

## Legislature Meeting January 27, 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, he then requested a moment to remember Sandy Bower, who passed away, January 18, 2021 at the age of 81. Legislator DeRoller stated that Sandy Bower served 30 years as the Director of Personnel and Self Insurance from October 1<sup>st</sup>, 1976 to her retirement on August 19<sup>th</sup>, 2006. We will remember Sandy as being very dedicated to her family. Please keep her children Lisa, Randy and Michael, along with their families, in our thoughts and prayers during their time of great loss. A moment of silence was held.

Clerk Lisa Stenshorn called the roll. All Legislators were present, with Legislator Miller participating via Zoom.

The Clerk presented the following communications:

Town/Village	Resolution Title
T/Yates	Requesting the Orleans County EDA Re-Affirm It's Policy Supporting Home Rule with Regard to Payments In Lieu Of Taxes, Real Property Tax Exemptions and Other Tax Incentives (116-12/20)

Permission has been requested by the Albion Merchants Association to plant a Christmas tree in the Courthouse Square. The Legislators will discuss this at the February DPW Committee meeting.

Chairman Johnson presented a Special Recognition Certificate to Patricia Fredendall for her 33 years of service working in the Nursing Home and Probation Department, in celebration of her retirement.

Treasurer DeFrank distributed an Analysis of Monthly Cash Receipts and Disbursements through December 2020. There is a large payout of \$2.6 million for the retirement bill and we are still waiting on \$1.8 million in targeted grant funds. All other department loans were paid back by year end. The Treasurer reported that we meet the 2020 budget for sales tax collection. The year ended with more cash than the end of 2019. All departments had an understanding of the fiscal stress this pandemic can cause and were very cautious. Everyone was fiscally responsible.

Chairman Johnson called for open discussion as it related to the resolutions and 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. 1-121

## GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND WATER SYSTEMS

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina and Lyndonville located outside their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant or reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2021 in accordance with the provisions of section 406 of the Real Property Tax Law.

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

### **RESOLUTION NO. 2-121**

#### AUTHORIZING A PURCHASE FROM COMPUTER SERVICES FOR MICROSOFT EXCHANGE SERVER 2019 SOFTWARE AND USER CLIENT ACCESS LICENSES

WHEREAS, the Legislature is aware of the need for Orleans County Employees to maintain an operational electronic mail environment as part of maintaining unified communications with each other as well as third party partners, vendors and clients; and

WHEREAS, it is vital that this update to our email environment happen as quickly as possible to maintain our security posture for the Orleans County Network; now be it

RESOLVED, that this Legislature authorizes the purchase of one (1) copy of Microsoft Exchange Server 2019 Software and 400 Microsoft Exchange Server 2019 Client Access Licenses for the entire Orleans County Organization from CDW Government, 75 Remittance Drive, Suite # 1515, Chicago, IL 60675-1515 in the amount of \$30,578.00 (Req# 1792) to be paid from the Computer Services Account A1680.270 – Capital Equipment. This will provide continued email and exchange functionality until 10/14/2025.

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

### **RESOLUTION NO. 3-121**

#### AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL MASTER LEASE

WHEREAS, this Legislature approved a Dell Master Lease # 810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 5 Desktop computers and monitors and 54 Dell Latitude Laptop Computers and Docking stations to be added to the Dell Master Lease as # 810-6457612-014 for the various Departments in Orleans County from March 2, 2021 through March 1, 2025, four (4) annual payments of \$14,942.33 with a \$1 buyout option at the end, to be paid from various budget accounts XXXX.222 – Leased Equipment by apportionment; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

#### **RESOLUTION NO. 4-121**

#### **AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL MASTER LEASE**

WHEREAS, this Legislature approved a Dell Master Lease # 810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 3 Laptop computers to be added to the Dell Master Lease as # 810-6457612-013 for the Department of Motor Vehicles from March 2, 2021 through March 1, 2024, four (4) annual payments of \$787.46 with a \$1 buyout option at the end, to be paid from Department of Motor Vehicles budget 1410.222 Leased Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

#### **RESOLUTION NO. 5-121**

#### **APPROVING THE EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PLAN FOR 2021**

WHEREAS, the Employee Assistance Program (EAP) Committee has been authorized to operate an Employee Assistance Program (EAP) and other related programs for the County; and

WHEREAS, the Legislature requires the EAP Committee to submit for approval a plan of operations, together with a proposed budget for the year 2021; be it

RESOLVED, that this Legislature authorizes the Orleans County Employee Assistance Program budget and plan of operations for the year 2021 as follows:

**EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PROGRAM PLAN**

Program Revenues:	
Commissions/Deposits 2021	\$2,640.00
Raffles	\$2,167.00
Total	\$4,807.00

Program Expenditures:	
GCASA Contract	\$800.00
Employee of the Month Program	\$700.00
Summer Picnic	\$1,600.00
Holiday Luncheon	\$1,600.00
Miscellaneous	\$107.00
Total	\$4,807.00

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

**RESOLUTION NO. 6-121**

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

WHEREAS, the New York State Real Property Tax Law, Sections 554 and 556, provides an administrative correction of error process to assist the property owner in obtaining real property corrections and tax refunds caused by certain clerical errors, unlawful entries and errors in essential fact; and

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

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

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 554 and 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a refund and said refund is two thousand five hundred dollars or less; and be it

FURTHER RESOLVED, that on the fifteenth day of each month in 2021, the Orleans County Treasurer shall submit a report to the Orleans County Legislature of the

refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund and when no refunds are given no report will be issued.

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

**RESOLUTION NO. 7-121**

**APPROVING SOFTWARE LICENSE AND SUPPORT AGREEMENT BETWEEN THE COUNTY TREASURER AND LOGICS, AN EDMUNDS GOVTECH COMPANY**

RESOLVED, that this Legislature approves the annual applications software license and support agreement between the County Treasurer and Logics, PO Box 20283, Raleigh, NC 27619 covering maintenance and support of all modules relating to the Treasurer’s Office, Personnel Office and Budget Officer at a cost not to exceed \$9,910.00; effective January 1, 2021 through December 31, 2021, to be paid from the respective budgets, as applicable.

