

LEGISLATURE MEETING

February 25, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Genesee County Economic Development Center will hold their Annual Luncheon on March 6th at the Batavia Downs Registration is at 11:30 a.m. with Meeting to begin at Noon. The 17th Annual Go ART! Reach, Ripple and Spark Grant Awards Ceremony is scheduled for Friday March 13th from 6 – 8 p.m. at the Go ART! Seymour Place in Batavia. They are excited to announce many Orleans County award recipients which will provide Orleans County residents with great entertainment in the upcoming months. Save the date for March 14th for Farmer to Neighbor Night 2015 to be held at the White Birch Golf Course. The Albion Strawberry Festival Committee, under the authority of the Village of Albion, is requesting permission to hold its 29th annual festival on the Courthouse Lawn on June 12th and June 13th, 2015. Hours of operation will be 11 a.m. to 9 p.m. on Friday and 9 a.m. to 9 p.m. on Saturday. As in the past, the Courthouse grounds will be used for the same purposes which include arts and crafts, and entertainment. The Board approved this request.

Legislators DeRoller, Eick, Miller, and DeFilipps recognized Jerry Gray, Orleans County Highway Superintendent for a Small Cities and Rural Communities Award for Structures less than Five Million that was a result of the oversight and work completed on the Waterport Road Bridge over Oak Orchard Creek. He was recognized at the APWA – American Public Work's Association – Awards Banquet. Legislators DeRoller, Miller, and DeFilipps attended this Awards Banquet with Superintendent Gray and over 300 other people. Keeler Construction and LaBella Associates were also recognized for this project. Legislator Eick, Chairman of the Highway Committee stated that Jerry has done an outstanding job over the years at our Highway Department and advised him to continue on with his great work. Chairman Callard indicated that the Highway Department has always done a great job but it is nice to be recognized regionally, which is first, and he voiced his appreciation to the Legislators who attended this awards ceremony on behalf of Orleans County.

Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through January, 2015. Treasurer Heard said it looks a little disappointing due to the \$1.5 IGT transfer in the month of January which was very tough but tax money is rolling in every day. She hope it will look better as we continue to move forward.

Chairman Callard called for open discussion as it related to the resolutions. Mattie Zarpentine, Holley, Regional Director and Board Member of New York Revolution, thanked the Orleans County Legislature for once again showing support for our 2nd amendment rights and their willingness to send that message to Albany.

Ms. Zarpentine indicated that in 2013, 52 out of 62 counties passed resolutions opposing the unconstitutional SAFE Act. Orleans County was the first, and only, county to have all municipalities pass resolutions opposing the SAFE Act.

She expressed that Orleans County residents should be extremely proud of our strong stance in support of our Constitutional rights. Those resolutions sent a very clear message.

Here we are, nearly 2 years after the passage of that resolution, unwavering in our resolve to fight tyranny, stated Ms. Zarpentine. What we understood about the SAFE Act back then has proven true....it has done nothing to make us any safer. It has only managed to infringe upon the freedom of the law-abiding citizens of New York.

Ms. Zarpentine reported that resolutions such as the one being supported here today continue to be incredibly important. It shows that we stand united. We will continue to fight to restore freedom for our posterity. If we do not stop the constant infringement upon our Constitutional rights now, what will be left for them?

She implored all in attendance here today to continue to stand up, speak out and make freedom count! Ms. Zarpentine was applauded for her comments.

Timothy Groomes, originally from Albion/Gaines but now lives in Genesee County, seconded what Ms. Zarpentine said.

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

RESOLUTION NO. 49-215

AUTHORIZING ABOLISHING, CREATING, AND FILLING POSITIONS IN THE PUBLIC HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Senior Public Health Technician (4010.05) in the Public Health Department at Grade 17 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Public Health Sanitarian in the Public Health Department at Grade 18 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant Public Health Sanitarian effective February 26, 2015.

