

LEGISLATURE MEETING

August 26, 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, with the exception of Legislator Eick.

The Clerk presented the following communications: NYS State Department of Taxation and Finance - Office of Real Property Tax Services has informed Orleans County of the establishment of the final equalization rates to be used in the apportionment of the 2016 county tax levy pursuant to Title 2 of Article 8 of the Real Property Tax Law. Jack Welch, Director of Personnel and Self Insurance has provided notice that the New York State Civil Service Commission took action on two resolutions amending the appendices of the Orleans County Civil Service Rules to include adding the job title of Investigator of the Major Felony Crime Task Force (5) to Appendix X – Exempt Class; and adding the job title of Coroner’s Physician to Appendix B – Non Competitive Class. The American Legion will hold their 14th annual 911 Memorial Service on Friday, September 11th at the Albion Elks Lodge at 10:00 a.m. A candlelight vigil is also planned for 6 p.m. that same day at the courthouse square flag pole and memorial stone. A request to hang a banner on the courthouse lawn has been made for August 28th through September 11th. A request to use the courthouse grounds has also been made for the 6:00 p.m. to hold the candlelight vigil. The Board approved this request. Our Drug Take Back day has been announced for Saturday, September 26th from 10 a.m. until 2 p.m. at three drop of locations at the Holley Fire Department, Medina Fire Department and also the Orleans County Public Safety Building.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through July of 2015. She advised that June looks better because state and federal aid did not come in well for the month of July. Also there were three payrolls in the month of July.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Yates, inquired of Resolution No. 282 which appoints the Interim Director of Planning and Development. He asked if this is a new position. Chairman Callard stated that our Director retired and this is for his replacement appointment. He asked if the salary of \$64,326 is the outgoing salary that the last director had. The board indicated it is less. CAO Nesbitt indicated that it is about \$7,000 to \$8,000 less. Mr. Nesbitt also added that our appointee is not new to the county; he is a 26 year veteran of the county. We went down from step 9 to step 3, stated CAO Nesbitt.

Mr. Lauricella also inquired of the E-waste collection with Sunnking. He asked why \$14,782 is being paid to Sunnking? Mr. Nesbitt stated that payment will be made to prevent these items from ending up in the ditches all over our county. Currently some of the Town Highway Superintendents (Gaines, Murray, Yates) have been collecting these items and the stock pile now has to be removed and disposed of. He asked if this is a onetime cost for the stockpile and if we will have other agencies taking this over. Mr.

Nesbitt advised that there is no mechanism in NYS at this time under the new regulations passed by DEC as of January 1st that will allow free market collection of these items. We are creating a plan to eliminate this waste in the interim until the state gets their act together in the next year or two and we have to step up and take care of it or allow these be left in the ditches all over the county. CAO Nesbitt said we are taking responsibility for this issue. Chairman Callard stated that over 500 televisions have accumulated in the ditches, roadsides, creeks and in various other places since the beginning of the year. He said this is a very exciting plan and it has been a joint effort with our adjoining county to develop this system and it will be paid for out of our solid waste so the cost will be minimal on a parcel basis. We are excited to get this under control and televisions off people's front lawns.

Mr. Lauricella asked about Resolution No. 288 and said he is not in favor of free services that look to be offered through the modifications of the county Employee Handbook concerning the counseling services. CAO Nesbitt advised that we are a large employer who has an Employee Assistance Program and pay a contractor to provide counseling services for our employees so they have less problems in the workplace. This reduces the time of the CAO, County Attorney, Personnel Director and Department Heads that have to deal with situations. We provide this preventive measure that reduces expenses and we are in compliance of the law, stated Chairman Callard. Mr. Lauricella thinks that this could encourage poor behavior. Jack Welch, Personnel Director stated that we subsidize these programs through the revenue made in the vending machines that the county employees purchase soda and snacks from. Mr. Welch stated that employees get three sessions; it is not an unlimited program. These programs are to help with confidential issues such with family, work and other counseling needs to continue for employees to be productive in the workplace.

Mr. Lauricella questioned the sales tax extender in Resolution No. 289. Mr. Schubel stated that this resolution allows continuing with the additional one percent sales tax by state statute which expires every two years. In order for it to continue, we need to amend the resolution of 1967. It currently recites that it will expire December 1, 2015 and the state has allowed us to extend it through November 30, 2017. This resolution is reviewed by the Office of Counsel at the State Department of Tax and Finance and this is what they want. They want all of the prior resolutions listed. Mr. Lauricella then summarized that we will remain at 8% sales tax with 4% each going to the state and county and the board affirmed this summary.

