THE COUNTY OF ORLEANS TO OFFER AN OPTIONAL TWENTY-YEAR RETIREMENT PLAN TO CERTAIN DEPUTY SHERIFF'S

WHEREAS, the County of Orleans (the "County") and the Orleans County Deputy Sheriff's Association (the "Union") (collectively the "parties") have duly entered into a collective bargaining agreement (the "CBA"); and

WHEREAS, the parties are desirous of being compliant with all of the provisions set forth in the CBA; and

WHEREAS, all of the active members of the union, except Kevin Colonna and Ryan Flaherty, are enrolled in the optional Section 553 twenty-year Retirement Plan as provided in the Retirement and Social Security Law; and

WHEREAS, given the one year time limit to elect the plan has expired, the plan coverage for the aforementioned deputies remains section 89-1, and

WHEREAS, each Deputy is desirous of being rendered eligible to elect coverage under the Section 553 plan; now, therefore be it

RESOLVED, that the Orleans County Legislature requests special legislation of the New York State Legislature to reopen the provisions of Section 553 of the Retirement and Social Security Law for Deputy Sheriff's Kevin Colonna and Ryan Flaherty who are currently not covered by that Section; and, be it further

RESOLVED, that all employer costs associated with implementing the provisions of this act shall be borne by Orleans County as provided for in the collective bargaining agreement; and, be it further

RESOLVED, that certified copies of this resolution will be filed with the State Comptroller's Office; and the offices of Senator Robert Ort and Assemblyman Steve Hawley.

Moved, DeFilipps; second,

RESOLUTION NO. 551-1221

AUTHORIZING CANCELLATION OF INTEREST AND PENALTIES ON BACK DUE REAL PROPERTY TAXES ON A PARCEL OF LAND IN THE TOWN OF MURRAY, VILLAGE OF HOLLEY, TAX MAP NO. 88.21-1-31

WHEREAS, the real property commonly known as 89 Public Square in the Town of Murray, Village of Holley, tax map parcel no. 88.21-1-31, was subject to the Foreclosure of Tax Liens by Proceeding In Rem pursuant to Article Eleven of the Real Property Tax Law by the County of Orleans, Index No. 21-47647; and

WHEREAS, NYS Real property tax law allows a governing body to cancel or reduce interest and penalties if they find it in the best interest of the tax district; and

WHEREAS, this property is a historical structure in the heart of the Village of Holley and is listed on the Landmark Society’s “Five to Revive” and is slated to obtain a grant to restore its presence in the community.

THEREFORE BE IT RESOLVED, this Legislature hereby authorizes the cancellation of interest and penalties on County tax years 2018-2021 upon payment of the total tax lien amount due of \$11,426.91 if paid by February 18, 2022 to the Orleans County Treasurer of said parcel known as 89 Public Square, Tax Map No. 88.21-1-31, in the Town of Murray, Village of Holley.

Moved, DeFilipps; second,

RESOLUTION NO. 552-1221

AUTHORIZING COUNTY TREASURER TO MAKE YEAR END ADJUSTMENTS FOR YEAR ENDING DECEMBER 31, 2021

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

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

Moved, DeFilipps; second,

RESOLUTION NO. 553-1221

APPROVING APPORTIONMENT OF 2022 SALES TAX TO TOWNS AND VILLAGES

RESOLVED, that the apportionment of the 2022 Sales Tax to Towns and Villages as presented below by the Clerk of the Legislature in the foregoing warrants be, and hereby is approved by this Legislature.

2022 Sales Tax Apportioned to Towns and Villages				
Town	Apportioned To Town	% Due Village	Amount Due Village	Amount Due Town Outside
Albion	\$269,873.14	54.37%	\$146,730.03	\$123,143.11
Barre	\$64,536.27			\$64,536.27
Carlton	\$95,418.07			\$95,418.07
Clarendon	\$116,260.89			\$116,260.89
Gaines	\$107,656.06	17.61%	\$18,958.23	\$88,697.83
Kendall	\$86,813.23			\$86,813.23
Murray	\$158,966.37	28.34%	\$45,051.07	\$113,915.30
Ridgeway	\$216,076.99	39.77%	\$85,933.82	\$130,143.17
Shelby	\$169,515.26	37.58%	\$63,703.83	\$105,811.43

Yates	\$81,554.72	18.69%	\$15,242.58	\$66,312.14
Totals	\$1,366,671.00		\$375,619.56	\$991,051.44

*The percentage due to the village is determined by dividing the village taxable value by the town taxable value

Moved, DeFilipps; second,

RESOLUTION NO. 554-1221

AUTHORIZING EXECUTION OF SECRETARIAL SERVICES AGREEMENT FOR ORLEANS COUNTY ATTORNEY

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, an agreement for Secretarial Services for the Orleans County Attorney, at an annual cost of \$19,620; said amount to be paid in equal monthly installments of \$1,635, upon the submission of a county voucher at the end of each month; agreement effective for the 2022 and 2023 calendar years.

Moved, DeFilipps; second,

RESOLUTION NO. 555-1221

APPROVING AGREEMENT BETWEEN THE OFFICES OF DISTRICT ATTORNEY AND ORLEANS COUNTY ATTORNEY

WHEREAS, Resolution No. 409-1007 authorized the District Attorney to handle and prosecute juvenile delinquency proceedings and further authorized an agreement between the offices of the County Attorney and District Attorney; be it

RESOLVED, that this Legislature approves a renewal agreement between the offices of County Attorney and District Attorney for attorney and staff services in handling juvenile delinquency proceedings in the amount of \$11,585.00 effective January 1, 2022 through December 31, 2024.