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

Legislator Allport stated that he is honored to present the next resolution on behalf of the Legislator who was first in the State of New York to oppose the SAFE ACT Legislation when it was first presented and now we are asking for support of its repeal. He thanked Legislator Johnson for all of her hard work and support on this resolution. He thanked Tinker Young and SCOPE; and Mattie Zarpentine and the New York Revolution for their continued fight for our second amendment rights. He said it is very important that every right that we have be protected. Legislator Allport stated that regardless of what people think about gun ownership or non gun ownership, they should support the second amendment right as well as any of them. He said that when a right is infringed upon by an overbearing government, we all lose our freedoms. It is important that every American unite behind the Bill of Rights because they are specifically spelled out if you read the history of the founding of our country. Before Virginia signed onto the constitution, it was very important that the Bill of Rights were there to protect the citizens against the type of government we have right now. In speaking of our government, Legislator Allport stated that the United States, being one of the key sellers of arms in the world, he finds it very hypocritical of a government that unrestrictedly sells weapons of all types to anybody in the world. They have no idea where they are being used - either by an adult or child - or if they are being used to commit murder or to commit crimes. Yet they turn around to the United States citizens in telling us that we are not allowed to have weapons which this hypocrisy needs to disappear.

Legislator Allport moved to support legislation to Repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013; a unanimous second was highly voiced. Legislator Johnson recognized Legislator Allport for his very well said comments. The following resolution was adopted with applause:

RESOLUTION NO. 50-215

SUPPORTING LEGISLATION TO REPEAL THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF 2013

WHEREAS, Senate bills S511-2015 and S1193-2015 have been introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione respectively, which would repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and

WHEREAS, this Legislative Body has long advocated for the protection of the rights afforded our citizens under the Constitution, which has for generations guided our Nation and served as a framework to our republic and society; and

WHEREAS, the Second Amendment of the United States provides for the “right of the people to keep and bear arms” and further states that this right “shall not be infringed”; and

WHEREAS, members of the Orleans County Legislature, being elected to represent the people of Orleans County, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, “ Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed.”; and

WHEREAS, the lawful ownership of firearms is a recreational benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with several locally owned and operated gun/sporting businesses; and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, will have a detrimental effect on hunters, sportsmen and legal gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms; and

WHEREAS, the legislation prohibits the sale of firearm magazines with a capacity larger than seven (7) rounds and, those firearm magazines with a capacity larger than seven (7) rounds, which are authorized to be retained by existing owners, may only be loaded with seven (7) rounds and eventually must be permanently altered to only accept seven (7) rounds or be disposed of; and

WHEREAS, few or no low capacity (seven (7) rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of Orleans County for the defense of life, liberty and property; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting; and

WHEREAS, while there are some areas of the legislation that the Orleans County Legislature finds

encouraging, such as the strengthening of Kendra's Law and Marks's Law, as well as privacy protections for lawful permit holders, we find the legislation fails to offer little meaningful solutions to gun violence and places undue burdens where they don't belong, squarely on the backs of law abiding citizens; and

WHEREAS, there are many parts of this legislation that place an unfunded mandate on the local Sheriff Departments, County Clerk's Office and County Judges, while tax payers are crying out relief; and

WHEREAS, there will be significant financial impact due to the approximately 4,850 Orleans County pistol permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on permits, which now also must be renewed every five years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State; and

WHEREAS, this legislation effectively treats countless New York State law abiding gun owners as criminals; and

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained within; and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Orleans County Legislature; and

WHEREAS, this legislative body unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above in RESOLUTION NO.82-213 of the Orleans County Legislative proceedings of February 13, 2013; now be it

RESOLVED, that the Orleans County Legislature does hereby support Senators Michael Nozzolio's and Katherine Marchione's bills S511-2015 and S1193-2015 to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and be it

FURTHER RESOLVED, that this Legislature supports the introduction of an Assembly bill which calls for the repeal of the New York Secure Ammunition and Firearms Act of 2013; and be it

FURTHER RESOLVED, that this legislature supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, InterCounty of Western New York, all Orleans County Towns and Villages, and all others deemed necessary and proper.

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

Chairman Callard stated he has been duly appointed to the Resolutions Committee for the InterCounty of Western New York Association and he will present this resolution at the March meeting. He will ask the nineteen counties that make up this Association to adopt and move this important issue forward to the Governor along with getting individual county support for this very important matter.

RESOLUTION NO. 51-215

APPROVING AGREEMENTS BETWEEN HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 East Main Street Batavia, NY 14020, to provide screenings and referrals along with alcohol/substance abuse education to the Migrant Health Population through the New York State Migrant contract effective October 1, 2014 through September 30, 2015. County Cost \$0.