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

RESOLUTION NO. 271-815

AUTHORIZING HIGHWAY DEPARTMENT TO PURCHASE A NEW HYDRAULIC ANGLE BROOM AND BRACKET

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) SWL BA30 Hydraulic Angle Broom and Bracket from Southworth-Milton Inc, PO Box 3851 Boston, MA 02241-3851 for a total of \$13,345.70 to be purchased off the National Joint Powers Alliance Bid Number #060311 CAT; to be paid from account #DM5130.270. County cost \$0

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 272-815

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>
\$592.36	Barton & Loguidice, D.P.C	Engineering Services - East Scott Road Bridge Replacement Invoice #78437

and be it

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.252, Capital Project – Infrastructure Project – Pole Barn: Construction:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$258.80	Chemung Supply Corp.	Drainage pipe – Inv #7647292
\$5,441.13	Barre Stone Products	Crush and Run – Inv #4133
\$1,712.00	Kistner Concrete	Catch Basins – Inv. #125575
191,349.00	GUDABRI, Inc	Installation – 50% Progress – Inv #727-5680

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 273 -815

APPROVING AGREEMENTS BETWEEN ORLEANS COUNTY AND UGI ENERGY SERVICES, INC.

RESOLVED, that this Legislature does hereby approve agreements between Orleans County and UGI Energy Services, Inc, 1100 Berkshire Blvd, Suite 205, Wyomissing, PA 19610 for the purchases of natural gas supplies for all Orleans County Buildings: COB, MH, Highway Garage, Highway Dept. and Jail at the discounted fixed

city gate quote of \$2.983 per DTH effective November 1, 2015, through October 31, 2016. New rate is a budgetary savings of \$11,326.96 for all buildings over previous contract. Ref# 00019801-1-KO39A/00019806-1-KO36W, confirmation agreement.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 274-815

AUTHORIZING OFFICE FOR THE AGING TO PURCHASE LIFELINE UNITS

RESOLVED, that this Legislature authorizes the Orleans County Office for the Aging to purchase ten (10) 7000C emergency response system units from our current provider Philips Lifeline, 111 Lawrence Street, Framingham, MA 01701 at a discounted price of \$593 for each unit for a total of \$5,930. County cost \$0.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 275-815

AUTHORIZING FILLING POSITION IN THE OFFICE FOR THE AGING

RESOLVED, that this Legislature authorizes the filling of a vacant part-time clerk position (6772.26) in the Office for the Aging at Grade 7 of the CSEA Salary Schedule effective August 27, 2015.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 276-815

APPROVING AGREEMENTS WITH 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 agency:

Hillside Children's Center, Rochester, NY for the provision of residential foster care services; to be effective July 1, 2015 through June 30, 2016 at per diem rates as 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.

Snell Farm Children's Center, Bath, NY for the provision of residential foster care services; to be effective July 1, 2015 through June 30, 2016 at per diem rates as

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.

L. Woerner Inc. dba HCR, Rochester, NY for the provision of certified nursing assessments and nursing supervision for DSS Medicaid Personal Care Aide clients; to be effective September 1, 2015 through August 31, 2016.

Job Development Agency, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2015 through December 31, 2015 at a cost of \$292,721. County cost is \$90,744.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2015 through June 30, 2016 at rates established by the New York State Office of Children and Family Services. Reimbursement will vary by child's eligibility for State and Federal funding.

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 \$88,770. County cost is \$29,294.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 277-815

AUTHORIZING FILLING OF VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that due to a transfer to another department, this Legislature does hereby authorize the filling of a vacant full-time Senior Account Clerk Typist position (6010.0131) in the Department of Social Services at Grade 10 of the CSEA salary schedule effective August 10, 2015; and be it

FURTHER RESOLVED, as a result of a resignation, that this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0249) at the Department of Social Services at Grade 13 of the CSEA Salary schedule effective August 27, 2015.

Moved Miller; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Allport moved to approve an agreement between Mental Health Association in Genesee County and Orleans County Mental Health to combine our mental health associations; second by Legislator DeFilipps. Legislator Allport stated that this is a great opportunity to provide more services in combining with Genesee County and will provide more collaboration. County Attorney Schubel added that the Orleans County Association

will be dissolved and there is a Memorandum of Understanding to provide an equal board so it will be very similar as to what we are doing with Public Health. The following resolution was adopted:

RESOLUTION NO. 278-815

APPROVING AGREEMENT BETWEEN MENTAL HEALTH AND MENTAL HEALTH ASSOCIATION IN GENESEE COUNTY

RESOLVED, that this Legislature approves an agreement between Mental Health and Mental Health Association in Genesee County, 25 Liberty Street, Batavia, NY 14020 providing mental health support services and Drop-In Center for residents of Orleans County from September 1, 2015 to December 31, 2015 at a cost of \$21,220. County cost \$0.

Moved, Allport; second, DeFilipps.

Adopted. 5 ayes; 0 nays; 1 abstention, Johnson; 1 absent, Eick.

RESOLUTION NO. 279-815

AMENDING RESOLUTION NO. 468-1214 BETWEEN MENTAL HEALTH AND THE ARC OF ORLEANS COUNTY (FOR SUPPORTIVE EMPLOYMENT SERVICES)

WHEREAS, Resolution No. 468-1214 approved an agreement between Mental Health and the Arc of Orleans County, 122 Caroline Street, Albion, NY 14411 providing supportive employment services at a cost of \$49,420 with no County cost; and

WHEREAS, there has been a COLA increase of \$392; be it

RESOLVED, that this Legislature authorizes the addition of the \$392 COLA increase to this agreement, now totaling \$49,812 at no County cost.