Moved, DeFilipps; second,

RESOLUTION NO. 556-1221

AMENDING RESOLUTION NO. 78-211 FOR THE GENERAL CHARTER OF POLICY OF THE ORLEANS COUNTY MEDICAL SCHOLARSHIP BOARD

WHEREAS, the Orleans County Board of Supervisors established the Orleans County Scholarship Board by passage of Resolution No. 126 in 1966 to implement the General Charter of Policy for the Medical Scholarship Program; and

WHEREAS, the Orleans County Medical Scholarship Board recently met with the Administrative and Finance Committee to recommend the current maximum amount of an awarded scholarship to a recipient of \$36,000 distributed over a four year involvement in

medical studies be increased to \$72,000 due to the increased costs involved in medical training; and

WHEREAS, the Orleans County Legislature wishes to ensure that Orleans County is meeting the needs of our residents by securing physicians for our future health care needs; now, therefore be it

RESOLVED, that this Legislature amends Resolution No. 78-211 to increase the maximum award to \$72,000 per student, with a maximum of \$18,000 per year over the 4-year formal training years effective January 1, 2022..

Moved, DeFilipps; second,

RESOLUTION NO. 557-1221

REQUESTING NEW YORK STATE LEGISLATURE ESTABLISH SOLAR PANEL RECYCLING REGULATIONS

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, the rise in the use of solar panels has led to an accumulation of waste at the end of the life of the solar panels, and

WHEREAS, solar panels contain recyclable aluminum, glass and plastic, as well as photovoltaic cells, which contain various valuable materials and rare metals, and

WHEREAS, proper recycling of the solar panels will ensure that these materials and metals are able to be reused, but also ensures that the panels do not prematurely enter the waste stream where they can have potential negative environmental effects, and

WHEREAS, it is imperative that a convenient, safe and environmentally sound system for the recycling of photovoltaic modules, the minimization of hazard waste, and the recovery of commercially valuable materials must be established, and

WHEREAS, the responsibility for the reduction of solar panels in the waste stream should be shared among all stakeholders, with manufacturers financing the takeback and recycling system, and

WHEREAS, the Orleans County Legislature hereby requests that the State of New York develop and adopt comprehensive solar panel legislation which covers end-of-life recovery and recycling of all solar panels currently in use and being sold in or into New York State, and

WHEREAS, the Orleans County Legislature further requests that the State of New York:

- Develop legislation utilizing the State's own Sustainable Materials Management Model (SMM) so that the social, economic and environmental consequences of the choices made today do not adversely impact future generations;
- Adopt definitions and terms utilized for solar panel recycling regulations so that the nomenclature is consistent for all counties in the State of New York; now, therefore, be it

RESOLVED, that the Orleans County Legislature hereby requests the New York State Legislature to adopt such legislation and amend such laws to establish solar panel recycling regulations, and be it further

FURTHER RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to State Senator Ortt, Assemblyman Hawley, and New York State Association of Counties.

Moved, DeRoller; second,

RESOLUTION NO. 558-1221

RESOLUTION APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

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

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Daniel Strong 1150 Sawyer Road Kent, NY 14477	At-Large Central	12-31-2024
Darryl Sanford 13608 Miller Road Albion, NY 1411	At-Large Central (alternate)	12-31-2024
Christopher Kinter 3844 Allen's Bridge Road Albion, NY 14411	Town of Albion	12-31-2024
Kevin Parker 3512 Keitel Road Albion, NY 14411	Town of Albion (Alternate)	12-31-2024
David Knapp 3888 Bennetts Corners Road Holley, NY 14470	Town of Murray	12-31-2022

Moved, DeRoller; second,

RESOLUTION NO. 559-1221

AUTHORIZING THE FILLING OF A POSITION FOR THE PLANNING AND DEVELOPMENT DEPARTMENT

WHEREAS a vacancy has occurred in the permanent, full time position of Account Clerk position in the Planning and Development Department; now, therefore be it

RESOLVED, that this Legislature authorizes the filling of a permanent full time Account Clerk position (8020.03) in the Planning and Development Department, Grade 9 in the CSEA Salary Schedule effective December 21, 2021.

Moved, DeRoller; second,

RESOLUTION NO. 560-1221

APPROVING AGREEMENTS WITH LYNNE MENZ DESIGNS FOR TOURISM AND DESIGN SERVICES

RESOLVED, that this Legislature hereby approves an agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide Tourism Coordinator Services to Orleans County in 2022 at a cost not to exceed \$18,720 to be paid in equal monthly installments from Tourism Account 01.6410.0466 – Consultant Fees; said agreement to be in effect from January 1, 2022 to December 31, 2022; and be it

FURTHER RESOLVED, that this Legislature hereby approves an agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide design services to Orleans County in 2022 at a cost not to exceed \$22,000; said agreement to be in effect from January 1, 2022 to December 31, 2022. This agreement includes costs associated with advertising design, publication design, social media, photography and video production to be paid on a project basis from Tourism Account 01.6410.0468 – I Love New York.

Moved, DeRoller; second,

RESOLUTION NO. 561-1221

APPOINTING AND AUTHORIZING STIPEND FOR MARINE PARK MANAGER

RESOLVED, that this Legislature does hereby appoint Dawn Borchert to perform the functions of a Marine Park Manager and shall be paid a stipend in the amount of \$2,500 a year, to be paid from Marine Park budget 01.7180.0486; effective January 1, 2022.

Moved, DeRoller; second,

RESOLUTION NO. 562-1221

AUTHORIZING REIMBURSEMENT TO TOURISM DIRECTOR FOR CELL PHONE USAGE

RESOLVED, that this Legislature authorizes payment from the Marine Park budget for the Marine Park Manager to be partially reimbursed for cell phone charges incurred in conducting daily business in the amount of \$50.00 per month, vouchered quarterly, effective January 1, 2022; and be it

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

Moved, DeRoller, second,

RESOLUTION NO. 563-1221

APPROVING A SUPPLEMENTAL PAYMENT TO THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY (COIDA)

WHEREAS, Resolution No. 53-121 approved an agreement between Orleans County and County of Orleans Industrial Development Agency (COIDA) for economic development services for 2021; and

RESOLVED, that this Legislature approves a supplemental payment to Orleans County Local Development Corporation to pursue the advancement in Economic Development of small businesses in the amount of \$20,000 and authorizes payment of the same; and be it

FURTHER RESOLVED, that this Legislature does hereby authorizes the Orleans County Treasurer to set up funds as follows:

REVENUE:

01.1326.4096	American Rescue Plan	\$20,000.00
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EXPENSE:

01.1326.0439.8021	ARP Authorized Agencies	\$20,000.00
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Moved, DeRoller; second,

RESOLUTION NO. 564-1221

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS PROVIDERS

RESOLVED, that this Legislature approve the following Agreements for the Mental Health Department for the 2022 calendar year

EFPR Group LLP, 280 Kenneth Drive, Rochester, NY 14623, providing 2021 Consolidated Fiscal Report compliance review/audit. Contracted amount is not to exceed \$6,000. County cost is \$420.