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

**RESOLUTION NO. 8-121**

**AUTHORIZING SETTING UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT**

WHEREAS, the energy savings realized in 2020 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the Treasurer has made the Lease payment and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

RESOLVED, that the County Treasurer is authorized to set up the funds as follows:

<u>FROM:</u>		
Reserve for Debt		\$45,000.00
<u>TO:</u>		
01.9901.0556	Transfer to Debt Service	\$45,000.00

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

**RESOLUTION NO. 9-121**

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

WHEREAS, the County of Orleans has appropriated the sum of \$6,647 as its share of the year 2021 operating funds of the Genesee Finger Lakes Regional Planning Council, and

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

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated Jay Gsell, Interim Executive Director of the Council, as the officer to receive payments of such monies; and

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

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

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

**RESOLUTION NO. 10-121**

**RESOLUTION APPROVING APPOINTMENTS 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>EXPIRTION DATE</u>
Paul Schwenk 1456 Bills Rd. Kent, New York 14477	Town of Carlton	12-31-23

William Camann  
14829 West Brighton Cliffe Drive  
Kent, New York 14477

Town of Carlton  
(Alternate)

12-31-23

Mylynda Kuba  
24 Ray St.  
Holley, New York

Village of Holley

12-31-21

Kevin Johnson  
4554 South Holley Road  
Holley, New York 14470

Town of Clarendon

12-31-23

Russell Bosch  
4690 Bennetts Corners Road  
Holley, New York 14470

Town of Clarendon  
(Alternate)

12-31-23

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

Note: Legislator DeFilipps thanked all that are in involved on the County Planning Board.

#### **RESOLUTION NO. 11-121**

##### **APPROVING AGREEMENT WITH SOIL AND WATER CONSERVATION DISTRICT**

RESOLVED, that this Legislature authorizes the agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, New York, for the provision of services by “Soil and Water” for the calendar year 2021, at a cost of \$92,500, to be paid in quarterly payments of \$23,125.

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

#### **RESOLUTION NO. 12-121**

##### **APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL COOPERATIVE EXTENSION**

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$240,000 for the calendar year 2021, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$60,000.

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

**RESOLUTION NO. 13-121**

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND  
HILLSIDE CHILDREN'S CENTER**

RESOLVED, that this Legislature approves the following Agreements for Hillside Children's Center for the 2021 calendar year, beginning January 1, 2021 and ending December 31, 2021.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing a program of family resiliency as a community support service for individuals with mental and emotional problems who are living in the community at a cost of \$83,669. County cost is \$0.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a maximum cost of \$17,000. County cost is \$0.

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

**RESOLUTION NO. 14-121**

**APPROVING AN ADDENDUM TO THE LEASE AGREEMENT BETWEEN OAK  
ORCHARD COMMUNITY HEALTH CENTER AND THE MENTAL HEALTH  
DEPARTMENT**

RESOLVED, that this Legislature approves the ongoing Agreement between the Mental Health Department and Oak Orchard Community Health Center, Inc., 300 West Avenue, Brockport, NY 14420 for the period of February 1, 2021 to January 31, 2022 for the purpose of providing assistance to individuals and families affected by mental and behavioral health issues, at no cost.

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

**RESOLUTION NO. 15-121**

**APPROVING AN AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT  
AND INTERPRETEK**



RESOLVED, that this Legislature approves the agreement between the Mental Health Department and Interprettek, 75 Highpower Road, Rochester, NY 14623, for the period of January 1, 2021 to December 31, 2025 for the purpose to provide sign language interpretation services to individuals and families seeking treatment within the mental health department, per fee schedule.

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

#### **RESOLUTION NO. 16-121**

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

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

Albion Village Water Treatment, 961 Wilson Road, Albion, NY 14411. Contract to provide water sampling for the environmental division. Reimbursement from New York State Water Grant, State Aid and Private Pay for a term of 1/1/2020 through 12/31/2023  
No County cost.

NYSDOH COVID-19 Vaccination Program. NYSDOH COVID-19 Vaccination program. To administer COVID-19 vaccine in accordance with all requirements and recommendations of NYSDOH. To ensure the distribution and administration of a safe and effective COVID-19 vaccine to all residents of the Empire State who wish to receive it. For term 12/4/2020 through the duration of the Covid-19 emergency. No County Cost.

Orleans County Cooperative Extension, 12690 State Rt. 31, Albion, NY 14411. To use the Fairgrounds for emergency preparedness activities as needed for a term of 1 year, 1/1/2021 through 12/31/2021. No county cost.

Ridgeway Fire Department, 11392 Ridge Road, Medina, NY 14103. To use Ridgeway Fire Department for emergency preparedness activities as needed. For POD's (Point Of Dispensing) for term of 1 year, January 1, 2021 through December 31, 2021. No County Cost.

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

#### **RESOLUTION NO. 17-121**

#### **ACCEPTING AWARD AND AUTHORIZING SETTING UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT BUDGET**

WHEREAS The New York State Health Foundation has provided flexible funding for rurally based health department to use as needed for COVID-19 response activities

RESOLVED that this legislature approve the Health Department to accept this award in the amount of \$1,785.00

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

REVENUE:

01.4010.1609	NYSACHO	\$ 1,785.00
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APPROPRIATIONS:

01.4010.0489	Nursing Supplies	\$ 1,785.00
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Moved, Allport; second, Draper  
Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 18-121**

AUTHORIZING SETTING UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, an agreement was approved between the Orleans County Health Department and the Kansas Health Institute;

RESOLVED, that the Orleans County Treasurer is authorized to set up new monies in the 2021 Public Health Department budget as a result of the said award in the amount of \$7,605.00 as follows:

REVENUE:

01.4010.1606	Kansas Health Institute	\$ 7,605.00
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APPROPRIATIONS:

01.4010.0452	Personal Service Contracts	\$ 7,605.00
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Moved, Allport; second, Draper  
Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 19-121**

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

WHEREAS, Resolution #421-1020 extended the agreement with the Orleans County Health Department and The Kresge Foundation and increased the amount of the award to \$155,000.

RESOLVED, that the Orleans County Legislature approves the Orleans County Treasurer to set up the additional funding in the Public Health Department 2021 budget as follows:

REVENUE:

01.4010.1606	Kresge Foundation	\$30,000.00
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APPROPRIATIONS:

01.4010.0100	Personal Services	\$20,000.00
01.4010.0101	Overtime	\$6,000.00
01.4010.0220	Office Equipment	\$1,100.00
01.4010.0463	Travel Other than Mileage	\$ 911.00
01.4010.0820	Medicare	\$377.00
01.4010.0830	Social Security	\$1,612.00

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

**RESOLUTION NO. 20-121**

**AUTHORIZING A PURCHASE FROM HEALTH DEPARTMENT BUDGET FOR ANTI-RABIES VACCINE**

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

RESOLVED, that this Legislature allows the Health Department to make purchases of human rabies vaccine, when needed, up to the amount of \$100,000.00 from Public Health budget account line 01.4010.0409-Vaccines and Medications as approved in the 2021 Orleans County Budget.