Moved, Allport; second, DeFilipps.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 280-815

AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget to set up revenue and expenses for Federal Medicaid Salary Sharing monies received as follows:

Revenue:

A4490	Mental Health Federal	\$31,494.00
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Appropriation:

A4310.411	Supplies	\$4,171.54
A4310.418	Other Contractual	\$8,244.00
A4310.452	Personal Service Contracts	\$9,490.46
A4310.466	Consultant Fees	\$9,588.00

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 281-815

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

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

Venesky and Company, at 6114 Rte 31, Cicero, NY 13039 to prepare the required Medicaid Cost Report associated with the Preschool/School Supportive Health Services Program for the service periods of July 1, 2014 through June 30, 2015 as required by New York State. Contract Period August July 1, 2015 – December 31, 2015. Contract amount \$4,500. County cost 100%.

Music Therapy Pathways at 80 South Main St, Oakfield, NY 14125 to provide music therapy services for children with disabilities placed under Section 4410 of the NYS Education Law as determined by the board. Music therapy shall be for one 30 minute session a month at the rate of \$51.50 per half hour. Contract period is September 1, 2015 – August 31, 2018. County cost 100%.

P2 Collaborative of WNY, at 355 Harlem Road BLDG C 2nd Floor, West Seneca, NY 14224 is a five county collaborative to promote health in Western New York. The goal is to build marketing capacity to expand the reach of prevention activities outlined in the Community Health Improvement Plan. County will be reimbursed based on hours worked. Contract period is from June 1, 2015 through December 31, 2015. County cost \$0.

SUNY Brockport at 350 New Campus Drive Office of Career Services, Brockport, NY 14420 to provide an association for the purpose of carrying out an Intern program for qualified students to intern within the Orleans County Public Health Department in the area Of Health Science. Contract period is June 1, 2015 through December 31, 2019. County cost \$0.

Oxford Immunotec, Inc. at 700 Nickerson Road, Suite 200, Marlborough, MA 01752 to provide laboratory testing of specimens provided by the Orleans County Department Of Health. There is a \$20 DPH introductory price for 365 days for each specimen: thereafter

the DPH price will be \$50 per specimen. Contract period is June 22, 2015 to December 31, 2020. County cost 100%.

National Association of County and City Health Officials, Modification to Agreement as approved under Resolution No. 52-215 (Original Contract #MRC15-2237C); This Modification of Agreement amends the funding source to the following: Department of Health and Human Services, GRANT# 1 HITEP150026-01-00, CFDA#93.008; entitled "Promote, Support and Build Capacity in the Medical Reserve Corp. All terms and conditions will remain unchanged.

Stacey Aliasso to provide Municipal Representative Services for the Preschool Special Education program to ensure that each child being considered for Preschool Special Education receives appropriate services in the most normalized setting for the services. Contract to commence on August 1, 2015 and terminate December 31, 2016. County cost 100%.

Inter-Municipal Agreement, Counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming: Contract/agreement to provide for services in the event of a public health problem. If the Orleans County Health Department (receiving county) determines that it is unable to respond to the problem, they may request mutual aid from one or more of the other Western New York Counties (sending counties). In such an event all costs associated with the aid are at the expense of the "receiving county". Agreement effective July 1, 2015 through June 30, 2020. County cost 100%.

Monroe County Public Health, 111 Westfall Rd, Rochester, NY 14620 for an Inter-Municipal Agreement to provide lab services when testing is needed for lead level investigations, contract amount not to exceed \$8,000 effective September 28, 2015 through September 27, 2016. County Cost \$0.

Genesee Community College, 1 College Road, Batavia NY 14020 to secure Genesee Community College to assist Orleans County Health Department in opening a POD (Point of Distribution), to administer treatment should an accident occur. Also to allow for staff training/and preparation should an incident occur. Agreement effective September 1, 2015 through December 31, 2019. County cost \$0.

New York State Department of Health, Bureau of Early Intervention, ESP Corning Tower Room 287, Albany NY 12237 to provide monies for Early Intervention Administration. Contract Period from October 1, 2015 through September 30, 2016. Contract #C027498. Contract amount \$29,985. Contract amount paid in full by NYS Department of Health. County cost \$0.

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeFilipps moved to appoint James Bensley as Director of Planning and Development; second by Legislator Allport. Legislator DeRoller stated that with almost

thirty years of being a county employee, he is pleased to support this resolution and his performance and is looking forward to working with the new director of planning. The following resolution was adopted and Mr. Bensley was applauded for his appointment.

RESOLUTION NO. 282-815

APPOINTING DIRECTOR OF PLANNING AND DEVELOPMENT

WHEREAS, Resolution 23-115 authorized the appointment of an Interim Director of Planning and Development effective January 15, 2015; and

WHEREAS, the Director is essential in achieving the Department's work program, including, among others, community planning, training of land use officials, farmland protection, grant administration, Marine Park management and the implementation of the Geographic Information System; now be it

RESOLVED, that this Legislature appoints James R. Bensley of Medina, NY as Director of Planning and Development at Grade 10, Step 3 of the Management Compensation Schedule at 35 hours per week effective August 27, 2015; and be it

FURTHER RESOLVED, that the salary will be \$64,326.

