



CONFERENCE SESSION

January 14, 2015

4:20 p.m. Meredith Patterson – Junior, Albion Central School
Orleans County American Legion Oratorical Contest Winner

AGENDA

LEGISLATURE MEETING

January 14, 2015

4:30 p.m.



Call to Order

Pledge to the Flag and Invocation – Paul Fulcomer, Director of Orleans County Veterans Services

Roll Call

Presentation of Communications

Proclamation – 90th Anniversary of the New York State Association of Counties’

Employee of the Year Presentation

Treasurer's Report

Open Discussion

Presentation of Resolutions:

1. Authorizing Payment of Claims against the County (Eick)
2. Authorizing County Treasurer to Make Year End Adjustments for the Year Ending December 31, 2014. (DeRoller)
3. Approving the Official Undertaking of Public Employees Fidelity (Blanket) Bond for Genesee/Finger Lakes Regional Planning Council (DeFilipps)
4. Setting Legislature Meeting Schedule for 2015 (Eick)
5. Amending Agreement between the Mental Health Department and BRX Enterprise Paint and Wallpaper Service (Allport)
6. Approving Agreements between Mental Health Department and Various Agencies (Allport)
7. Authorizing Change of Position Title Classification (Assistant Clinic Coordinator) from CSEA to the Management Compensation Plan (Allport)
8. Authorizing Abolishing, Creating, and Filling Positions in the Mental Health Department and Authorizing Treasurer to Set Up New Money in the Mental Health Budget (Allport)
9. Approving Agreement with Mercy Flight (Eick)
10. Approving Agreement with Soil and Water Conservation District (DeFilipps)
11. Granting County Exemption on Village Sewer and Water Systems (Eick)
12. Authorizing the Treasurer to Approve Real Property Tax Refunds (DeRoller)
13. Approving Appointments to InterCounty Association of Western New York (Eick)
14. Approving Renewal Agreements between Office for the Aging and Various Departments (Miller)
15. Approving Re-Appointment to the Orleans County Board of Health (Allport)

16. Approving Appointments to the County Planning Board (DeFilipps)
17. Approving Re-Appointment to the Orleans County Board of Ethics (Eick)
18. Authorizing the Filling of a Vacant Elected Orleans County Coroner Position (Allport)
19. Approving Re-Appointments to the Fish and Wildlife Management Board (DeFilipps)
20. Approving Agreements between the Department of Social Services and Various Agencies (Miller)
21. Approving Agreement between Probation and Edna Calix (DeRoller)
22. Authorizing Creating and Filing Position in the Buildings and Grounds Department (Eick)
23. Authorizing the Appointment of an Interim Director of Planning and Development (DeFilipps)

Old Business

Adjournment

RESOLUTIONS:

RESOLUTION NO. 1-115

AUTHORIZING PAYMENT OF CLAIMS AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund have been audited by this Legislature, and claims for recurring Utility/Community College bills will be audited by this Legislature; be it

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Administrator of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims:

Fund/Department	Check Number (s):	Amount:
General		
Highway		
Nursing Home		
Job Development		
Self Insurance		

Moved, Eick; second,

RESOLUTION NO. 2-115

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

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

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

Moved, DeRoller; second,

RESOLUTION NO. 3-115

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

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

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

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

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

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

Moved; DeFilipps; second,

RESOLUTION NO. 4-115

SETTING LEGISLATURE MEETING SCHEDULE FOR 2015

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

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

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

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

Moved, Eick; second,

RESOLUTION NO. 5-115

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

WHEREAS, Resolution No. 385-1114 approved an agreement with BRX Enterprise Paint and Wallpaper Service for the painting of the interior of the Mental Health building at a cost not to exceed \$6,542 with all materials and labor included which will be paid from Federal Salary Sharing Money; and

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

FURTHER RESOLVED, that the cost of \$1,760 be added to this agreement, resulting in a total cost not to exceed \$8,302 which will be paid from Federal Salary Sharing Money.

Moved, Allport; second,

RESOLUTION NO. 6-115

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES:

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

Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, NY 11021 providing renewal for the software maintenance and support contract for the AccuMed Software program, which is computer software utilized by the Department of Mental Health for electronic client billing and scheduling at a cost of \$8,820.90. County cost is \$617.50.