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

**RESOLUTION NO. 21-121**

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

WHEREAS various 2018, 2019, and 2020 resolutions to authorize expending grant funds in Public Health to participate in the Kresge program becoming Chief Health Strategists and

WHEREAS an extension has been granted through September 2021

RESOLVED that this legislature does hereby authorize the county treasurer to set up the 2020 unexpended funds in the 2021 Public Health budget as follows:

REVENUE:

01.4010.1606	Kresge Foundation	\$ 21,270.85
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APPROPRIATIONS:

01.4010.0220	Office Equipment	\$ 6,000.00
01.4010.0411	Office Supplies	\$ 1,270.85
01.4010.0434	Advertising	\$ 2,000.00
01.4010.0452	Personal Svc Contracts	\$10,000.00
01.4010.0478	Health Promo Supplies	\$ 2,000.00

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

**RESOLUTION NO. 22-121**

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR THE IMPLEMENTATION OF RAISE THE AGE

RESOLVED, that this Legislature approves the Orleans County Probation Director to apply and accept aid in the amount of \$45,473 effective April 1, 2020 to March 31, 2021 to offset costs associated with the continued implementation of Raise the Age Legislation which went into effect on October 1, 2018.

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

**RESOLUTION NO. 23-121**

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT

RESOLVED, that this Legislature approves the Orleans County Probation Director to apply for and accept aid in the amount of \$16,000 effective January 1, 2021 to December 31, 2021 to offset cost of providing Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant.

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

**RESOLUTION NO. 24-121**

**AUTHORIZING FILLING OF VACANCY IN THE PROBATION DEPARTMENT**

RESOLVED, that this Legislature authorizes the filling of a vacant full-time Account Clerk position in the Probation Department at a Grade 9 of the CSEA Agreement effective February 2, 2021.

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

**RESOLUTION NO. 25-121**

**APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN SHERIFF'S OFFICE AND VARIOUS AGENCIES FOLLOWING THE CERTIFICATION OF THE 2021 STOP DWI PLAN**

WHEREAS, Resolution No. 339-820 approved certification of the 2021 STOP DWI plan between the Sheriff's Office and the New York State Department of Motor Vehicles-Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228, for a budget of \$88,865.00, for the annual plan year January 1, 2021 through December 31, 2021; and

WHEREAS, the Orleans County Sheriff's Office has applied and approved for such grant under the New York State Department of Motor Vehicles Governor's Traffic Safety Committee, and

WHEREAS, grant funds have been awarded in the total amount of \$88,865.00 in reducing and enforcing in the STOP DWI crackdown, and which said grant funds are apportioned between the Orleans County Sheriff's Office, Orleans County District Attorney's Office, Orleans County Probation Department, Village of Albion police Department, Village of Holley Police Department and the Village of Medina Police Department, now be it

RESOLVED, that this Legislature does hereby approve Memorandum of Understanding by distributing allocations for enforcement activity of personal and equipment services for the purpose of fulfilling and following the certification of the 2021 STOP DWI plan between the Sheriff's Office and the New York State Motor Vehicle-Governor's Traffic Safety Committee with the following agencies as set forth in the 2021 STOP DWI Certification plan: Orleans County District Attorney's Office, Orleans County Probation Department, Village of Albion Police Department, Village of Holley Police Department, Village of Medina Police Department,

FURTHER RESOLVED, that such grant funds in the amount of \$88,865.00 shall be deposited by the Orleans County Treasurer upon receipt of same, and the Orleans County Treasurer shall disperse the funds in accord with the allocations set forth in the 2021 STOP DWI certification plan.

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

#### **RESOLUTION NO. 26-121**

#### **APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND DOHERTY COMMUNICATIONS**

RESOLVED, that this Legislature approves a three-year agreement between the Sheriff's Office and Doherty Communications, LLC, 16 Ryder Cup Circle, Pittsford, New York, for technician services at the 911 dispatch office at a cost of \$14,776.00 for year February 1, 2021 through January 31, 2022; \$15,220.00 for year February 1, 2022 through January 31, 2023; and \$15,676.00 for year February 1, 2023 through January 31, 2024.

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

#### **RESOLUTION NO. 27-121**

#### **APPROVING APPOINTMENTS TO THE NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORTIVE COMMITTEE PER GOVERNOR ANDREW M. CUOMO'S EXECUTIVE ORDER #203 AND AUTHORIZING PUBLIC INPUT ON PROPOSED IMPLEMENTATION**

WHEREAS, On June 12, 2020 NYS Governor Andrew Cuomo issued Executive Order #203, New York State Police Reform and Reinvention Collaborative, requiring all police agencies to perform a comprehensive review of deployments, policies, procedures, and practices, and develop an improvement plan, and

WHEREAS, a comprehensive collaborative plan is to be formulated by this Committee and Stakeholders' to provide in areas of evidence based policing strategies to include; policies, procedural justice, implicit bias awareness training, de-escalation training, law enforcement assisted diversion programs, outreach community based, and problem-oriented policing to bring community together, Now be it

RESOLVED, that this Legislature approves the following appointments on reform and reinvention collaborative committee on behalf of the Orleans County Sheriff's Office effective through April 1, 2021:

Christopher M. Bourke	Orleans County Sheriff
John C. Welch Jr.	Chief Administrative Officer
Jeffrey A. Gifaldi	Orleans County Chief Deputy
James White	Orleans County Seasonal Marine Deputy
Margarita Aldeco	Community Participant
Trellis Pore	Community Participant
Thaddeus Nauden	Community Participant
Eddie English	Community Participant

and be it

FURTHER RESOLVED, that this Legislature approves listening and learning by conducting two public sessions to be held at the Orleans Legislative Chambers located at 14016 Route 31 West, Albion, New York 14411 in the Legislature chambers via Zoom on the following dates: Thursday, February 4, 2021 at 7:00 p.m. and Monday, February 8, 2021 at 7:00 p.m., And be it

FURTHER RESOLVED, that this Legislature will approve an additional public comment session on a date to be determined once the proposed comprehensive collaborative plan has been formulated by the collaborative committee.

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

#### **RESOLUTION NO. 28-121**

**AUTHORIZING THE SHERIFF TO PURSUE ACQUISITION OF ONE NEW JAIL VAN FOR INMATE TRANSPORTATIONS**

RESOLVED, that this Legislature does hereby authorize the Sheriff to proceed with acquiring complete buy out purchase with up fitting on jail van used for inmate transports; which will be subject to the review and approval of the County Attorney and the Chief Administrative Officer.