Moved, DeFilippis; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeFilippis moved to approve an e-waste agreement with Sunnking at an estimated yearly cost of \$14,782 with a tentative start date of September 15th; second by Legislator Allport. Legislator DeRoller advised that the state changed the ground rules and no longer can it go through our solid waste system. This is a work in progress and the details need to be worked out. In getting things started there are going to be three drop off points in the county which will include the Town of Murray, Town of Shelby and also the Orleans County Highway Department. Legislator DeRoller also explained that Sunnking also offers an "E-scrap for Camp" opportunity in April. They have organized this for four consecutive years and have collected over 1,500,000 pounds of e-waste and have donated over \$42,000 of profits to Camp Good Days. He hopes to incorporate our Towns in this program and it is a work in progress. Chairman Callard stated that the Town of Kendall did take advantage of this program. Legislator DeRoller did report that in April they collected eleven pallets were collected and Sunnking covers the cost of that program. Chairman Callard asked that when we took hold of this project, back in January through April, how many pallets of e-waste we sent off. Legislator DeRoller reported that 180 pallets were collected throughout the county involving e-waste that was sitting around since the state changed the ground rules. He said that CAO Nesbitt was instrumental in getting some contracts and getting that waste moved out. The following resolution was adopted:

RESOLUTION NO. 283-815

APPROVING E-WASTE COLLECTION AND RECYCLING AGREEMENT WITH SUNNKING, INC

WHEREAS, effective January 1, 2015 New York State prohibited the disposal of electronic waste through curbside trash pickup; and

WHEREAS, this Legislature is aware of the subsequent lack of opportunities within the County for its residents to properly dispose of cathode ray tube televisions, monitors, computers, peripheral devices, and other household electronics, and

WHEREAS, this Legislature desires to establish a convenient and reliable drop-off program so that said electronics do not accumulate in locations that are a detriment to the environment and public safety; now be it

RESOLVED, this Legislature approves an agreement with Sunnking, Incorporated of 4 Owens Rd, Brockport, NY 14420 for the collection and recycling of electronic waste dropped off by residents at multiple sites within the County with such agreement effective August 26, 2015 and shall be reviewed yearly. The yearly estimated county cost is \$14,782. Agreement is subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, DeFilippis; second, Allport.

Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Chairman Callard reviewed that the program will be begin September 15th and the drop off sites will be in the Town of Shelby (west end), County Highway Department (center), and Town of Murray (east end) but all sites are open for county residents to drop off their e-waste. The Chairman further stated that Legislator DeRoller would like to establish the volunteer program that Sunnking offers across the northern part of the county incorporating the assistance of the Towns of Kendall, Yates, and Carlton to help make that program happen.

Chairman Callard stated that the state methodology is a mess and even getting worse. That they only allow so much to be picked up each year but the quantity of e-waste has been growing so there is a shorter span to have things picked up. Orleans County has been cleaned up and we can keep it under control.

Legislator DeRoller explained that the sale of televisions has been calculated and they only allow so much poundage to go into the waste stream. We have been cut off in the months of April, then June of this year. They offer a solution to go to the DEC website and look up the make and model and try to ship that from your home address, but that process just breaks down stated Legislator DeRoller. Chairman Callard further explained that they are suppose to pick up the TV's free through UPS or FedEx but if it is of a certain weight or dollar amount, they won't pick it up. So they have made it such that they won't get collected but they are complying with the law. Chairman Callard stated

this is what the State needs to work on.

RESOLUTION NO. 284-815

AUTHORIZING TRANSFER OF FUNDS INTO THE PLANNING AND DEVELOPMENT BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Planning and Development Budget for the county Rural Broadband Study by BP Greene & Associates as approved in Resolution No. 91-214:

From:	Miscellaneous Reserve	\$11,192
Appropriation:		
A8020.418	Other Contractual Expenses	\$11,192

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 285-815

AUTHORIZING TRANSFER OF FUNDS IN AND PURCHASE FROM THE PLANNING AND DEVELOPMENT BUDGET

RESOLVED, that this Legislature authorizes a transfer of funds within the Planning and Development budget to purchase the replacement of a specialized desktop computer optimized for Geographic Information System software, as follows:

From:		
A8020.100	Personal Services	\$1,493.90
Appropriation:		
A8020.411	Office Supplies and Materials	\$1,493.90

Moved, DeFilipps; second, Allport.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 286-815

AMENDING RESOLUTION NO. 430-1213 CONCERNING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

WHEREAS, Resolution No. 430-1213 approved a lease agreement for the County Clerk's office to obtain a leased e-Studio 2505F B&W copier to be housed at the DMV which has not been operating properly and Toshiba Business Solutions would like to do

an equipment exchange amendment to the current lease agreement with no changes to the monthly lease cost; now be it

RESOLVED, that this Legislature authorizes the Chairman to execute an Equipment Exchange Amendment to agreement #500-0386528-000 to remove the Toshiba e-STUDIO 2505 (Serial #SC8 JC34040) and replace with a Lexmark XS463DE (Serial # 35P75G0) in the DMV with the \$43.31 monthly lease payment to remain and a bill per copy of \$.0194, which includes the yearly 2.5% bill per copy increase up to the current billing year.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 287-815