Restoration Society, Inc. (ACE Employment Services), 66 Englewood Avenue, Buffalo, NY 14214, providing supportive employment – vocational assessment, job readiness, and job coaching services. Contracted amount is not to exceed \$56,235. County cost is \$0.

Mental Health Association of Genesee and Orleans Counties, 25 Liberty Street, Batavia, NY 14020, providing Mental Health support services and Drop-In Center. Contracted amount is not to exceed \$86,183. County cost is \$0.

Genesee Council on Alcoholism & Substance Abuse, 430 East Main Street, Batavia, NY 14020, providing outpatient SUD treatment services, community-based prevention services and jail-based SUD intervention services at a cost of \$411,415. County cost is \$35,167.

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032, providing services as Psychiatrist for an average of 20 hours per month for annual total not to exceed 240 hours at \$220.00 per hour. Contracted amount is not to exceed \$52,800. County cost is \$3,696.00.

Ann P. Burbank, NPP, 32 Park View Drive, Pittsford, NY 14534, providing services as Psychiatric Nurse Practitioner for up to 252 hours at an hourly rate of \$125.00. Contracted amount is not to exceed \$31,500. County cost is \$2,205.

Diana Page, PMHNP-BC, 20 Valle Drive, Batavia, New York 14020, providing services as Psychiatric Nurse Practitioner for an average of 20 hours per month for an annual total not to exceed 240 hours at \$140.00 per hour. Contracted amount is not to exceed \$33,600. County cost is \$2,352.

Tulio Ortega, MD, 2 Featherstone Court, Pittsford, NY 14534, providing services as Medical Director for up to an average of 62 hours per month for annual total not to exceed 682 hours at an hourly rate of \$180.00 per hour. Contracted amount is not to exceed \$122,760. County cost is \$8,593.

Arc of Genesee Orleans, 64 Walnut Street, Batavia, New York 14020 providing emergency crisis respite bed. County cost is \$0.

Arc of Genesee Orleans, 64 Walnut Street, Batavia, New York 14020 providing Therapeutic Recreation Services (Camp Rainbow) and Prevocational Services to the Developmental Disabilities population of Orleans County. County cost is \$39,831.

Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127-0631 providing mental health crisis response services via their CARES Team to residents of Orleans County from January 1, 2022 to December 31, 2022 at a cost of \$84,794. Funding provided by New York State Office of Mental Health from reinvestment of Medicaid dollars due to the closing of the Medina Behavioral Health Unit. County cost is \$0.

Living Opportunities of DePaul, 2475 George Urban Blvd, Suite 201 Depew, NY 14043 providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services at a cost of \$181,602. Funding is provided by New York State Office of Mental Health from reinvestment of funding from the realignment of the State psychiatric facility network. County cost is \$0.

Hillside Children's Center, 70 Jewett Parkway, Buffalo, New York 14214 providing a program of family resiliency as a community support service for individuals with mental and emotional problems who are living in the community at a cost of \$84,498. County cost is \$0.

Hillside Children's Center, 70 Jewett Parkway, Buffalo, New York 14214 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a maximum cost of \$17,000. County cost is \$0.

Moved, Allport; second,

RESOLUTION NO. 565-1221

AMENDING RESOLUTION NO. 517-1220 BETWEEN ORLEANS COUNTY MENTAL HEALTH AND PATRICK STEIN M.D.

WHEREAS, the need for services with Patrick Stein M.D. has increased above the contracted amount in Resolution No. 517-1220 to meet the needs of the department and the services he provides in his role as a contracted psychiatrist during the 2021 contract year; now be it

RESOLVED, that this Legislature approve the amended agreement with Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 to provide services as Staff Psychiatrist an additional 42.5 hours at \$200.00 per hour, an increase of \$8,500 through December 31, 2021.

Moved, Allport; second,

RESOLUTION NO. 566-1221

AMENDING RESOLUTION NO. 329-820 BETWEEN ORLEANS COUNTY MENTAL HEALTH AND BRIAN AMOS M.S., PH.D.

WHEREAS, the need for services with Brian Amos M.S., Ph.D. has increased above the contracted amount in Resolution No. 329-820 to meet the needs of the department and the services he provides in his role as contracted psychologist during the 2020-2021 contract year; now be it

RESOLVED, that this Legislature approve the amended agreement with Brian S. Amos, M.S., Ph.D., 1556 Fallen Leaf Terrace, Webster, NY 14580 to provide services as Staff Psychiatrist an additional 31 hours at \$125.00 per hour, and increase of \$3,875 through August 18,2021.

Moved, Allport; second,

RESOLUTION NO. 567-1221

AUTHORIZING ACCEPTANCE OF A DONATION TO THE ORLEANS COUNTY SUICIDE PREVENTION COALITION AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature accepts a donation received from a community member to assist the Orleans County Suicide Prevention Coalition, and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health budget, as follows:

REVENUE:

01.0001.2705 Gifts & Donations \$750

APPROPRIATION:

01.4310.0402 Suicide Prevention \$750

Moved, Allport; second,

RESOLUTION NO. 568-1221

AUTHORIZING FILLING POSITIONS IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, whereas this Legislature does hereby authorize filling the vacant part time receptionist position (4310.40) in the Mental Health Department at Grade 7 of CSEA contract, effective December 21, 2021.

Moved, Allport; second,

RESOLUTION NO. 569-1221

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Doctor Alan Barcomb. 1 Dennis Drive, Batavia, NY 14020. Contract to provide medical consultant services throughout the various departments within the Orleans County Health Department. The contract period will run from January 1, 2022 through December 31, 2025. Reimbursement is from State Aide. No cost to county.