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

#### **RESOLUTION NO. 29-121**

**AUTHORIZING THE SHERIFF'S OFFICE TO PURCHASE LINSTAR AUDIO INTERVIEW SYSTEM WITH SERVICE AGREEMENT AND AUTHORIZING TREASURER TO SET UP MONEY INTO THE SHERIFF'S OTHER EQUIPMENT**

RESOLVED, that this Legislature authorizes the sheriff's Office to purchase Linstar Audio Video Interview Recording System on NYS Contract #PT68825 at the discount rate which includes five year on site service agreement in the amount of

\$15,271.10 from LINSTAR, INC. 430 Lawrence Bell Drive Buffalo, NY 14221-7085;  
Now be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up funds from Building and Equipment Reserve for the purchase and service agreement to execute buy out paid in full to: LINSTAR, INC. 430 Lawrence Bell Drive, NY 14221-7085 at a cost of \$15,271.10 to be paid from Sheriff's budget line 01.3110.250-Other Equipment with appropriated budget as follows:

<u>FROM:</u>			
Building and Equipment Reserve			\$15,271.10
<u>TO:</u>			
01.3110.250	Other Equipment		\$15,271.10

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

**RESOLUTION NO. 30-121**

AUTHORIZING COUNTY TREASURER TO SET UP GRANTS FUNDS FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES IN THE SHERIFF'S OFFICE BUDGET AS FOLLOWS

WHEREAS, numerous 2020 resolutions authorized acceptance and set up disbursing grant funds in the Sheriff's Office Budget to enhance cooperation, boarders and usage towards Law Enforcement terrorism prevention activities, now be it

RESOLVED, that this Legislature authorizes the County Treasurer to set up the balances left in grant funds in the 2021 Sheriff's Office Budget in the following Resolution No., grant name, Contract #, Dollar Amount and Accounts as follows:

<u>Res No.</u>	<u>Grant Name</u>	<u>Contract #</u>	<u>Dollar Amount</u>
262-620	SG17-1014-DOO	C838779	\$3,137.81
219-520	SG18-1003-DOO	C972489	\$43,484.88
215-520	SG19-1002-DOO	C972499	\$67,120.12
222-520	LE19-1025-DOO	T972492	\$2,288.74
391-920	LE20-1020-DOO	T972402	\$25,059.00

<u>REVENUE:</u>			
3110.4308.7417-Homeland Security-17			\$3,137.81
3110.4308.7418-Homeland Security-18			\$43,484.88
3110.4308.7419-Homeland Security-19			\$67,120.12
3110.4308.5319-Homeland Security SLETPP FY2019			\$2,288.74
3110.4308.5320-Homeland Security SLETPP FY2020			\$25,059.00



APPROPRIATION:

3110.0486.7417-Special Grant Stonegarden 17	\$3,137.81
3110.0486.7418-Special Grant Stonegarden 18	\$43,484.88
3110.0486.7419-Special Grant Stonegarden 19	\$67,120.12
3110.0486.5319-Special Grants-SLETPP FY2019	\$2,288.74
3110.0486.5320-Special Grants-SLETPP FY2020	\$25,059.00

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

**RESOLUTION NO. 31-121**

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF'S OFFICE  
AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S  
BUDGET

RESOLVED, that this Legislature accepts donations received from the  
community members' to assist the Orleans County Sheriff's Office, Now be it

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

REVENUE:

01.0001.2705	Gifts & Donations	\$100.00
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APPROPRIATION:

01.3110.0499	K-9 Sheriff	\$100.00
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Moved, Draper; second, Allport  
Adopted. 7 ayes; 0 nays; 0 absent.

The following resolution was withdrawn by Legislator Draper.

**RESOLUTION NO. 32-121**

AUTHORIZING SETTING UP NEW MONEY IN SHERIFF'S STOP-DWI BUDGET-  
*Withdrawn*

RESOLVED, that this County Treasurer is authorized to set up new money from  
NYS STOP-DWI foundation as reimbursement for STOP-DWI Holiday crackdown  
enforcement patrols, in the Sheriff's STOP-DWI budget, as follows.

REVENUE:

01.3315.2615	STOP-DWI Program	\$596.88
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APPROPRIATION:

01.3315.0486

Special Grants

\$596.88

**RESOLUTION NO. 33-121**

**AUTHORIZING FILLING VACANCY IN THE SHERIFF'S OFFICE/JAIL**

RESOLVED, that this Legislature authorizes the filling of a vacant Full Time Correction Officer Position (3150.18) in the Sheriff's Office at a Grade 5 of the OCSEA Salary schedule, Effective date January 31, 2021, now be it

FURTHER RESOLVED, that this Legislature, subsequent to the filling of the vacant Full Time Correction Officer position, authorizes the filling of a vacant Part-Time Correction Officer position (5150.xx) in the Sheriff's Office at an hourly rate of \$15.37, effective date January 31, 2021.

FURTHER RESOLVED, that this Legislature authorizes the filling of two vacant Full Time Deputy Sheriff's positions (3110.20) and (3110.28) in the Sheriff's Office at a Grade 1 of the OCDSA salary schedule, Effective date January 31, 2021.

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

**RESOLUTION NO. 34-121**

**APPROVING A MEMORANDUM OF AGREEMENT BETWEEN PUBLIC DEFENDER AND LEGAL AID BUREAU OF BUFFALO INC**

RESOLVED, that this Legislature does hereby approve a Memorandum of Agreement between the Public Defender and Legal Aid Bureau of Buffalo, Inc., in the amount of \$35,000 effective January 1, 2021 through December 31, 2021 for Legal Aid to accept assignment and provide appellate representation to persons convicted of crimes or violations in the courts of Orleans County. Moved, Allport; second, DeFilipps.

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

**RESOLUTION NO. 35-121**

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

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement between the District Attorney's Office and the U.S. Department of Justice effective January 1, 2021 through December 31, 2021 allowing receipt of seized funds on Federal forfeitures; and be it

FURTHER RESOLVED, that this Legislative body does hereby authorize the Chairman of the Legislature to execute this agreement as approved by the Orleans County Attorney and the Chief Administrative Officer.

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

**RESOLUTION NO. 36-121**

**AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN ORLEANS COUNTY EMERGENCY MANAGEMENT AND THE FIVE SCHOOL DISTRICTS IN ORLEANS COUNTY**

WHEREAS, in the immediate aftermath of a major incident/catastrophe, many communities may need to establish distribution sites in order to provide relief supplies to affected community members; and

WHEREAS, distribution sites will be needed to receive and dispense bulk emergency relief supplies quickly after an incident; now be it

RESOLVED, that this Legislature authorize the Emergency Management Office to enter into a five year Memorandum of Understanding (MOU) with each of the five school districts (Albion, Holley, Kendall, Lyndonville, Medina) within Orleans County, from January 1, 2021 through December 31, 2025, to act as a distribution site within 24-96 hours of a major incident/catastrophe.