AUTHORIZING PURCHASE AND APPROVING BUSINESS AGREEMENT WITH LA DELL MARKETING LP

RESOLVED, that this Legislature authorizes the purchase and installment form LA Dell Marketing of Microsoft Exchange 2013 in a virtualized environment which will include 250 Client Access Licenses for use by Orleans County Employees to manage and administer their email at a cost of \$12,492.08 to be paid from Computer Services Account A1680.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Business Agreement (#8124850) with LA Dell Marketing LP, One Dell Way, Round Rock, TX 78682 effective November 1, 2015 through the end of its extended service life of April 11, 2023.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 288-815

APPROVING MODIFICATIONS TO THE EMPLOYEE HANDBOOK

WHEREAS from time to time it becomes necessary to update the Orleans County Employee Handbook; now be it

RESOLVED, that this Legislature approves the following changes to the Orleans County Employee Handbook effective August 25, 2015:

CREDIT UNION

Cobblestone Country Federal Credit Union, 299 West Avenue, Albion, NY 14411 (585) 589-5286.

EMPLOYEE ASSISTANCE PROGRAM

In an effort to promote the health and welfare of our employees, Orleans County offers a program to those who could use some help in solving personal problems, which in many cases affect their on-the-job performance. The Employee Assistance Program is designed primarily to assist employees or their family members troubled by alcoholism, drug dependency, emotional stress, family or financial problems. Assessment, referral services and counseling is available for employees or their family members - free of charge. The County strongly encourages those who feel they need to seek this assistance to do so through the County's Employee Assistance Program. Employees can seek assistance voluntarily, but where indicated by performance or attendance problems, may be referred by their immediate supervisor. Confidentiality will be strictly adhered to.

To maintain the confidentiality, Orleans County has contracted these services with Royal Employer Services which is a company of GCASA. All services through Royal Employer Services are confidential, your privacy is their priority. Employee Assistance counseling services are available to Orleans County employees and the families of Orleans County employees at no cost to the employee.

In addition to the counseling services, the E.A.P. seeks to promote many other activities throughout the year on behalf of county employees. Ticket discounts, group outings, Employee of the Year, Employee of the Month Recognition program, and annual Employee Picnic. The E.A.P. manages the vending machines located in the county buildings. The commissions generated provide the funds to promote these services.

You may contact Royal Employer Services at (888) 244-0680 to schedule an initial evaluation, counseling and referral for any variety of problems which may be affecting you and your family.

To assist Orleans County employees with an understanding of these services Royal Employer Services offers, Orleans County will provide an orientation to each employee upon the employee's initial employment. Then to ensure that employees maintain an awareness of these services, Orleans County will offer a refresher orientation every five years for employees.

PROBATIONARY PERIOD

The probationary term is per the Orleans County Civil Service Rules.

PROMOTION

During this probationary period which is per the Orleans County Civil Service Rules,

TRANSFERS

Transfers are subject to a probationary period which is per the Orleans County Civil Service Rules.

AMERICANS WITH DISABILITIES ACT (A.D.A.)

This Federal Law prohibits discrimination against people with disabilities. Two sections of the law apply to local governments. The first (Title I) section prohibits discrimination against people with disabilities in regard to any employment practices or terms, conditions, and privileges of employment. This prohibition covers all aspects of the employment process.

An employer must make a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless it can show that the accommodation would cause an undue hardship on the operation of its business.

The second (Title II) section of the act requires that County programs, services and activities are accessible to handicapped individuals.

The provisions of the A.D.A. are extensive and complex. Anyone with questions or concerns about this Act should contact the Chief Administrative Officer, who is the County's A.D.A. Compliance Officer.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the County of Orleans will not discriminate against qualified individuals with disabilities on the basis of disability in its services, program, or activities.

Employment: The County of Orleans does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The County of Orleans will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County of Orleans programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The County of Orleans will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the County of Orleans offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the County Orleans, should contact the office of the Chief Administrative Officer/ADA Coordinator; 3 South Main Street, Suite 2, Albion, NY 14411 at 585-589-7053 or e-mail to the Chief Administrative Officer as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the County of Orleans to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the County of Orleans is not accessible to persons with disabilities should be directed to the Chief Administrative Officer/ ADA Coordinator at 3 South Main Street, Suite 2, Albion, NY 14411; 585-589-7053 or by e-mail to the Chief Administrative Officer.

The County of Orleans will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County of Orleans. Employment related complaints of disability discrimination are covered elsewhere, in policies available from the human resources office of the County of Orleans.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

ADA Coordinator and Chief Administrative Officer
County of Orleans

3 South Main Street, Suite 2, Albion, NY 14411

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County of Orleans and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the County of Orleans for at least three (3) years.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 289-815

AMENDING RESOLUTION NO. 164 OF THE YEAR 1967 IN RELATION TO ORLEANS COUNTY SALES AND COMPENSATING USE TAXES, INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND ON CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

REPEALED/RE-ADOPTED – SEE RESOLUTION NO. 322-915 & 323-915

RESOLUTION NO. 290-815

APPROVING AGREEMENTS BETWEEN SHERIFF'S OFFICE AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves renewal agreements between the Sheriff's Office and the following agencies:

EM Systems, Inc., 4043 Maple Rd, Ste 211, Amherst, NY 14226 and the Sheriff's Office for the 2015/16 Software Maintenance agreement covering CAD, AVL and Mobile Data Systems in Dispatch, effective July 1, 2015 through June 30, 2016, at a cost of \$15,000 to be paid from account A3020.486, Public Safety Communications Special Grants.