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

Moved, Allport; second,

RESOLUTION NO. 7-115

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

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

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

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

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

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

FURTHER RESOLVED, that the duties of the SPOA Coordinator be transferred to the Assistant Clinic Coordinator who will be divested of caseload and the position shall henceforth be supervisory and administrative in nature; and be it

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

Moved, Allport; second,

RESOLUTION NO. 8-115

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

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

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

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

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

RESOLVED, that this Legislature authorizes the abolishment of a part time Clinic Therapist position (4310.47) effective January 15, 2015; and be it

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

FURTHER RESOLVED, that this Legislature authorizes the filling of these two (2) newly created Clinic Therapist positions effective January 15, 2015; and be it

FURTHER RESOLVED, that the Treasurer is authorized to Set Up New Money in the Mental Health Budget due to increase of revenue and appropriations due to position requirement changes with SPOA as follows:

<u>Revenue</u>		
A1620	Mental Health Fees	\$61,265
A4490	Mental Health – Federal	\$8,551
<u>Appropriations</u>		
A4310.100	Personal Services	\$41,649
A4310.810	Retirement	\$7,705
A4310.820	Medicare	\$604
A4310.830	Social Security	\$2,582
A4310.840	Workers Compensation	\$810
A4310.850	Unemployment	\$160
A4310.860	Health Insurance	\$16,116
A4310.880	Disability	\$190

And be it

FURTHER RESOLVED, that the Treasurer is authorized to Set Up New Money in the Mental Health Budget increase of revenue and appropriations due to abolishment of a PT Therapist and creation of a FT Therapist as follows:

<u>Revenue</u>		
A1620	Mental Health Fees	\$15,226
A4490	Mental Health – Federal	\$11,449
<u>Appropriations</u>		
A4310.100	Personal Services	\$5,890
A4310.810	Retirement	\$1,090
A4310.820	Medicare	\$86
A4310.830	Social Security	\$365
A4310.840	Workers Compensation	\$405
A4310.850	Unemployment	\$80
A4310.860	Health Insurance	\$18,477
A4310.880	Disability	\$125
A4310.411	Office Supplies	\$157

Moved, Allport; second,

RESOLUTION NO. 9-115

APPROVING AGREEMENT WITH MERCY FLIGHT

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

Moved, Eick; second,

RESOLUTION NO. 10-115

APPROVING AGREEMENT WITH SOIL AND WATER CONSERVATION DISTRICT

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

Moved, DeFilipps; second,

RESOLUTION NO. 11-115

GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND WATER SYSTEMS

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina, and Lyndonville located outside of their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant, or

reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2015 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, Eick; second,

RESOLUTION NO. 12-115

AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY TAX REFUNDS

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

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

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

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

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

Moved, DeRoller; second,

RESOLUTION NO. 13-115

APPROVING APPOINTMENTS TO INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK

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

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

Moved, Eick; second,

RESOLUTION NO. 14-115

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

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

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

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

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

Moved, Miller; second,

RESOLUTION NO. 15-115

APPROVING RE-APPOINTMENT TO THE ORLEANS COUNTY BOARD OF HEALTH

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

Moved; Allport; second,

RESOLUTION NO. 16-115

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

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

10835 West Shelby Road
Medina, New York 14103

Gary Watts
11577 Harrison Road
Medina, New York 14103

Town of Shelby
(Alternate)

12-31-17

Moved, DeFilipps; second

RESOLUTION NO. 17-115

APPROVING RE-APPOINTMENT TO THE ORLEANS COUNTY BOARD OF ETHICS

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

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

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

Moved, Eick; second,

RESOLUTION NO. 18-115

AUTHORIZING THE FILLING OF A VACANT ELECTED ORLEANS COUNTY CORONER POSITION

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

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

Moved, Allport; second,

RESOLUTION NO. 19-115

APPROVING RE-APPOINTMENTS TO THE FISH AND WILDLIFE MANAGEMENT BOARD

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

Scott Hazel	Landowner Representative
Harold Hazel	Alternate Landowner Representative

Moved, DeFilipps; second,

RESOLUTION 20-115

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

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

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

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

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

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

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

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

Moved, Miller; second,

RESOLUTION NO. 21- 115

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY PROBATION DEPARTMENT AND EDNA CALIX

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

Moved, DeRoller; second,

RESOLUTION NO. 22-115

AUTHORIZING CREATING AND FILLING POSITION IN THE BUILDINGS AND GROUNDS DEPARTMENT

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

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

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

DETAILS TO FOLLOW:

Moved, Eick; second,

RESOLUTION NO. 23-115

AUTHORIZING THE APPOINTMENT OF AN INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT

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

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

Moved, DeFilipps; second,