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

**RESOLUTION NO. 37-121**

**AWARDING BID FOR ORLEANS COUNTY PUBLIC SAFETY COMMUNICATIONS MAINTENANCE AND APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND RADIO TECHNOLOGIES**

WHEREAS, the Emergency Management Office advertised for sealed bids for Phase 2 of the Orleans County Public Safety Communications System Maintenance Labor Only Contract on December 17, 2020, approved by Resolution No 533-1220. Two sealed bids were received and were opened via ZOOM in the Legislative Chambers on January 7, 2021 at 11:30am. The sealed bid offered by Radio Technologies at \$254,126.00 from February 1, 2021 through May 31, 2023 met or exceeded all requirements in the RFP.

RESOLVED, that this Legislature does hereby award the bid and approve the agreement with Radio Technologies 15 Pamda Dr., Rochester, NY 14617 in the amount of \$254,126.00 for Phase 2 of the RFP for 5 RF Communication sites, 3 microwave sites,

1 PSAP site and all associated equipment including digital recording and logging equipment which is to be paid from future SICG FY2020 Formula Based Grant Funds.

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

**RESOLUTION NO. 38-121**

APPROVE PRELIMINARY REQUIRED NEW YORK STATE COMMUNICABLE DISEASE PLAN AND AUTHORIZE PURCHASE OF MANDATORY SIX MONTH SUPPLY OF PERSONAL PROTECTIVE EQUIPMENT

WHEREAS, New York State Labor Law 27-c requires public employers to develop operation plans in the event of certain declared public health emergencies; now be it

RESOLVED, that this Legislature authorize the preliminary Communicable Disease Plan drafted by the Deputy Director of Emergency Management; and

WHEREAS, Resolution No 531-1220 approved setting up money from Orleans County Contingency Fund for the purchase of the required Personal Protective Equipment from Med Concepts, 7000 N. Kilpatrick Ave., Lincolnwood, IL 60712, who was the lowest of three quotes at \$55,128.40; now be it

RESOLVED, that this Legislature approve the purchase of Personal Protective Equipment to satisfy the mandatory required six month supply from Emergency Management Budget Line 01.3640.0418.2683-Other Contractual Expenses-COVID.

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

**RESOLUTION NO. 39-121**

APPROVING CHANGING THE DEPUTY DIRECTOR OF EMERGENCY MANagements HOURS FROM A 35 HOUR WORK WEEK TO A 40 HOUR WORK WEEK

WHEREAS, as the work load has increased for the Deputy Director of Emergency Management due to the required NYS Communicable Disease Plan, the Orleans County Continuity of Operations Plan (COOP), the COVID-19 test site logistics and operations and the pending Vaccination Hub logistics and operations; and

WHEREAS, the Deputy Director 's work hours extend beyond the 35 hours per week in the 2021-2022 Orleans County Management Compensation Plan; now be it

RESOLVED, that this Legislature approve changing the work hours for the Deputy Director from 35 hours per week to 40 hours per week at \$28.40 per hour for a total of \$7,413.00 effective January 1, 2021.

FURTHER RESOLVED, that the Treasurer is authorized to move funds from Emergency Management Other Contractual to Personal Services as follows:

FROM:

01.3640.0418	Other Contractual	\$7,413.00
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TO:

01.3640.0100	Personal Services	\$7,413.00
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Moved, Eick; second, Miller  
Adopted. 7 ayes; 0 nays; 0 absent.

Note: Legislator DeRoller stated the Justin Niederhofer is doing a good job. Chairman Johnson stated that he has been working many hours over 35 per week.

**RESOLUTION NO. 40-121**

**APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES**

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

Pathstone Corporation, Rochester, NY for the provision of housing at a safe dwelling to victims of domestic violence who are eligible for DSS payment of these services; to be effective January 1, 2021 through December 31, 2021. Rates are established by NYS Office of Children & Family Services.

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance, and consultation services; to be effective January 1, 2021 through December 31, 2021. At a cost of \$72,131. County cost \$25,246.

Orleans County Attorney, Medina, NY for the provision of 1.25 part-time attorneys assigned to Social Services; to be effective January 1, 2021 through December 31, 2021 at a cost of \$91,549.00. County cost is \$29,121.00.

The House of Good Shepherd, Utica, NY 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.

Hillside Children’s Center 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. 41-121**

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

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operation of County business due to recent resignations, promotions and reorganizations; now be it

RESOLVED, as a result of a resignation, that this Legislature does hereby authorize filling a full-time Caseworker position (6010.0241) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective January 28, 2021.

FURTHER RESOLVED, as a result of a resignation, that this Legislature does hereby authorize filling a full –time clerk position (6010.0132) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective January 28, 2021; and be it

FURTHER RESOLVED, as a result of a resignation, that this Legislature does hereby authorize filling a full-time Child Support Specialist position (6010.0808) in the Department of Social Services at Grade 11 of the CSEA Salary Schedule effective February 1, 2021; and be it

FURTHER RESOLVED, that this Legislature amends RESOLUTION NO. 536-1220 to read as follows: “FURTHER RESOLVED” this Legislature does also hereby create a full-time Director of Temporary Assistance position at Grade 7 of the Orleans County Management Compensation Schedule effective December 1, 2020.

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

Legislator DeRoller asked for comment from Office for the Aging Director Melissa Blanar. Melissa Blanar stated that this very important as there has been a large increase in services due to the COVID-19 Pandemic. The Meals on Wheels program and home care demands have increased greatly. There is a possible 20% cut in this funding. These services need to be in the next budget year. Legislator DeRoller asked if the Aging department is helping with getting their vaccine scheduled. Melissa stated that they assisting older adults that do not have access to the internet by creating a waiting list and throughout the day checking on line for available appointments. Were able to get 5

scheduled last week, but there are 400 on the list in about 4 1/2 weeks. These people do not have access to the internet. Legislator DeRoller asked that this data be added to the resolution. The following resolution was adopted as amended:

**RESOLUTION NO. 42-121**

**RESOLUTION URGING GOVERNOR ANDREW CUOMO TO INVEST IN AGING SERVICES**

WHEREAS, the executive budget for 2021 will be prepared by the executive division of New York State, and

WHEREAS, Orleans County Office for the Aging provides vital services and support to over 8,400 older adults and their caregivers, and

WHEREAS, Orleans County has experienced an overwhelming increase and demand for services due to the COVID19 pandemic, and

WHEREAS, Orleans County values and respects older residents, their families, and their contributions to society, and

WHEREAS, during the COVID-19 pandemic Orleans County has risen to the challenge of maintaining older individuals' dignity, autonomy, and ability to remain in their homes and communities through home delivered meals, prescription delivery, transportation, information and referral, home care services, health insurance counseling, benefits assistance, options counseling, respite services, and other supports requested, and

WHEREAS, Orleans County cannot continue to provide necessary services to those in need if there is any reduction to State funding, and

WHEREAS, services provided have been proven to prevent individuals from having to spend down to become Medicaid eligible, and from entering skilled nursing facilities, now therefore be it

RESOLVED, on recommendation of the Economic Assistance and Opportunity Committee, That the Orleans County Legislature urges Governor Cuomo to provide adequate funding for New York State Office for the Aging to provide services to Older New Yorkers in need,

FURTHER RESOLVED, this legislature is advocating for older adults who struggle signing up for the COVID-19 vaccine, the Orleans County Office for the Aging currently has a waiting list of 400 older adults who do not have access to the internet to sign up for appointments, there is a need for blocks of appointments designated for ONLY older adult who do not have online access to schedule appointments, this function could then be set up through the Office for the Aging for those on our waiting list,

FURTHER RESOLVED, that copies of this resolution be sent to Governor Andrew Cuomo, New York State Senator Robert Ortt, Assemblyman Stephen Hawley, and Assemblyman Michael Norris.