Timothy Hens, PE; 7319 Quinlan Road, Leroy, NY 14482 to provide Engineering Services to the Orleans County Health Department Environmental division. Contract period January 01, 2015 through December 31, 2015. Contractor to be paid \$85.00 per hour. Reimbursement from State Aid, NYS Water grant and collected fees. County Cost \$0.

Thomas Graham, 32 Farnsworth Ave, Oakfield, NY 14125; to provide Hearing Officer Services regarding Public Health Law for the Orleans County Health Department. Contract period January 1, 2015 to December 31, 2016. Contract amount \$25.00 dollars per hour. Reimbursement from State Aid.

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

RESOLUTION NO. 52-215

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO)

WHEREAS, the Orleans County Health Department has been awarded funding to house the Medical Reserve Corps (VALOR) and undertake activities to build membership and sustainability; and

WHEREAS, the Orleans County Health Department has been awarded additional funding to support the Medical Reserve Corp (VALOR) with the implementation of a Community Garden; now be it

RESOLVED, that this Legislature approves an agreement between the National Association of County and City Health Officials (NACCHO) (Contract #MRC15-2237) and the Health Department in the amount of \$3,500 effective January 1, 2015 through July 31, 2015 to undertake activities to build membership and sustainability for our Medical Reserve Corps (VALOR), County Cost \$0; and be it

FURTHER RESOLVED, that this Legislature approves an agreement between the National Association of County and City Health Officials (Contract #MRC15-2237C) and the Health Department, in the amount of \$15,000 effective January 9, 2015 through July 31, 2015, to support the Medical Reserve Corps (VALOR) in the implementation of a Community Garden, County Cost \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department budget as a result of the awards from the National Association of County and City Health Officials:

<u>Revenue:</u>		
A4489	Bioterrorism Preparedness	\$ 18,500

Appropriations:

4010.434	Advertising	\$ 1,343
4010.452	Personal Service Contracts	\$ 3,912
4010.461	Postage	\$ 81
4010.478	Health Promotion Supplies	\$ 1,800
4010.487	Environmental Health Supplies	\$ 11,364

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

RESOLUTION NO. 53-215

AUTHORIZING FILLING OF VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, due to a resignation, that this Legislature authorizes the filling of a vacant Community Mental Health Nurse position (4310.45) in the Mental Health Department at Grade 21 of the CSEA Salary Schedule which will be effective February 26, 2015.

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

RESOLUTION NO. 54-215

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND EFP ROTENBERG, LLP

RESOLVED, that this Legislature approves an agreement between Mental Health and EFP Rotenberg, LLP, 280 Kenneth Drive, Rochester, NY 14623 to provide the 2014 Consolidated Fiscal Report compliance review/audit at a cost of \$6,500. County cost is \$455.

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

Legislator DeFilipps moved to fill a vacant full time Senior Planner in the Planning and Development Department; second by Legislator Allport. Legislator DeRoller stated he strongly supports this Senior Planner position. The following resolution was adopted:

RESOLUTION NO. 55-215

AUTHORIZING THE FILLING A VACANCY THE PLANNING AND DEVELOPMENT DEPARTMENT

RESOLVED, as a result of a vacancy, this Legislature authorizes the filling of a contingent permanent full time Senior Planner position (8020.02) in the Planning and Development Department, Grade 22 in the CSEA Salary Schedule effective February 26, 2015.

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

RESOLUTION NO. 56-215

AUTHORIZING ABOLISHING, CREATING, AND FILLING OF POSITIONS IN THE ORLEANS COUNTY BUILDINGS AND GROUNDS DIVISION OF THE HIGHWAY DEPARTMENT

WHEREAS, upon review of the operations of the Buildings and Grounds Division of the Highway Department it has been determined to increase the efficiencies of the department, there needs to be increased line supervision of the Buildings and Grounds Division; now, therefore be it

RESOLVED, that this Legislature authorizes the creation of two (2) full time Working Supervisor positions in the Buildings and Grounds Division at a Grade 16 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective March 9, 2015; and be it