Thomas Graham, Hearing Officer. 32 Farnsworth Avenue, Oakfield, NY 1412. Contract to conduct hearing for alleged violations and nuisance complaints when efforts of Orleans County Health Department have failed to bring about compliance with regard to laws and codes. Provider is to provide a written report of all hearings and their findings and facts and make recommendations to the Orleans County Board of Health. At a rate of \$25/hr. pursuant to the Scope of Services in Appendix A of the contract. Term January 1, 2022 through December 31, 2025.

3D Delivery Inc. DBA, Genesee Delivery. 58 Kingsbury Avenue, Batavia, NY 14020. Contract to provide Delivery Services for the Orleans County Health Department various programs regarding Lab samples taken within the Environmental and Nursing Divisions, Reimbursement through New York State Aid, No Cost to County. For term January 1, 2022 through December 31, 2022.

Office of the Aging, 14106 Rt. 31 West, Albion, NY 14411. Renew Contract to provide chronic disease and accident prevention along with safety programs for Orleans County residents sixty and above. Reimbursement from New York Health Department. No County Cost. For Term January 1, 2022 through December 31, 2022.

VMC Group Inc. 9701 Niagara Falls Boulevard, Suite 1A, Niagara Falls, NY 14304. Count contract with VMC, for the provision of Transportation Management services for Genesee & Orleans County. Renewing the contract on a month to month basis, at the fee of \$8,750.00 a month, for term September 1, 2021 through December 31, 2021 under the original Agreement, with option for two (2) additional renewals upon mutual agreement for both parties. 1st of the 2 options of additional renewals for term January 1, 2022 through June 30, 2022.

Orleans County Department of Public Works. 225 West Academy Street #1, Albion, NY 14411. Renew Contract to provide Engineering Services for the Orleans County Environmental Department. Reimbursement from New York State Water Grant and State aide. No County Cost. For term January 1, 2022 through December 31, 2022.

Moved, Allport; second,

RESOLUTION NO. 570-1221

AUTHORIZING MAKING PURCHASE FROM PUBLIC HEALTH DEPARTMENT BUDGET

WHEREAS, the Health Department was awarded a grant from Health Research Inc. to coordinate with local school districts on implementing a reopening plan that includes COVID-19 testing (Resolution #317-721)

RESOLVED, that this Legislature does hereby authorize the Health Department to purchase from McKesson Medical Surgical, as the distributor for Abbott, 10 Abbott ID Test Kits at a cost of \$984.00 per kit for a total of \$ 9,840 from budget line 01.4010.0402. No County Cost

Moved, Allport; second,

RESOLUTION NO. 571-1221

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND NEW YORK STATE, AUTHORIZING COUNTY TREASURER TO SET UP NEW MONIES, AUTHORIZING GRANT FUND PURCHASE

RESOLVED, that this Legislature does hereby approve the following agreement for the Public Health Department: New York State Department of Health, Bureau of Immunization, Empire State Plaza, Corning Tower, Albany, NY 12237 to provide increase COVID-19 vaccine administration equity and to implement vaccine confidence strategies for COVID-19 and routine immunizations. The contract period is January 1, 2021 through June 30, 2024, for \$176,662.14, to execute through the Grants Gateway; and be it

FURTHER RESOLVED, that the Orleans County Treasurer is authorized to set up the following new monies in the 2021 Public Health Department budget as a result of this contract:

REVENUE:

01.4010.4472	Health Programs – Federal	\$ 18,112.14
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APPROPRIATION:

01.4010.0250	Other Equipment	\$ 10,200.00
01.4010.0452	Personal Service Contracts	\$ 7,912.14

FURTHER RESOLVED, that this Legislature does hereby approve the purchase of two Pharmaceutical Refrigerator/Freezers from LabRepCo, 101 Wilmer Road, Suite 700, Horsham, PA 19044 at a cost of \$5,104.64 each per NYS Contract Number PC68669; to be paid from budget account 01.4010.0250.

Moved, Allport; second,

RESOLUTION NO. 572-1221

RESOLUTION APPROVING CONTRACT WITH COMMON GROUND HEALTH FOR REGIONAL COVID-19 COMMUNICATIONS STRATEGY

WHEREAS, Orleans County continues to respond to the COVID-19 pandemic, and

WHEREAS, new cases, hospitalizations and deaths from COVID-19 infections continue to rise within Orleans County and throughout the region, and

WHEREAS, the counties of the Finger Lakes region have coordinated and arranged for a regional marketing and outreach campaign to be conducted by Common Ground Health and Causewave Community Partners, and

WHEREAS, this proposed marketing and outreach strategy consists of purchased advertising in a number of local and regional outlets, earned media, and targeted direct mailings to particular populations within our region, and

WHEREAS, the Public Health Directors and other County leaders feel there is a direct and pressing need to undertake this mediate and outreach campaign to increase vaccine uptake rates and try to slow the increase in cases, hospitalizations and deaths from COVID-19, and

WHEREAS, the overall budget for this effort is \$150,000 and Orleans County's share of that cost is \$10,482.42, now therefore be it

RESOLVED, that this Legislature hereby authorizes Orleans County's participation in the Finger Lakes regional marketing and outreach program to combat COVID-19 in our area, and may it be

FURTHER RESOLVED, that this Legislature hereby authorizes up to \$10,482.42 in County funds to participate in this regional effort, and may it be

FURTHER RESOLVED, the Chairman of the Legislature is hereby directed and authorized to execute a contract between Orleans County and Common Ground Health for the scope of services described herein and agreed to by the Chairman, in a form to be reviewed and approved by the County Attorney and Chief Administrative Officer.

FURTHER RESOLVED, that this Legislature does hereby authorize the County Treasurer to set up monies as follows:

REVENUE:

01.1326.4096	American Rescue Plan	\$10,482.42
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EXPENSE:

01.1326.0452.4010	ARP - Public Health	\$10,482.42
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Moved, Allport; second,

RESOLUTION NO. 573-1221

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

RESOLVED, that this Legislature does hereby authorize out of state travel for Brenden Bedard, Public Health Director of Community Health Services, and Keri Furness, Public Health Sanitarian, to attend the Public Health and Water Conference and Wastewater at the Duke Energy Convention Center in Cincinnati, Ohio from March 21, 2022 through March 24, 2022. Costs covered by Genesee County Grant. No County Cost.