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

### **RESOLUTION NO. 43-121**

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

WHEREAS, a Project for the Preventative Maintenance of East Oak Orchard Street NYSDOT Contract #D036041, P.I.N. 4OR0.02, BIN: 3319320 in the Village of Medina (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$497,010.00 for East Oak Orchard Street Bridge for Construction, Construction Inspection and Support; and

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

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

RESOLVED, that the Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$497,010.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$497,010.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

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

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County



of Orleans with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

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

FURTHER RESOLVED, that this is Supplemental #4 Agreement adding additional Marchiselli funding for Right-a-way and amends resolution #306-720 to reflect construction modification dollars for a total cost of \$497,010.00; Federal Share of \$397,608.00; Marchiselli funding of \$74,552.00 and County Cost \$24,850.00; effective October 11, 2018 through August 20, 2028; Resolution shall take effect immediately.

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

#### **RESOLUTION NO. 44-121**

**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 Yates Carlton Townline Road over Johnson Creek Bridge Replacement, Contract #D040103, P.I.N. 4OR0.04, BIN: 33188800 in the Town of Carlton (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$40,600.00 for Yates Carlton Townline Road Bridge Replacement for Preliminary Engineering, Design and ROW Incidentals; and

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

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

RESOLVED, that the Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$203,000.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$203,000.00 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 #1 Agreement adding Marchiselli Funding for Preliminary Engineering, Design and ROW Incidentals for a total cost of \$203,000.00; Federal Share of \$162,400.00; State Marchiselli Funding of \$30,450.00 and County Cost \$10,150.00; effective December 11, 2019 through August 30, 2028. Resolution shall take effect immediately.

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

#### **RESOLUTION NO. 45-121**

**AMENDING RESOLUTION NO. 104-220 BETWEEN ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND OTIS ELEVATOR COMPANY**

WHEREAS, Resolution No. 104-220 approved an Agreement between the Department of Public Works and OTIS Elevator to provide inspection and maintenance of elevators owned by Orleans County located at facilities throughout the County; and

WHEREAS, Resolution No. 104-220 states the contract period was for January 1, 2020 through December 31, 2020; and therefore be it

RESOLVED, that this Legislature amends Resolution No. 104-220 and approves the correct contract agreement period from January 1, 2020 through December 31, 2023

and a percentage increase or decrease in the hourly mechanic rates that will be adjusted on annual basis; and be it

RESOLVED, an additional elevator was added on in the year 2020 at the County Office Building on Resolution No. 157-320; and in 2021, there is an increase of 3.28% in hourly mechanic rates; now therefore be it

FURTHER RESOLVED, that this Legislature approves an increase in the monthly rate to \$948.12 a month from January 1, 2021 through December 31, 2021; to be paid out of the 01.1620.0447 miscellaneous equipment contract budget code.

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

#### **RESOLUTION NO. 46-121**

CALLING FOR A PUBLIC HEARING REGARDING SUBMISSION OF  
COMMUNITY DEVELOPMENT BLOCK GRANT

RESOLVED, that this Legislature hereby calls for a public hearing to obtain the views of citizens, public agencies, and other interested parties on the housing and community development needs of the County and the County's submission of a request to the New York State Office of Community Renewal for approval of the use of Public Infrastructure, Public Facilities, and Community Planning such public hearing to be held at 4:20 p.m. on February 24, 2021 at the Legislative Chambers located at 14016 Route 31 West, Albion New York 14411.

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

#### **RESOLUTION NO. 47-121**

AUTHORIZING LEGISLATURE TO SIGN DOCUMENTS REGARDING TWO  
EASEMENTS IN ORLEANS COUNTY, NEW YORK

WHEREAS, the County of Orleans is about to commence a public improvement project commonly known as Transit Road Bridge Replacement Project in the County of Orleans, State of New York, PIN 4BNY.28, NYS DOT Contract #D036151; and

WHEREAS, the plans for such public improvement project call for the acquisition of certain parcels of land in fee or easement rights over property owned by the seller; and now therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to sign the Contract of Sale and all other related easement documents associated with acquiring two easements for the Transit Road Bridge New York Replacement Project,

Property: part of 3201 Transit Road, Murray, NY  
SBL No.: Part of 64.00-1-48.1

Property: part of 3196 Transit Road, Albion NY  
SBL No.: Part of 63.00-1-18

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

**RESOLUTION NO. 48-121**

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT REDI PROJECT 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>
\$5,470.00	Wendel	Professional services for Point Breeze Redi Project
\$9,016.65	Wendel	Professional services for Point Breeze Redi Project

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>
\$2,192.50	Wendel	Professional services for Lakeshore Road Redi Project
\$ 385.00	Wendel	Professional services for Lakeshore Road Redi Project

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

**RESOLUTION NO. 49-121**

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

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

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
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\$5,610.00    Labella Associates                      Professional Services Angling Road Bridge

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

**RESOLUTION NO. 50-121**

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

WHEREAS, the New York State Department of Transportation has awarded the County Department of Public Works a Bridge NY Project “Replacement of Transit Road Bridge over West Branch of Sandy Creek.” This BNY project has been awarded funding through the Bridge NY Program at 95% reimbursement with a County Cost of 5%; and

WHEREAS, the “Project” is still in the Preliminary Engineering, ROW acquisition and Incidental Phase in 2021; therefore be it

RESOLVED, that the Treasurer is authorized to set up monies from the Road Fund Infrastructure Reserve Account to the Department of Public Works budget to cover the County Cost portion of Preliminary Engineering and Row dollars as follows:

FROM:

Infrastructure Reserve Account  
\$1,451.51

TO:

03.5120.470.2285                      Transit Road Bridge Project  
\$1,451.51

AND BE IT FURTHER RESOLVED, the Treasurer is authorized to set up monies within the Road fund Department of Public Works budget as follows”

REVENUE:

03.5120.3503                      Bridge Revenue  
\$27,578.75

APPROPRIATION:

03.5120.470.2285                      Transit Road Bridge Project  
\$27,578.75

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

**RESOLUTION NO. 51-121**

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

WHEREAS, the New York State Department of Transportation has awarded the Orleans County Department of Public Works a TIP Project for the “Replacement of Yates Carlton Townline Road over Johnson Creek”. This project has been awarded funding through the TIP Program at 95% reimbursement with a County Cost of 5%; and

WHEREAS, the “Project” is still in the Preliminary Engineering, ROW acquisition and Incidental Phase in 2021; therefore be it

RESOLVED, that the Treasurer is authorized to set up monies from the Road Fund Infrastructure Reserve Account to the Department of Public Works budget to cover the County Cost portion of Preliminary Engineering and Row dollars as follows:

FROM:

Infrastructure Reserve Account  
\$7,594.19

TO:

03.5120.470.2286	Yates	Carlton	Townline	Bridge
\$7,594.19				

AND BE IT FURTHER RESOLVED, the Treasurer is authorized to set up monies within the Road fund Department of Public Works budget as follows”

REVENUE:

03.5120.3503	Bridge Revenue
\$144,289.50	

APPROPRIATION:

03.5120.470.2286	Yates	Carlton	Townline	Bridge
\$144,289.50				

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

**RESOLUTION NO. 52-121**

AUTHORIZING THE COUNTY TREASURER TO SET UP GRANT FUNDS IN BOARD OF ELECTION BUDGET

WHEREAS, Resolution No, 279-620 (authorized the Board of Elections Office to accept the HAVA Cybersecurity Remediation and Mitigation Grant (C004265) in the amount of \$70,729.99).

WHEREAS the above Grant is good through December 31, 2021; now be it

RESOLVED that this Legislature does hereby authorize the County Treasurer to set up the 2020 unexpended fund for this Grant as follows: HAVA Cybersecurity Remediation and Mitigation Grant \$50,647.75 in the 2021 Board of Elections budget as follows:

REVENUE:

01.1450.4215.4277	Election Services	\$50,647.75
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APPROPRIATION:

01.1450.0486.4277	Special Grants-“HAVA Cybersecurity Remediation and Mitigation Grant”	\$50,647.75
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Moved, Miller; second, Eick  
Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 53-121**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY [COIDA] FOR THE YEAR 2021**

WHEREAS, it is in the best interest of the County that the many advantages of Orleans County be publicized to those who may be interested in establishing, maintaining, or expanding business and industry in the County of Orleans, in order to create new jobs and keep a healthy economy; and

WHEREAS, equally as important, is the ability to retain within the county the jobs already located here; and

WHEREAS, among the most important tasks facing New York State are the need to increase jobs and encourage higher levels of private capital investment in business and industry, thereby improving the general prosperity and economic welfare of the people of New York State and its constituent municipalities; and

WHEREAS, the County recognizes that the Agency is a community-wide organization with the expertise and capacity to improve the general prosperity and economic welfare to the people of the County; and

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County; and

WHEREAS, New York State Public Officers Law Section 18 states that a county legislative body may provide for the defense and indemnification of the officers and employees of a public entity additional indemnification of said Agency may be contracted in return for services; and

WHEREAS, the County has, by Resolution adopted by the Orleans County Legislature, authorized the execution of this contract and the indemnification agreement herein between the County and the Agency; now, therefore be it

RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with the County of Orleans Industrial Development Agency [COIDA] to provide the services as set forth in the agreement at an annual cost of \$190,000, to be paid in quarterly payments of \$47,500.

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

Note: Legislator DeRoller stated that COIDA is doing a great job.

#### **RESOLUTION NO. 54-121**

#### **CALLING FOR A PUBLIC HEARING REGARDING SUBMISSION OF COMMUNITY DEVELOPMENT BLOCK GRANT**

RESOLVED, that this Legislature hereby calls for a public hearing to obtain the views of citizens, public agencies, and other interested parties on the housing and community development needs of the County and the County's submission of a request to the New York State Office of Community Renewal for approval of the use of Community Development Block Grant funding to implement a microenterprise assistance program such public hearing to be held at 4:25 p.m. on February 24, 2021 at the Legislative Chambers located at 14016 Route 31 West, Albion New York 14411.

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

#### **RESOLUTION NO. 55-121**

#### **ADOPTING FAIR HOUSING-SECTION 3 PARTICIPATION PLAN**

WHEREAS, Orleans County, State of New York, has made application for Community Development Block Grant (CDBG) Funds for the State of New York; and

WHEREAS, Section 3 of the Housing and Urban Development Act of 1968, as amended, ("Section 3") requires that economic opportunities generated by certain U.S. Department of Housing and Urban Development financial assistance for housing and community development programs be directed to low- and very low-income persons,



particularly those who are recipients of government assistance for housing, and business concerns which provide economic opportunities to low- and very low income persons<sup>1</sup>.

AND WHEREAS, Pursuant to Section 3 of the Housing and Urban Development Act of 1968, as amended and 24 CFR Part 135, the County of Orleans adopts this Section 3 Participation Plan for Section 3 Covered Contracts. The policy will provide direction for implementing Section 3, when required.

BE IT RESOLVED that pursuant to Orleans County being granted CDBG funds by the State; Orleans County, by administrative act, does adopt Section 3 Participation Plan.

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

**RESOLUTION NO. 56-121**

**APPOINTING FAIR HOUSING OFFICER**

BE IT RESOLVED that the Orleans County Legislature appoints Lisa Stenshorn, currently the Clerk of the Legislature, to serve as the Fair Housing Officer of Orleans County.

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

**RESOLUTION NO. 57-121**

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS**

RESOLVED, that this Legislature approves a 48-month lease agreement between Orleans County and Toshiba Business Solutions, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to provide twelve (12) Toshiba e-Studio and three (3) Lexmark multifunction machines effective March 1, 2021 through February 28, 2025 as follows:

Personnel & Self Insurance	e-Studio 3015AC	\$152.00 per month
Mental Health-Administration	e-Studio 3515AC	\$235.00 per month
Real Property	e-Studio 3015AC	\$169.00 per month
Sheriff-Jail	e-Studio 3015AC	\$152.00 per month
Sheriff-Office	e-Studio 3015AC	\$191.00 per month
Sheriff-Deputies	e-Studio 3015AC	\$164.00 per month
<hr/>		
Above bill per copy B&W .0075 per page and Color .0475 per page		
County Clerk-DMV	e-Studio 3018A	\$85.00 per month