Wyoming County Sheriff, 151 N Main St, Warsaw, NY 14569 for the housing of Orleans County inmates in the Wyoming County Jail at a cost of \$85 per inmate/per day, effective upon signature through December 31, 2015.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 291-815

APPROVING A RENEWAL AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NYS UNIFIED COURT SYSTEM

WHEREAS, Resolution No. 125-310 approved a five-year agreement between the Sheriff's Office and the New York State Unified Court System to reimburse the county for security personnel in the courthouse; now, therefore be it

RESOLVED, that this Legislature approves a one year renewal with the New York State Unified Court System and the Orleans County Sheriff's Office for Contract No. C200493; with a maximum reimbursement of \$328,900 for the term of April 1, 2015 through March 31, 2016, an increase of \$5,900.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator DeRoller moved to accept a Marine Patrol Vessel from the NYS Office of Parks, Recreation and Historic Preservation; second by Legislator Johnson. Legislator DeRoller stated that due to this being a smaller vessel it will be used to patrol Lake Alice and the Canal corridor. This is a long term loan agreement with no cost to the county. The following resolution was adopted:

RESOLUTION NO. 292-815

AUTHORIZING THE SHERIFF TO ACCEPT A MARINE PATROL VESSEL FROM THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

RESOLVED, that the Sheriff's Office is authorized to accept a 2015 Boston Whaler vessel on long term loan from the New York State Office of Parks, Recreation,

and Historic Preservation; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an Intergovernmental Agreement with New York State Office of Parks, Recreation, and Historic Preservation, 625 Broadway, Albany, NY 12207 for a long term loan of a 2015 Boston Whaler Vessel, Mercury Outboard Engine and a BoatMaster Trailer. County Cost \$0.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 293-815

APPROVING AGREEMENT WITH THE SHERIFF'S OFFICE AND NEW YORK DEPARTMENT OF CRIMINAL JUSTICE SERVICES

WHEREAS, New York Senator Robert Ortz has secured funding in the amount of \$10,000 for the Orleans County Sheriffs' Office for the enhancement of Anti-Crime Initiatives; now be it

RESOLVED, that this Legislature approves an agreement with the New York State Department of Criminal Justice Services for the acceptance of this grant money.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 294-815

APPROVING AGREEMENT EXTENSION BETWEEN SHERIFFS OFFICE AND NYS DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, Resolution No. 196-514 authorized participation and acceptance FY2013/14 Operation Impact Tools Grant, through July 1, 2015; now be it

RESOLVED, that this Legislature does hereby approve an agreement extension between Orleans County Sheriff's Office and NYS Division of Criminal Justice Services, providing extension on the drawdown of funds in the amount of \$23,900 to increase law enforcement patrols, effective through October 31, 2015; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute the Appendix X for Contract No. T464231 approving this agreement extension.

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 295-815

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET

RESOLVED, that the County Treasurer is authorized to set-up new monies in the Sheriff's budget:

Revenue

A4308.7412	Homeland Security/Operation Stonegarden (FY2012)	\$6,782.38
A4308.7411	Homeland Security/Operation Stonegarden (FY2011)	\$3,186.93

Appropriations

A3110.486.7412	Special Grants	\$6,782.38
A3110.486.7411	Special Grants	\$3,186.93

Moved, DeRoller; second, Johnson.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Legislator Johnson moved to authorize an inspection of the non-gas fired fire training tower at the Emergency Management Training Facility which was brought to our attention by Dale Banker, Director of Emergency Management, which needed to be addresses swiftly to protect our volunteer firemen who practice in this building. Legislator DeRoller second the motion and the following resolution was adopted:

RESOLUTION NO. 296-815

AUTHORIZING AN INSPECTION OF NON-GAS-FIRED FIRE TRAINING TOWER AT THE EMERGENCY MANAGEMENT TRAINING FACILITY

WHEREAS, NFPA 1403 requires that the structural integrity of a live fire training structure be evaluated, including the removal and reinstallation of a representative area of thermal linings; now be it

RESOLVED, that this Legislature accepts the proposal for inspection services by LaBella Associates, D.P.C., 300 State Street, Rochester, NY 14614 at a cost not to exceed \$6,500.00, to be paid from account Emergency Management account A3640.418 Other Contractual; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the Notice-To-Proceed.