Moved, Allport; second,

RESOLUTION NO. 574-1221

AUTHORIZING FILLING POSITION IN THE PUBLIC HEALTH DEPARTMENT

RESOLVED, that due to a resignation this Legislature does hereby authorize the filling of a vacant full-time Public Health Nurse (4010.08) in the Public Health department at Grade 21 of the CSEA schedule effective December 28, 2021.

Moved, Allport; second,

RESOLUTION NO. 575-1221

AUTHORIZING OUT OF STATE TRAVEL FOR PROBATION DIRECTOR

RESOLVED, that the Legislature does hereby authorize attendance and out of state travel for Luci Welch, Probation Director, to attend the American Probation and Parole Association's (APPA) 47th Annual Training Institute held in Atlanta, Georgia from January 29, 2022 through February 2, 2022 to promote the field of Probation in New York State. No county cost.

Moved, Draper; second,

RESOLUTION NO. 576-1221

APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE AND VARIOUS AGENCIES

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

EM Systems, Inc., 4043 Maple Road, Suite 211, Amherst, NY 14226, renewal agreement for five year term, January 1, 2022 through December 31, 2026, to provide Jail management system (JMS) software support and maintenance, at a cost of \$5,500.00 for 2022, to be paid from the Sheriff's Jail Budget Account 01.3150.0447-Misc. Equipment Contract.

Westwood Pharmacy, 5823 Patterson Avenue, Richmond, VA 23226, Addendum to extend current agreement for one year term, January 1, 2022 through December 31, 2022, pharmaceutical care services to County Jail, to be paid from the Sheriff's Jail Budget Account 01.3150.0489-Hospital Supplies Medicine.

Tyler Technologies, Inc., 5101 Tennyson Parkway, Plano, Texas 75024, addendum to extend current agreement for five year term, January 1, 2022 through December 31, 2026, to provide maintenance and support services for Civil service, and Civil processing software, at a cost of \$2,555.28 for 2022, to be paid from Sheriff's Budget Account 01.3110.0447-Misc. Equipment Contracts.

Orleans County Animal Control Officer/s with position's (3510.01, 3510.03 & 3150.04), 13925 State 31, Suite 400, Albion, NY 14411, renewal agreement for compensation by the Orleans County Sheriff's Office to Animal Control Officer/s for collection and preparation of rabies specimens at a rate of \$25.00 per specimen for one (1) year term, January 1, 2022 through December 31, 2022, to be paid from the Sheriff's Animal control Budget Account 01.3510.0452-Personal Service Contracts.

Moved, Draper; second,

RESOLUTION NO. 577-1221

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to the New York State Division of Criminal Justice Services, online, for LIVESCAN equipment program with grant funding reimbursement up to \$15,000, with a required 25% match for amount approved for Livescan Unit. Grant funds would allow the Sheriff's Office, and other local law enforcement agencies, to benefit from such equipment following the New York State extensive Criminal Justice Reform Legislation, including Bail Reform with new requirements. Contract period for this grant opportunity is 12 months, January 1, 2022 through December 31, 2022.

Moved, Draper; second,

RESOLUTION NO. 578-1221

APPROVING PURCHASES WITHIN THE SHERIFF'S OFFICE AND AUTHORIZING TRANSFER OF FUNDS WITHIN THE SHERIFF'S BUDGET

RESOLVED, that this Legislature does hereby approve the following purchases with the following agencies:

Idemia Identity & Security USA, LLC., 5515 East La Palma Avenue, Suite 100, Anaheim, CA 92807 for LiveScan system in the amount of \$26,500.00 on NYS OGS Contract # PT68809 to be paid from the Sheriff's Budget Account 01.3110.0250-Other Equipment.

United Uniform Co., Inc. 495 North French Road, Buffalo, NY 14228, for duty weapon holsters in the amount of \$7,960.00 to be paid from the Sheriff's Budget Account 01.3110.0415-Uniform & Cleaning Allowance.

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to transfer monies within the Sheriff Budget to cover such purchases including reallocating of funds to cover gas and oil costs in the amount of \$15,000.00, as follows:

FROM:

01.3150.0424	Food Costs	\$15,000.00
01.3150.0489	Hospital Supplies	\$26,500.00

TO:

01.3110.0413	Gas & Oil	\$15,000.00
01.3110.0250	Other Equipment	\$26,500.00

Moved, Draper; second,

RESOLUTION NO. 579-1221

APPROVING PURCHASE IN THE SHERIFF'S DISPATCH AND AUTHORIZING TRANSFER OF FUNDS WITHIN THE SHERIFF'S BUDGET

RESOLVED, that this legislature does hereby approve the following software IntelliComm purchase with interface and training for the Sheriff's Dispatch, as follows:

APCO International, 351 N. Williamson Blvd, Daytona Beach, FL 32114, for APCO IntelliComm Software and training a sole source provider for EMD courses based on the National Highway Traffic Safety Administration's (NHTSA) National Standard Curriculum for Emergency Medical Dispatch in the amount of \$54,000.00 to be paid from the Sheriff's Dispatch Budget 01.3020.0250-Other Equipment.

EM Systems, Inc. 4043 Maple Road, Suite 211, Amherst, New York, 14226, for consulting and professional services to develop and deliver an interface between the computers aided dispatch program (ENTCAD) and APCO IntelliComm System to streamline the dispatching process in the amount of \$6,000.00 to be paid from the Sheriff's Dispatch Budget 01.3020.0418-Other Contractual Expenses.