Mental Health-Clinic	e-Studio 4518A	\$152.00 per month
DSS-Administration	e-Studio 3018A	\$108.00 per month
DSS-CFS	e-Studio 3018A	\$103.00 per month
DSS-Temporary Assistance	e-Studio 4518A	\$144.00 per month
Above bill per copy B&W .0075 per page, with an annual increase of 2.5%		
Planning & Development	e-Studio 2010AC	\$141.00 per month
Above is bill per copy B&W .009 per page and Color .07 per page		
Mental Health-Baseament	Lexmark XM1246	\$43.00 per month
Sheriff-Dispatch	Lexmark XM1246	\$43.00 per month
Sheriff-Animal Control	Lexmark XM1246	\$43.00 per month
Above bill per copy B&W .0149 per page		

Moved, Eick; Second, Miller

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 58-121**

#### **APPROVING PAYMENT OF \$6,567.00 TO NYSAC FOR 2021 SHARE OF GOVERNMENT CONSULTATION SERVICES**

RESOLVED, that this Legislature hereby approves payment to NYSAC for Orleans County shared cost of government consultation in Albany, NY and Washington D.C. Services include: State budget advocacy, legislative advocacy, legal and technical assistance, training and educational programs, policy analysis, research, daily news clips, electronic newsletters, NYSAC news, other programs and services of benefit to the county. To be paid from 01.1910.0481-Professional Dues.

Adopted. 7 ayes; 0 nays; 0 absent.

Moved, Eick; Second, Miller

Note: Legislator DeRoller stated this is a great organization. Legislator DeFilipps stated this organization provides a treasure trove of information for us to use.

### **RESOLUTION NO. 59-121**

#### **AMENDING RESOLUTION NO. 265-715 REGARDING AMERICANS WITH DISABILITIES COORDINATOR FOR ORLEANS COUNTY**

RESOLVED, that this Legislature confirms that the Chief Administrative Officer will act as the Americans with Disabilities Act Coordinator for Orleans County; and be it

FURTHER RESOLVED, that said Coordinator for Orleans County be:

John C. Welch, Jr.  
 ADA Coordinator and Chief Administrative Officer  
 County of Orleans County  
 14016 Route 31W, Suite 201

Albion, NY 14411  
(585) 589-7053  
[jack.welch@orleanscountyny.gov](mailto:jack.welch@orleanscountyny.gov)

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

**RESOLUTION NO. 60-121**

**AUTHORIZING THE CONTINUATION OF THE CONTINUITY OF GOVERNMENT  
ADVISORY COMMITTEE FOR ORLEANS COUNTY**

WHEREAS, Resolution No. 323-808 authorized the establishment of a Continuity of Government Advisory Committee to create a Continuity of Operations Plan (COOP) to ensure the continued performance of essential functions and services when normal, standard operations become overwhelmed, regardless of the emergency; therefore be it

RESOLVED, that this Legislature re-authorizes the continuation of the Continuity of Government Advisory Committee members include: Director of Public Health, Director of Emergency Management, Director of Mental Health, Director of Personnel and Self Insurance, Commissioner of the Department of Public Works, Director of Emergency Preparedness, Director of Computer Services, Chief Administrative Officer, Orleans County Sheriff and Commissioner of the Department of Social Services as established and will be subject to reauthorization at the end of calendar year 2021.

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

**RESOLUTION NO. 61-121**

**APPROVING OFFICIAL UNDERTAKINGS**

WHEREAS, section 403 of the County Law requires that the county clerk, the district attorney, and such county officers as shall be specifically required by law, to execute an official undertaking as provided in section 11 of the Public Officers Law, and

WHEREAS, subdivision (2) of section 11 of the Public Officers Law authorizes a county to procure a blanket bond covering officials, officers, clerks and employees from any duly authorized corporate surety in lieu of an official undertaking, and

WHEREAS, the County has secured a blanket bond undertaking from the New York Municipal Insurance Reciprocal as surety covering the county clerk, the county treasurer, the district attorney, the sheriff and all other officers and officials of the County as required by law, and

WHEREAS, this Legislature wishes to hereby approve the blanket bond as to the county clerk, the county treasurer, the district attorney, the sheriff and all other officers and officials as to form, manner of execution and sufficiency of the surety, now therefore be it

RESOLVED, that this Legislature hereby approves such New York Municipal Insurance Reciprocal blanket bond as the official undertaking of elected officers and all of the other officers and officials as required pursuant to County Law section 403 and be it further

RESOLVED, that a certified copy of this resolution be filed in the Office of the Orleans County Clerk, and be it further

RESOLVED, that declarations of coverage issued by the New York Municipal Insurance Reciprocal be filed in the office of the Orleans County Clerk.

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

**RESOLUTION NO. 62-121**

**AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY 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 February 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 February 24, 2021:

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

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

**ADD ON RESOLUTION(S)**

**RESOLUTION NO. 63-121**

AUTHORIZING THE SHERIFF’S PUBLIC SAFETY COMMUNICATIONS EMERGENCY 911 CENTER TO PURCHASE STEPHEN CAMPBELL ASSOCIATES EVENTIDE RECORDING SYSTEM WITH SERVICE AGREEMENT AND AUTHORIZING TREASURER TO SET UP MONEY INTO THE SHERIFF’S DISPATCH OTHER EQUIPMENT

RESOLVED, that this Legislature authorizes the sheriff’s Public Safety Communications Emergency 911 Center to purchase Stephen Campbell Associates Eventide Recording System on GSA Contract, Contract # GS-35F-0415V at the discount rate which includes two-five year on total system maintenance agreement in the amount of \$104,528.00 from Stephen Campbell Associates, 35247 Wilson Mills Road; Suite 731 Richmond Heights, OH 44143; Now be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up funds from Building and Equipment Reserve for the purchase and service agreement to execute buy out paid in full to: Stephen Campbell Associates, 35247 Wilson Mills Road; Suite 731 Richmond Heights, OH 44143 at a cost of \$104,528.00 to be paid from Sheriff’s Public Safety Communications budget line 01.3020.250-Other Equipment with appropriated budget as follows:

FROM:		
Building and Equipment Reserve		\$104,528.00
TO:		
01.3020.250	Other Equipment	\$104,528.00

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

**RESOLUTION NO. 64-121**

APPROVING AN AGREEMENT BETWEEN PUBLIC HEALTH AND COASTAL STAFFING, INC.

RESOLVED, that this Legislature approves an agreement between Orleans County Public Health Department and Coastal Staffing, Inc., 4949 Tamiami Trail North, Suite 202, Naples, FL to cover clerical staffing needs for distribution of COVID-19 vaccines through December 31, 2021; and, be it

FURTHER RESOLVED, that the Legislature does hereby authorize the chairman to sign this agreement as approved by the Orleans County Attorney and Chief Administrative Officer.

Moved, Allport; second, Draper  
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. There were none offered as well.

Legislator DeRoller moved to adjourn; second, Legislator Allport. Meeting adjourned at 5:10 p.m.