Moved, Johnson; second, DeRoller
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

RESOLUTION NO. 297-815

AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER 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 September 9, 2015:

Fund/Department	Check Number (s):	Amount:
General	950-1101	\$307,608.58
Highway	619-627; 1456-1474	\$203,665.95
Nursing Home		
Job Development	1866-1884	\$4,909.30
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 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 September 23, 2015:

Fund/Department	Check Number (s):	Amount:
General	1124-1280	\$317,405.61
Highway	628-632; 1475-1483	\$26,235.64
Nursing Home		
Job Development	1885-1890	\$606.95
Self Insurance		

Moved, Allport; second, DeFilipps.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

The following add on resolution was presented and adopted:

RESOLUTION NO. 298-815

AUTHORIZING RESCHEDULING THE SEPTEMBER ORLEANS COUNTY LEGISLATURE MEETING

WHEREAS, the New York State Association of Counties Fall Seminar is scheduled Monday, September 21st through Wednesday, September 23rd in Lake Placid and four of our Legislators and the Chief Administrative Officer plan to attend; now, be it

RESOLVED, that this Legislature authorizes rescheduling the regular 4:30 p.m. Wednesday, September 23rd Legislature Meeting to Monday, September 28th at 9:00 a.m. to resolve any conflicts of timing in the return from the NYSAC Conference and Training School in Lake Placid.

Moved, Johnson; second, DeRoller.
Adopted. 6 ayes; 0 nays; 1 absent, Eick.

Chairman Callard opened the floor for public comment, limiting the statements to three minutes each relative to any subject related to the County. Anne Smith, Lyndonville, stated her opposition to the Lighthouse Wind Project proposed for the Town of Yates. She asked the board to stand in solidarity with the Niagara County Legislature in their opposition to the Industrial Wind Turbine Project. She also stated that she was against Governor Cuomo's Article 10 that takes away Home Rule not allowing her town or county to vote on these large energy projects that affect their towns. She hopes, as a majority of republicans, that this board will stand ground and send a loud message to Governor Cuomo, that along with Niagara County, that they oppose these Industrial Wind Turbines.

Paul Laricella, Yates, stated at the last meeting he spoke concerning the IDA and at that time it wasn't the time to discuss the audit. He asked it has been a month now and that this board had time to think about the recapture clauses, job requirements, and other things in the audit that were not followed per the Comptroller's office. Chairman Callard stated that the IDA has an independent board. Those types of discussions occur within the IDA itself, which their meetings are open to the public. It is up to the IDA Board as to what actions will be taken. Mr. Lauricella stated is that the County does give the IDA money. Chairman Callard stated that the policy direction is established by the Board of Directors. Chairman Callard stated that any issue he has with the IDA that he should work with the IDA.

Mr. Lauricella stated he felt that his 1st amendment rights were violated by Legislator Johnson at the last meeting. Chairman Callard stated that he was not going to allow this personal discussion and felt it was inappropriate on his part at the last meeting. Chairman Callard asked Mr. Lauricella to take his seat.

Deb Holt, Murray, stated her opposition to the Industrial Windproject proposed by APEX. She stated it is a poorly sited area for the wind proejct. It is on the Southern shore of Lake Ontario which has a major migratory bird group of the Atlantic Flyway. Secondly, she stated, that there is documented health effects to humans and to any wildlife that live in the area due to the flicker and the low frequency turbulence sound that emanates from the wind turbines. She also hopes that this board votes against this wind project if the oppportunity arises.

Cynthia Hellert, Yates, advised the Board that she is a supporting member of Save Ontario Shores and stands adamantly opposed to APEX's Lighthouse Wind project. She has attended most Yates Town Board meetings since this project was brought to the attention of residents and they have implored our board to take a stand against the project, as has the Town of Somerset and the Niagara County Legislature. She has researched thoroughly the devastating health effects that are consistent worldwide with industrial wind turbines being sited too close to residents, and have concluded that a project such as this would be far more detrimental to our health and safety than any financial gain could possibly justify. She asked county legislature to please stand in solidarity with the Niagara County Legislature and say NO to APEX and Lighthouse Wind.

Allen Lofthouse, Kendall, inquired how the County is making out with the lobbying firm that we are paying \$5,000 per month for. Chairman Callard stated he feels that it has been a very valuable asset. At this time we have not published results from some of the funding requests but a number of them have initially been approved. We will continue to move forward as they are keeping us well informed and they are helping us to lobby for what we have requested from the State entities. Mr. Lofthouse asked when they will publish the results. Chairman Callard advised that awards are not announced until December. He believes there maybe public discussion before then or as the Regional Economic Development Council meetings take place, there are two in September, but right now they are in review sessions.

Agnes LaPorte, Somerset, stated that they are bombarded by this windmill project. She felt it was going to destroy our area. She said if you go to the SOS website, they are fighting for these windmills all over the world. She indicated she is originally from Germany where it is devastating over there. They are stopping these projects all over the world due to the health effects. She said we don't need them, with Niagara Falls being so close and not at full capacity. Any of the little bit of power not being used around here will go to New York City. The farmland will be forever destroyed and the Medina stone that will be left when they are probably decommissioned and just standing there will be ruins forever. She does not have any grandchildren but knows many here do so she begged them to perserve the world for the next generation.

Chairman Callard stated that APEX was brought into the picture by the Town of Sommerset and that board was actively promoting it and we are just a small piece of it to the right. Now the Town Board of Sommerset has done a "180" having done a survey realizing that their people are against it. He stated it is a learning process and appreciates the mailings so we can understand the issues. He thinks Niagara County didn't really do things in a proper manner to deal with this and he thinks it is ironic that we have to deal with it now because a proper format was not followed. Again, ironically, they brought this topic to the area to being with and now it has become a contentious issue.