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to transfer monies within the Sheriff's Dispatch Budget to execute as follows:

FROM:

3150.0210	Furniture & Furnishings	\$ 2,000
3150.0270	Capital Equipment	\$ 2,500
3150.0415	Uniform & Cleaning Allowance	\$ 2,500
3150.0418.0001	Inmate Housing	\$ 2,500
3150.0427	Natural Gas	\$ 3,500
3150.0444	Repairs to Equip & Property	\$ 3,500
3150.0452	Personal Service Contracts	\$15,000
3150.0460	Training & Education	\$ 3,000
3150.0489	Hospital Supplies	\$ 8,500
3110.0460	Training & Education	\$ 4,500
3110.0463	Travel Other than Mileage	\$ 6,750
3510.0250	Other Equipment	\$ 2,000
3510.0413	Gas & Oil	\$ 2,750
3510.0460	Training & Education	\$ 1,000

TO:

3020.0250	Other Equipment	\$54,000
3020.0418	Other Contractual Expenses	\$ 6,000

Moved, Draper; second,

RESOLUTION NO. 580-1221

APPROVING APPOINTMENTS TO THE ALTERNATIVES TO INCARCERATION BOARD

RESOLVED, that this Legislature approves the following appointments to the Orleans County Alternatives to Incarceration Board, term expiring June 30, 2022.

<u>NAME:</u>	<u>REPRESENTATION</u>
Lynne M. Johnson	Chairman, Orleans County
Sandford A. Church	County & Supreme Court Judge
Joseph V. Cardone	District Attorney
Joanne Best	Public Defender
Dawn Keppler	Magistrates
Luci Welch	Probation Director
John C. Welch, Jr.	Chief Administrative Officer
Christopher M. Bourke	County Sheriff
Merle Draper	Legislator/Public Safety Committee, Chairman
Donald Allport	Legislator/Public Safety Committee, Vice Chairman
Jeffrey A. Gifaldi	County Undersheriff/ATI Coordinator
Connie Whittier	Crime Victim
Danielle Figura	Director of Mental Health/Community Services
Kathy Hodgins	GCASA

Moved, Draper; second,

RESOLUTION NO. 581-1221

AUTHORIZING THE FILLING OF A VACANCIES IN THE SHERIFF'S JAIL

RESOLVED, that due to a resignation this Legislature does hereby authorize the filling of a vacant permanent part-time Correction Officer (3150.28) in the Sheriff's Jail at \$15.37, effective December 21, 2021.

FURTHER RESOLVED, that due to a resignation, this Legislature does hereby authorize the filling of a vacant permanent full-time Correction Officer (3150.34) in the Sheriff's Jail at Grade 5 of the OCSEA contract, effective December 21, 2021 and authorizes fillings any subsequent vacancies.

Moved, Draper; second,

RESOLUTION NO. 582-1221

AUTHORIZING CONTRACT BETWEEN THE PUBLIC DEFENDER'S OFFICE AND LANGUAGE LINE SERVICES, INC.

RESOLVED, that this Legislature authorizes a contract for interpreter services through Language Line Services, Inc., One Lower Ragsdale Drive, Bldg. #2, Monterey, California 93940, to be used by staff of the Orleans County Public Defender's Office for interpreting purposes between staff and clients or other necessary individuals, at the rate of \$0.75 per minute, not to exceed \$4,000.00 per term from January 1, 2022, through December 31, 2022; and be it

FURTHER RESOLVED, that this contract shall be in effect for so long as the additional funding necessary is available under Contract #CSTWIDEHH33, or any subsequent contract.

Moved, Draper; second,

RESOLUTION NO. 583-1221

AUTHORIZING CONTRACT BETWEEN THE PUBLIC DEFENDER'S OFFICE AND LANGUAGE LINE SERVICES, INC. FOR USE BY THE ASSIGNED COUNSEL PROGRAM PANEL ATTORNEYS

RESOLVED, that this Legislature authorizes a contract for interpreter services through Language Line Services, Inc., One Lower Ragsdale Drive, Bldg. #2, Monterey, California 93940, to be used by staff of the Assigned Counsel Program and panel attorneys for interpreting purposes between staff and clients or other necessary individuals, at the rate of \$0.75 per minute, not to exceed \$4,000.00 per term from January 1, 2022, through December 31, 2022; and be it

FURTHER RESOLVED that the invoices and claims for reimbursement for this program shall be prepared and submitted by the Public Defender's Office; and be it

FURTHER RESOLVED, that this contract shall be in effect for so long as the additional funding necessary is available under Contract #CSTWIDEHH33, or any subsequent contract.

Moved, Draper; second,

RESOLUTION NO. 584-1221

AUTHORIZING CELL PHONE REIMBURSEMENT TO CONTRACTED CAP ATTORNEY
IN THE PUBLIC DEFENDER'S OFFICE

RESOLVED, that this Legislature authorizes payment to the contracted ACP CAP attorney (currently Bruce R. Schmidt, Esq.), as a partial reimbursement for cell phone charges, incurred in conducting daily business and for being accessible for emergency situations on a 24-hour basis, in the amount of \$50.00 per month effective retroactive to November 1, 2021. All such payments shall be reimbursed through grant funds. This reimbursement shall cease if funding is no available through any grant.

Moved, Draper; second,

RESOLUTION NO. 585-1221

AUTHORIZING APPOINTMENT OF THE PUBLIC DEFENDER

RESOLVED, that this Legislature authorizes the appointment of Joanne L. Best, as full-time Public Defender for the Orleans County Public Defender's Office for a two (2) year term, effective January 1, 2022, through December 31, 2023, at a Grade 12, Step 6 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature has previously approved Resolution #413-921, pertaining to the annualized stipend associated with this position, which shall also include a 2% annual increase, as set forth in that Resolution, and effective each year on January 1st; and be it

FURTHER RESOLVED, that this position shall be full-time for so long as the additional funding necessary to convert this to a full-time position is available under Contract #CSTWIDEHH33, or any subsequent contract; and be it

FURTHER RESOLVED, that the annual increase in salary and fringe, which is necessary to convert this position to a full-time position, shall be covered by Contract #CSTWIDEHH33, or any subsequent contract; and it be

FURTHER RESOLVED, that if the annualized stipend is no longer available to cover the additional salary and fringe, this position will revert to a part-time position.

Moved, Draper; second,

RESOLUTION NO. 586-1221

APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY DEPARTMENT OF
SOCIAL SERVICES AND VARIOUS AGENCIES

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

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, 2022 through December 31, 2022.