FURTHER RESOLVED, that should either or both of these vacant positions be filled with an existing Buildings and Grounds Division employee or employees, this Legislature authorizes the abolishment of the corresponding position or positions in the Buildings and Grounds Division which are in the CSEA Salary Schedule; effective upon the filling of the newly created vacant Working Supervisor position or positions.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to authorize purchase of a new video system for the Fuel Farm because the current system is over eight years old if not older and it is ailing us, which we really do need to replace. Legislator Miller seconded the motion; therefore the following resolution was adopted:

RESOLUTION NO. 57-215

AUTHORIZING PURCHASE OF NEW VIDEO SYSTEM AND SETTING UP OF NEW MONEY IN THE FUEL FARM BUDGET

RESOLVED, that this Legislature authorizes the Orleans County Fuel Farm to purchase a new video system located at 225 West Academy Street, Albion, New York 14411 from SI Technologies, Inc. d/b/a Security Integrations, 81 Benbro Drive, Suite 100, Cheektowaga, New York 14225 at a cost of \$18,085.99, to be paid from the Account of DM5140.250 – Fuel Farm; NYS Contract #PT63302, Award #20191.

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Fuel Farm Budget as follows:

<u>Revenue</u>		
Fuel Farm Capital Reserve Account		\$18,085.99
<u>Appropriations</u>		
DM5140.250	Other Equipment	\$18,085.99

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to authorize the Chairman to appoint Matthew Ballard as the new County Historian; second by Legislator Allport. Legislator Johnson recognized Bill Lattin, who was present today, for his many years of dedication to the County Historian position and to welcome aboard Matt Ballard. They were recognized by applause. The following resolution was adopted:

RESOLUTION NO. 58-215

AUTHORIZING CHAIRMAN OF THE LEGISLATURE TO APPOINT THE COUNTY HISTORIAN

WHEREAS, due to a retirement, the County Historian position became vacant on December 31, 2014; now be it

RESOLVED, that the Chairman of the Legislature is authorized to appoint Matthew Ballard as County Historian effective February 26, 2015; and be it

FURTHER RESOLVED, that the annual pro-rated salary will be \$8,000.

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

Matt thanked the Board for the vote of confidence and stated that it is truly an honor to be appointed to the position. He stated that he is looking forward to serving the community and working alongside Bill over the next year or so to make it a smooth transition. He thanked the board again for his appointment.

Chairman Callard stated that he has a small charge for him. Funding monies are very difficult to come by for small town and village projects but the County has been successful twice for the Marine Park. He thinks it is important to look at a county wide "themed" project that all the towns and villages could participate in, very consistent to our fishing theme. Another draw to our county such as a historical perspective one may be thought of like the thought shared of a Sandstone Trail. This may have an appeal to the State which then the Governor may be supportive of these efforts. He opens that up to our new Historian and to the residents of Orleans County to think about another theme to get people visiting our county. Chairman Callard whimsically advised Mr. Ballard that they will talk about that on Monday, so it gives him the weekend to think about it.

RESOLUTION NO. 59-215

APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

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

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Christine A. Buongiorne 111 Chamberlain Street Albion, New York 14411	Village of Albion	12-31-16

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

RESOLUTION NO. 60-215

AUTHORIZING PAYMENTS FROM THE SHERIFF'S BUDGET

WHEREAS, an equipment purchase started out as a repair but was more cost effective to replace and then there was a delay in billing as a result of a clerical error by Taser International; now be it

RESOLVED, that this Legislature authorizes payment to Taser International, PO Box 29661, Dept. 2018, Phoenix, AZ, 85038-9661, for the payment of Invoice #SI13242173 dated December 13, 2013, for a replacement Taser with Holster at a cost of \$836, to be paid from Sheriff's account A3110.444-Repairs to Equipment & Property; and be it

FURTHER RESOLVED, that this Legislature authorizes payment to Erie Community College, 4041 Southwestern Boulevard, Orchard Park, NY, 14127, for Basic Police Academy Fall 2014 semester, for Deputy Brian Larkin, at a cost of \$5,237, to be paid from Sheriff's account A3110.460 – Training and Educational.