Chris Crafts, Ridgeway, (also owns property in Hartland and Yates) stated that he grew up in this area and believes it could be one of the finest places in the world to grow crops and for people to live. He feels it is ironic at times that it looks like that this part of the

world would be sold away to energy production. When looking into the problems with wind projects, it is financed at very high levels through legislative initiatives and there is an accelerated appreciation cycle that will allow “these folks” to come in and build these wind towers and be gone within a few years. He wishes a condition could be placed on them, thinking their wind towers are so great, if they are willing to live here among the towers, they would be welcome to build them. Mr. Crafts hopes upon the completion of the Town of Yates survey, hoping it reports negative results, that this body would also put out a message similar to Niagara County that we don’t want these wind towers here.

Jim Bransbach, Yates, echoes what everyone else has said to this point. He further said that in April at the Medina GCC APEX presentation, Taylor Corals (an APEX representative) said during one of their closing statements that building this wind turbine complex would help preserve the rural agricultural characteristics of the towns of Sommerset and Yates. Mr. Bransbach said the reply was, “huh”? Then he went on to say, that no developer would want to build anything near them. Mr. Bransbach said this is our argument today and he opposes this project. Chairman Callard stated he would have shook his head to that also.

Erik Sinkora, Yates, agrees with all of the statements made here today. He is concerned not only for the health effects of humans but also what is documented effects in livestock. He is also concerned with the major migratory path for our birds, also for the Bald Eagles that he sees in his yard. Also concerned for the bats that eat the insects in our yards. Mr. Sinkora is concerned with his property values which he pays an absorbant amount of property taxes as a lake front property owner; or if he will receive any benefit for this project which no one has explained. He encourages this Legislature to visit the SOS website and research for themselves the impacts. He asked to join with the Niagara County Legislature opposing this project.

Chairman Callard expressed that the Niagara County situation is different than Orleans County because they conducted a formal survey and determined that the people were against the project. The County does not make decisions here and we would not want to tell the Town of Yates what it has to do or should do, just like we would not want the State of New York tell Orleans County what to do, stated Chairman Callard. He stated that we have a record for having opposed legislation for the inclusion of the siting of windmills, per Article X of the Public Service Law. We do not want home rule replaced by State directives. We are patiently waiting for a bonafid survey that represents the people of the Town of Yates. Chairman Callard stated that we can have more discussion once we know of those survey results. He has spoken with Assemblyman Hawley, Assemblywoman Corwin and Senator Ortz who indicate that they have written letters to the Governor for review of Article X. Orleans County has no decision making capabilities in this, it is the Town that has that.

Chairman Callard stated that ABEX has requested to come to a conference session and also to meet individually with our Legislators and he has not allowed that to happen. He said will continue to work with our State representatives and continue the Article X fight.

He appreciated them visiting today and stated that he will never give up the fight for our rights. Chairman Callard was applauded.

Peg Schwable, Sommerset, thanked the Chairman for his comments. She stated that this project goes right through the center of of their town, dividing village from lake front. This company has an outerboundary along the lakeshore, in fact right through her living room, she explained. This project considers 145 properties in the Town of Sommerset and more through the Town of Yates. American Wind Energy companies spend millions of dollars lobbying their point. She thanked the board for fighting the Home Rule issue.

Chairman Callard also reminded many that for two years we have been fighting the war on lake levels. Legislator Johnson, through a NORA initiative, has been fighting the Canadians and the Federal Government; and even the Governor of New York State who can elect not to raise the levels if he wished to take a stand on it. This could be devastating to our lakeshore property owners. We have fought successfully against the 2014 IJC Plan and were following due process. But now due process is not being followed and this Legislature sent a representative from here, and also a prerepresentative went from Niagara County, to Washington D.C. to meet with represenatives from the Department of State. Chairman Callard stated that we constantly fight battles behind the scenes and they are not used to representatives from our county, and Niagara, meeting face to face on the issues. Chairman Callard expressed that we have more than one concern here to protect our county's future. This Legislature is willing to do what it takes to fight the battle.

Legislator Allport reported that at last weeks ARC of Orleans Board of Directors meeting an unanimous vote took place to join with the Genesee County ARC. We have already been sharing services for years. With the Affordable Health Care Act and Managed Care have forced smaller ARC's to combine. Legislator Allport believes that this will be a trend in pulling services together. NYSARC and OPWDD are enthusastic that more ARC's will be combining services. He said that the ARC of Orleans will continue to provide great services in Orleans County and they continue to look for a bright future.

Legislator DeFilipps moved to enter into executive session at 5:29 p.m. per Open Meetings Law §105 (d) to discuss potential litigation on an assessment matter; second by Legislator Allport. Motion Carried. After a brief recess, the executive session began at 5:36 p.m.

Legislator Johnson moved to exit out of executive session and reconvene the regular meeting at 5:58 p.m.; second by Legislator Allport. Motion Carried.

Legislator DeRoller moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:59 p.m.