GCASA, Batavia, NY for the provision of alcohol assessments for Public Assistance clients; to be effective January 1, 2022 through December 31, 2022 at a cost of \$169/client. Reimbursement/County cost is dependent upon case type (TANF – 0% local cost, Safety Net – 100% local cost).

The House of Good Shepherd, Utica, NY for the provision of residential foster care services including Raise the Age; to be effective January 1, 2022 through December 31, 2022, at per diem rates as established by the State, not to exceed \$802,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

William George Agency, for the provision of residential foster care services including Raise the Age; to be effective January 1, 2022 through December 31, 2022, at per diem rates as established by the State, not to exceed \$802,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Job Development Agency, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2022 through December 31, 2022. County cost is \$116,879.

Homespace Corporation, 135 Delaware Avenue, Buffalo, NY 14202, for the provision of residential foster care services including Raise the Age; to be effective January 1, 2022 through December 31, 2022, at per diem rates as established by the State, not to exceed \$802,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Children’s Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services including Raise the Age; to be effective January 1, 2022 through December 31, 2022, at per diem rates as established by the State, not to exceed \$802,000. Due to the new Model Contract that was received by OCFS which encompasses all types of Foster Care, we are initiating this contract which will replace the existing contract January 1, 2022 through December 31, 2022, County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Moved, Eick; second,

RESOLUTION NO. 587-1221

AUTHORIZING 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; now be it

RESOLVED, as a result of a resignation, that this Legislature does hereby authorize filling a full-time Caseworker position (6010.0221) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective December 21, 2021; and be it

FURTHER RESOLVED, as a result of a retirement that this Legislature does hereby authorize filling a full-time Child Support Specialist position (6010.0803) in the Department of Social Services at Grade 11 of the CSEA Salary Schedule effective January 3, 2022; and be it

FURTHER RESOLVED, that the Legislature authorizes the Commissioner of Social Services is authorized to fill the vacancies.

Moved, Eick; second,

RESOLUTION NO. 588-1221

APPROVING AGREEMENTS BETWEEN OFFICE FOR THE AGING DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby authorize the following agreements between the Aging Department and the following agencies:

Center for Elder Law Justice, Inc. 438 Main Street, Suite 1200 Buffalo, NY 14203 to provide legal services for Orleans County residents age 60 and older from January 1, 2022 to December 31, 2022 at a cost of \$7,000. County cost is \$700.

Ellen Foster, RD of 33 Willmont Street, Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2022 to March 31, 2022 at a cost not to exceed \$3,710. County cost \$371.

Western New York Integrated Care Collaboration, 742 Delaware Avenue, Buffalo, NY 14209, OFA subcontractor to provide Meals on Wheels from January 1, 2022 to December 31, 2022 to clients needing services, Western New York Integrated Care Collaboration will reimburse Orleans County Office for the Aging per home delivered meals. The county approved an agreement for an initial term of one year with an additional one year renewal, to be reviewed in 2023. County cost \$0 – Revenue Source.

Moved, Eick; second,

RESOLUTION NO. 589-1221

AUTHORIZING OFFICE FOR THE AGING TO REAPPLY AND ACCEPT GRANT 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 \$16,292 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, 2021 through September 29, 2022; No County Cost,

Moved, Eick; second,

RESOLUTION NO. 590-1221

APPROVING ORLEANS COUNTY JOB DEVELOPMENT AGENCY WORK SITES AGREEMENT FOR 2022-2023

RESOLVED, that this Legislature approves the 2022-2023 Work Sites agreement utilized by the Orleans County Job Development Agency (OCJDA) to engage work sites throughout the County for the Orleans County Work Experience Program as related to the OCJDA Youth Employment Program and/or Work Experience opportunities for adults and dislocated workers in accordance with program policies and guidelines with no exchange of funds and no associated budget impacts. Effective January 1, 2022 through December 31, 2023. Subject to County Attorney approval.

Moved, Eick; second,

RESOLUTION NO. 591-1221

APPROVING SERVICE AND MAINTENANCE AGREEMENT BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND TENEX SOFTWARE SOLUTIONS

RESOLVED, that the County Board of Elections enter into an agreement with Tenex Software Solutions for Precinct Central Support and Maintenance for forty-five (45) I-pads at \$125.00 per I-Pad for a total of \$5,625.00 yearly (January thru December) and to be paid from the Election Department Budget Code Number 01.1450.0418. Tenex Software Solutions, Inc. is on the OGS Contract List Number PS68742, Group Number 76000 and Award Number 23167 good through September 15, 2024.

Moved, Eick; second,

RESOLUTION NO. 592-1221

APPROVING AGREEMENT EXTENSION BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND NEW YORK STATE BOARD OF ELECTIONS FOR THE HAVA CYBERSECURITY REMEDIATION AND MITIGATION GRANT

WHEREAS, the Orleans County Board of Elections HAVA Cybersecurity Remediation and Mitigation Grant Resolution No. 279-620 was approved until December 31, 2021 per Resolution 279-620 but the New York Board of Elections has extended it until December 31, 2023 per e-mail sent 12-06-23.

RESOLVED, that this Legislature approves the extension of this granted by the New York State Board of Elections thru December 31, 2023.

Moved, Eick; second,

RESOLUTION NO. 593-1221

APPROVING AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS AND AUCTIONS INTERNATIONAL

RESOLVED, that this Legislature approves an agreement between the Department of Public Works and Auctions International, 11167 Big Tree Road, East Aurora, NY 14052 to provide an on line auction resource to liquidate Orleans County vehicles and equipment that no longer can be used by the County effective January 1, 2022 through December 31, 2023.

Moved, Eick; second,

RESOLUTION NO. 594-1221

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND SUBURBAN ELECTRIC

RESOLVED, that this Legislature approves an agreement with Suburban Electric, 225 East Bank Street, Albion, New York 14411 to remove existing generator and transfer switch and replace with new generator at the Orleans County Emergency Management Office at a cost of \$10,367.50; to be paid out of the Buildings and Grounds Division budget account 01.1620.0403; and be it

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

Moved, Eick; second,

RESOLUTION NO. 595-1221

APPROVING AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS AND LABELLA ASSOCIATES, P.C.