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

RESOLUTION NO. 61-215

AUTHORIZING PURCHASE OF CORRECTION UNIFORMS FROM THE JAIL BUDGET UTILIZING EXTENSION OF CONTRACT PROVISIONS OF ONTARIO COUNTY CONTRACT B 13096

WHEREAS, the Sheriff's Department wishes to purchase correction uniforms utilizing the extension of contract provisions of Ontario County's contract B 13096; and

WHEREAS, the Ontario County contract allows all eligible municipalities authorized under the General Municipal Law to purchase goods awarded as a result of a bid in accordance with the most recent amendments to the NYS General Municipal Law; now, therefore be it

RESOLVED, that this Legislature authorizes the Sheriff to purchase correction uniforms from United Uniform, 495 North French Road, Buffalo, NY 14228 to be paid from Jail Budget account A3150.415-Uniforms at a total cost of \$11,977.15; and be it

FURTHER RESOLVED, that this purchase is authorized under the General Municipal Law utilizing the extension of contract provisions of Ontario County contract B 13096, Ontario County Resolution No. 47-2014.

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

RESOLUTION NO. 62-215

AUTHORIZING ABOLISHING, CREATING, AND FILLING OF POSITIONS IN THE PROBATION DEPARTMENT

WHEREAS, an Administrative Secretary has retired in the Probation Department; now, therefore be it

RESOLVED, that this Legislature authorizes abolishing a vacant full-time Administrative Secretary position (3140.15) in the Probation Department at a Grade 12 of the CSEA Salary Schedule; effective February 27, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of one (1) full time Account Clerk Typist position in the Probation Department at Grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant positions effective February 26, 2015.

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

RESOLUTION NO. 63-215

APPROVING CELLULAR PHONE USE AGREEMENTS FOR MAJOR FELONY CRIME TASK FORCE

WHEREAS, the approved form of agreement for cellular phone use has been prepared by Eric Harling and Corey Black, Investigators in Major Felony Crime Task Force, and has been reviewed by the appropriate Legislative Committee; now be it

RESOLVED, that this Legislature approves the Cellular Phone Use Agreement covering use of cellular phones in accordance with the Cellular Phone Use Policy for position codes 1165.11 and 1165.12.

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

RESOLUTION NO. 64-215

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2014 Grant Funds for purchase of County wide IP/Camera Project #Y3373 with SI Technologies, Inc. 14 Petra Lane, Albany, NY 12205, at a cost not to exceed \$51,530.70, said equipment to be installed at the County PSB, COB and Mental Health; and be it

FURTHER RESOLVED, that this Legislature approves setting up 2014 Homeland Security Grant Funds as follows:

Revenue			
A4309.2014	State Homeland Security Grant Program FY2014		\$51,530.70
Appropriation			
3640.486.2014	Grants		\$ 51,530.70

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

RESOLUTION NO. 65-215

APPROVING AGREEMENT BETWEEN THE PUBLIC DEFENDER AND NYS OFFICE OF INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves the agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capital Rm. 128, Albany, NY 12224 to provide funds in the amount of \$211,428 to assist the County in improving the quality of indigent legal services by providing funds to create an Assigned Counsel Administrator, and a Case Manager as well as provide funds for investigative services in Orleans County, effective retroactive to January 1, 2014 through December 31, 2016.

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

RESOLUTION NO. 66-215

AUTHORIZING EXECUTION OF ASSIGNED COUNSEL ADMINISTRATOR AGREEMENT WITH HEATH & MARTIN, ATTORNEYS

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a contract for the Assigned Counsel Administrator with Heath & Martin Law Firm for providing all services as Assigned Counsel Administrator, at an annual cost of \$25,000; and said amount to be paid in quarterly installments of \$6,250, upon submission of a county voucher at the end of each quarter; agreement effective from March 1, 2015 until February 28, 2018, all subject to the availability of state grant funds for the contract.

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

RESOLUTION NO. 67-215

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE/JAIL AND MARK RUMBLE, DDS

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office/Jail and Dr. Mark Rumble, DDS, 243 S Main St, Albion, NY 1441 for dental services to the inmates in the Orleans County Jail, rates set forth in the fee schedule.