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform Engineering services for the Norway Road Bridge Hydraulic Study in Orleans County. LaBella will perform these services under the Term Agreement for Professional Architectural and Engineering Services, Resolution No. 47-217; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$22,500.00, and to be paid out of the Capital Infrastructure Project Bond Money for Bridge Improvements account #H-5120.250; and be it

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

Moved, Eick; second

RESOLUTION NO. 596-1221

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Route 237 over Bald Eagle Creek Bridge Replacement, Contract #D040292, P.I.N. 40R0.03, BIN: 3358760 in the Town of Kendall (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$30,800.00 for Route 237 over Bald Eagle Creek Bridge Replacement for Preliminary Engineering, Design and ROW Incidentals; and

NOW, THEREFORE, the Orleans County Legislative Board, duly convened does hereby

RESOLVE, that the Orleans County Legislative Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$154,000.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$154,000.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Supplemental Agreement #1 adding State Marchiselli funding for Preliminary Engineering, Design and ROW Incidentals for a total cost of \$154,000.00; Federal Share of \$123,200.00; State Marchiselli Funding of \$23,100.00 and

County Cost \$7,700.00; effective March 3, 2021 through August 31, 2028. Resolution shall take effect immediately.

Moved, Eick; second,

RESOLUTION NO. 597-1221

AUTHORIZING SETTING UP NEW MONEY IN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that the County Treasurer is authorized to set up new money in the Department of Public Works budget due to an increase in funding reimbursement from NYSDOT Consolidated Local Street and Highway Improvement Program (CHIPS), as follows:

REVENUE:

03.5112.3501 CHIPS Revenue Account	\$ 944,458.60
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APPROPRIATION:

03.5112.0100 Road Construction – Personal Services	\$ 2,232.83
03.5112.0436 Road Construction – Materials	\$ 934,821.04
03.5112.0442 Road Construction – Rent of Equipment	\$ 7,404.73

Moved, Eick; second,

RESOLUTION NO. 598-1221

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT LAKE ONTARIO REDI ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from budget account H1620.250, Capital Project – REDI Project – Point Breeze No 27:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$8,312.59	Wendel	Professional Services for Point Breeze Boat Launch Projected rendered through 10/31/2021

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

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$29,713.8	Wendel	Professional services for Lakeshore Road Redi Project rendered through 10/31/2021

Moved, Eick; second,

RESOLUTION NO. 599-1221

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC

RESOLVED, that this Legislature approves a renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide State Government Affairs Services for Orleans County, in the amount of \$5,000 per month; effective January 1, 2022 through December 31, 2022 to be paid from Legislature Account 01.1010.0418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature approves a renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3rd Floor, Albany, NY 12207, to provide Federal Government Affairs Services for Orleans County, in the amount of \$2,500 per month; effective January 1, 2022 through December 31, 2022 to be paid from Legislature Account 01.1010.0418 – Other Contractual Expenses; and be it

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

Moved, Eick;

RESOLUTION NO. 600-1221

AUTHORIZING THE PAYMENT IN LIEU OF TAXES ALLOCATION AGREEMENT BETWEEN THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AND HERITAGE WIND, LLC

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. County of Orleans Consent. The County of Orleans hereby irrevocably (a) consents to the terms of the PILOT Agreement (including a consent to the disproportionate treatment of the County of Orleans, as required under GML Section 858(15)) to be entered into by the Agency and Company, pursuant to which the Company will make PILOT payments as provided in this Agreement, (b) directs and authorizes the Company to make County of Orleans PILOT payments to the Agency pursuant to the terms of the PILOT Agreement, (c) directs and authorizes the Agency to accept the County of Orleans PILOT payments on behalf of the Town, (d) acknowledges and agrees that receipt of each County of Orleans PILOT payment by the Agency and the remittance thereof constitutes receipt by the County Orleans pursuant to GML Section 874(3), and (e) waives any rights (including rights for late payment penalties under GML Section 874(5) and rights to sue the Agency to recover payments under GML Section 874(6)), as long as the Agency complies with the provisions of this Agreement; provided, however, that nothing contained in this Section 3.3 shall constitute a waiver by the County of Orleans of its right to collect late penalties under GML Section 874(5) from the Company or to pursue an action against the Company pursuant to GML Section 874(6) in the event the Company fails to make an County of Orleans PILOT payment or makes a partial County of Orleans PILOT payment.
2. PILOT payments shall be calculated as set for in Schedule B attached hereto and made a part hereof.
3. Resolution effective immediately upon due passage of same.

Moved, Eick, second

RESOLUTION NO. 601-1221

SETTING DATE OF 2022 ORGANIZATIONAL MEETING

RESOLVED, that the Organizational Meeting of the Orleans County Legislature will be held on Wednesday, January 5, 2022 at 4:30 p.m. at the Legislative Chambers, 14016 Route 31 West, Suite 200., Albion, NY 14411.

Moved, Eick; second,

RESOLUTION NO. 602-1221

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

WHEREAS, there has been an oversight of the continuation of appointments to the County of Orleans Industrial Development Agency (COIDA) for members Kenneth DeRoller and E. John DeFilipps, whom have continuously served on the COIDA board; now be it

RESOLVED, that this Legislature affirm the re-appointment of the assigned 2020-2021 Standing Committee members to COIDA as follows:

Name:	Address:	Expiration
E. John DeFilipps	4419 South Holley Rd, Holley, NY	December 31, 2021
Kenneth DeRoller	2498 Kendall Rd, Kendall, NY	December 31, 2021

Moved, Eick; second,

RESOLUTION NO. 603-1221

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE LEGISLATURE BUDGET

RESOLVED, that the County Treasurer is authorized to transfer monies within the Legislature budget as follows:

FROM:

01.1010.0462	Mileage	\$304.74
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TO:

01.1010.0210	Furniture & Furnishings	\$304.74
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Moved, Eick; second,

RESOLUTION NO. 604-1221

AUTHORIZING PAYMENT OF CLAIMS FOR JANUARY 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 January 12, 2022:

Fund/Department	Check Number (s):	Amount:
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 January 26, 2022:

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

Moved, Eick; second,