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

RESOLUTION NO. 68-215

AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE MENTAL HEALTH BUDGET

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds in the Mental Health Department to pay for painting of their office space, as approved by Resolution No. 5-115 as follows:

<u>Revenue</u>		
Reserve for Misc Billing		\$2,480
 <u>Appropriations</u>		
A4310.447	Contracted Services/Equipment	\$2,480

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

RESOLUTION NO. 69-215

AUTHORIZING PAYMENT OF CLAIMS FOR MARCH 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 will be 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 CAO on behalf 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 submitted for March 11, 2015:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	11518-11668	\$369,808.49
Highway	508-511; 1181-1221	\$83,616.69

Nursing Home	27700-27704	\$35,680.08
Job Development	1717-1726	\$14,717.500
Self Insurance	54942-54946; 55005	\$6,054.33

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 CAO on behalf 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 submitted for March 25, 2015:

Fund/Department	Check Number (s):	Amount:
General	11698-11828	\$322,286.62
Highway	512-515; 1222-1246	\$54,574.66
Nursing Home	27705-27708	\$29,738.58
Job Development	1729-1736	\$9,079.11
Self Insurance	1081-1083; 55006-55007	\$44,679.99

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

The following three (3) add on resolutions were then presented for adoption:

RESOLUTION NO. 70-215

APPROVING PROBATION DIRECTOR TO SUBMIT A CORRECTIVE ACTION PLAN FOR THE LEANDRA' S LAW IGNITION INTERLOCK PROGRAM PLAN FOR ORLEANS COUNTY

WHEREAS, by passage of Resolution No. 180-514, the Probation Director was authorized to submit the Leandra's Law Ignition Interlock Program Plan Update to the NYS Division of Criminal Justice Services, Office of Probation and Correctional Alternatives per Chapter 496 of the Laws of 2009; now be it

RESOLVED, that this Legislature authorizes the Director of the Orleans Probation Department to submit a Corrective Action Plan for the Leandra's Law Ignition Interlock Program Plan Update for Orleans County to the NYS Division of Criminal Justice Services, Office of Probation and Correctional Alternatives.

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

RESOLUTION NO. 71-215

APPROVING AGREEMENT EXTENSION BETWEEN BUILDINGS AND GROUNDS AND INTEGRYS ENERGY SERVICES

RESOLVED, that this Legislature approves an agreement extension (Contract ID#1581372) between the Buildings and Grounds Department and Integrys Energy Services, 106 Afton Lake Rd., Afton NY 13730 to provide the County energy services (electric) through the MEGA (Municipal Electric and Gas Alliance) Program; the agreement extension is in effect for twenty four months starting on or about the first meter read date of May 30, 2016 through June 9, 2018, which locks in a fixed rate of 0.06427/kWh, for an additional twenty four (24) month period.

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

Legislator Johnson moved a resolution to support reform of the Aid and Incentive for Municipalities, also known as AIM revenue sharing, which is a formula that New York State set up in 1980's and we are asking the state to look at implementing multi-year phasing of a 50% increase in the AIM funding in order to distribute the new aid to local governments in a more fair and objective manner. Legislator Johnson also asked that the resolution be forwarded to Lieutenant Governor Hochul. Legislator DeRoller seconded the resolution. Chairman Callard announced that Lieutenant Governor Hochul was in Orleans County and met with our Legislators, Department Heads, and other elected officials in our Legislature office. This was a great opportunity to discuss items of concern and this subject was specifically discussed. We wanted to bring this resolution to her attention so she could carry it closer to the Governor than probably anyone else. This has been a long awaited subject that needed to be addressed on behalf of our villages and towns and Orleans County will step up in helping this get up streamed. Chairman Callard stated he will also take this matter to the InterCounty of Western New York Association for support. The following resolution was adopted:

RESOLUTION NO. 72-215

SUPPORTING REFORM OF THE AID AND INCENTIVE FOR MUNICIPALITIES (AIM) FORMULA IN ORDER TO DISTRIBUTE THE NEW AID TO LOCAL GOVERNMENTS

WHEREAS, unrestricted state aid to local governments – formerly known as revenue sharing, now known as Aid and Incentive for Municipalities, or AIM – is general purpose state aid provided to all of New York's cities (outside of New York City), villages and towns; and

WHEREAS, since the late 1980s, the original "revenue sharing" formula – intended to provide property tax relief by redistributing the state's progressive tax revenues to municipalities that do not have the tax base or the taxing authority to generate these revenues on their own – has been annually disregarded and various constraints have been imposed on the overall level of state aid to local governments; and

WHEREAS, the original "revenue sharing" formula has not been utilized for decades and, since that time, various additional aid categories have been targeted to specific municipalities based on no particular economic or demographic factors, the current allocation of unrestricted aid (AIM) fails to accurately reflect the fiscal need and capacity of its recipient cities, villages and towns; and

WHEREAS, unrestricted State aid to local governments is a clear and proven way to provide property tax relief, when sufficiently funded; and

WHEREAS, a strong and growing state-local fiscal partnership is essential to generating economic vitality in all regions of our State; and

WHEREAS, local governments are limited by the 2% cap on property tax levies, growth in unrestricted State aid is critical; now, therefore be it

RESOLVED, that the Orleans County Legislature calls on the Governor and the State Legislature to implement a multiyear phased 50% increase in the AIM program funding and a reform of the AIM formula in order to distribute the new aid to local governments in a fair and objective manner, and would account for local fiscal capacity and need; and be it

FURTHER RESOLVED, that the new program's formula components, at a minimum, should include population, population density, poverty and public safety services and the formula should also consider the amount of tax-exempt property a municipality has within its boundaries, as this has a significant effect on a community's ability to raise revenue; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, NYSAC, InterCounty of Western New York, Orleans County Towns and Villages, and all others deemed necessary and proper.

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called for comments from the floor. Gaines Supervisor Carol Culhane stated that she has good news in that she has been tasked by Santa Claus to announce that there will be a Santa Claus conference held in Orleans County at the Albion Middle School. The Santa's are due to arrive on April 16th. The conference will be held April 17th through the April 18th where they will occupy the auditorium as well as the gymnasium for vendor purposes. At this point there are 451 Santa's that have signed up for this conference. This is being spear headed by Phil Wenz, who was the individual in September of 2010 who gave the presentation on Christmas Park and Charlie Howard in Orleans County. On April 19th, they will be present at Fairhaven Treasurers to play a big part in the dedication of the Peace Garden. All Legislators are invited to attend that event. She will share all of the materials, agenda and posters, he sends for the event.

Chairman Callard stated that he and Supervisor Culhane discussed that any event like this brings new people to our county. Every new business, cultural event, and arts and crafts bring people to our County. They then shop around our area. This brings us around in developing another theme, another reason to bring people to our county. Supervisor Culhane also advised that two to three new businesses will be opening in Gaines. Small businesses make this nation great and also helps bring people to Orleans County.

Emergency Management Director, Dale Banker, wanted to thank Jerry Gray, Orleans County Highway Superintendent and his staff for demolishing houses back in November and also in January. The one in November was in sever extreme conditions and the recent one in January involved a fatality in the premises and due to the extreme conditions of that home they could not gain access to the building, he sent staff and heavy equipment down, which if not would have taken days to demolish. On behalf of the Emergency Management Office and the Fire Service, Dale thanked Jerry and his staff.

Allen Lofthouse, Kendall, made a few statements concerning Resolution No. 50. He advised the Board that the Conservative Party of Orleans County was the only political party that he knows of that sent a resolution to the Governor, and many others, for the Repeal of the NY SAFE ACT. Also this morning, the medical association, supported by the Doctors, is really concerned about the 38,000 people that are harmed by the use of guns in the United States. This is another bump in the road for the second amendment. Mr. Lofthouse also inquired of a purchase, in Resolution No. 61, of the correction uniforms and asked if they are for inmates or personnel. Mr. Nesbitt indicated that they are for the Correction Officers.

Legislator Allport wanted to recognize the Welfare Fraud Unit at the Department of Social Services. In 2014 they stopped the payout of over \$1.7 million dollars and recouped \$73,000. He acknowledged that staying within New York State Laws, their vigilance in watching over tax payer money by overseeing that those that truly deserve the help are getting it. The Board all agreed that this department is doing an outstanding job.

Legislator Eick moved to enter into executive session at 5:01 per Open Meetings Law §105 (f) ;second by Legislator Allport. Motion Carried. Chairman Callard stated that they will take a moment for the public to leave.

Legislator Miller moved to exit out of executive session and reconvene the regular meeting at 5:12 p.m.; second by Legislator DeRoller. Motion Carried.

Legislator Allport moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 5:40 p.m.