

LEGISLATURE MEETING

November 16, 2016

Chairman Callard called the meeting to order at 4:38 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 Legislators Eick and Johnson.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer has filed fourteen (14) Disclosure of Interest Statements from various County Employees who receive funds in addition to wages from Orleans County. These have been filed in our office and are officially on record in accordance with General Municipal Law Section 803(1). The Village of Albion DPW has requested to erect the annual Christmas Tree with lights on the lawn of the Courthouse. They are requesting permission to do this along with the use of electricity. They plan to install it on or about November 28, 2016 and take it down on or about January 13, 2017. The Board approved the Village of Albion DPW to erect the Christmas tree at the Courthouse square.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through October of 2016. She stated that in November she pays the IGT and then will get the money back the first of December. Retirement bill will need to be paid soon, which is budgeted and sales tax is still sluggish.

Chairman Callard presented a commendation for Company F Memorial in Orleans County to Bill Menz with also Kathy Fox, Wayne Hale and Lynne Menz participating in the acceptance. Mr. Menz expressed his gratitude for all that stood by him today and all others that helped make this project happen. He said this is the legacy of Bob Waters which he felt he needed to complete for him. He stated that they needed to get this statute erected for the greatest generation in this county. Chairman Callard asked Mr. Menz for the anticipated completion date. Mr. Menz hopes within two years. He said they are waiting for the artist to complete his part and then the casting which will be done by students at the University of Buffalo. A local man, Brian Forder, who is the artist/instructor, works at Erie Community College and also affiliated with UB. Chairman Callard invited them back to bring them up to date once everything comes together.

With there being no comments when Chairman Callard called for open discussion, Legislator DeFilipps moved to add 2 resolutions to the agenda; second by Legislator Allport. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 382-1116

APPROVING AN AGREEMENT WITH THE HIGHWAY AND BUILDINGS AND GROUNDS DEPARTMENTS AND COMPREHENSIVE OF ORLEANS

RESOLVED, that this Legislature approves an agreement for Snow and Ice Control and for Mowing at the Comprehensive of Orleans property located at 14012 State Route 31 West, Albion, New York 14411 for a total cost to Comprehensive of Orleans of \$26,264.88, County cost \$0. Payments to be made to Orleans County Highway Department in the amount of \$1,832.97/month and Orleans County Buildings and Grounds Department in the amount of \$355.77/month for a total cost of \$2,188.74/month. Contract period: December 1, 2016 through November 30, 2017.

Moved, Miller; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 383-1116

AUTHORIZING OFFICE FOR THE AGING TO CONTINUE PARTICIPATION IN AND APPROVE AGREEMENT BETWEEN OFFICE FOR THE AGING AND NEW YORK STATE OFFICE FOR THE AGING

RESOLVED, that the Office for the Aging is authorized to continue participation in a grant renewal with New York State Office for the Aging for the purpose of funding support of local programs in the delivery and enhancement of the essential components of NY Connects, which include Information and Assistance (including screenings), Public Education and local Long Term Care Councils in the amount of \$43,289 to run from October 1, 2016 to September 30, 2017, County Cost \$0; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the NY Connects grant agreement with the New York State Office for the Aging for the Orleans County Office for the Aging subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Miller; second, Allport.
 Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 384-1116

AUTHORIZING CREATING A TEMPORARY POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, a full time Social Welfare Examiner (6010.0111) will be out on medical leave and this position is critical in the day-to-day operations at DSS; now be it

RESOLVED, that this Legislature does hereby authorize the creation of temporary full time Social Welfare Examiner position (6010.0111*) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule, to be effective for the period of November 17, 2016 through the return of the full time permanent employee (6010.0111) from the medical leave; and be it

FURTHER RESOLVED, that the Legislature authorizes filling this newly created temporary position.

Moved, Miller; second, Miller.
 Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 385-1116

ESTABLISHING DAY CARE RATES IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services receives New York State Child Care Block Grant dollars for the sole purpose of providing day care subsidies to eligible low income parents; and

WHEREAS, the New York State Office of Children and Family Services establishes the maximum market rate payment ceiling for day care rates; and

FURTHER RESOLVED, that this Legislature does hereby establish contract day care rates paid by the Department of Social Services on behalf of eligible clients, effective January 1, 2017 as follows:

DAY CARE CENTER												
Age of Child	Under 1 ½			1 ½ - 2			3-5			6-12		
	Current	Market	2017	Current	Market	2017	Current	Market	2017	Current	Market	2017
Weekly	\$180	\$200	\$180	\$175	\$190	\$175	\$165	\$180	\$165	\$160	\$170	\$160
Daily	\$36	\$43	\$36	\$35	\$41	\$35	\$33	\$38	\$33	\$32	\$37	\$32

Part-Day	\$25	\$29	\$25	\$24	\$27	\$24	\$23	\$25	\$23	\$22	\$25	\$22
Hourly	\$5.75	\$7.00	\$5.75	\$5.75	\$7.50	\$5.75	\$5.25	\$7.50	\$5.25	\$5.25	\$7.00	\$5.25

REGISTERED FAMILY DAY CARE HOME												
Age of Child	Under 2			2			3-5			6-12		
	Current	Market	2017									
Weekly	\$145	\$150	\$145	\$140	\$150	\$140	\$135	\$150	\$135	\$135	\$143	\$135
Daily	\$29	\$33	\$29	\$28	\$30	\$28	\$27	\$30	\$27	\$27	\$30	\$27
Part-Day	\$19	\$22	\$19	\$19	\$20	\$19	\$19	\$20	\$19	\$19	\$20	\$19
Hourly	\$3.50	\$5.00	\$3.50	\$3.50	\$5.00	\$3.50	\$3.50	\$5.00	\$3.50	\$4.25	\$5.00	\$4.25

REGISTERED GROUP DAY CARE HOME												
Age of Child	Under 2			2			3-5			6-12		
	Current	Market	2017									
Weekly	\$150	\$150	\$150	\$145	\$150	\$145	\$140	\$150	\$140	\$140	\$143	\$140
Daily	\$31	\$33	\$31	\$30	\$30	\$30	\$29	\$30	\$29	\$28	\$30	\$28
Part-Day	\$22	\$22	\$22	\$21	\$20	\$21	\$20	\$20	\$20	\$20	\$20	\$20
Hourly	\$3.75	\$5.00	\$3.75	\$3.75	\$5.00	\$3.75	\$3.75	\$5.00	\$3.75	\$5.00	\$5.00	\$5.00

SCHOOL AGE CHILD CARE												
Age of Child	Under 1 ½			1 ½ - 2			3-5			6-12		
	Current	Market	2017	Current	Market	2017	Current	Market	2017	Current	Market	2017
Weekly	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$180	\$160	\$160	\$170	\$160
Daily	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$38	\$32	\$32	\$37	\$32
Part-Day	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$25	\$22	\$22	\$25	\$22
Hourly	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7.50	\$5.25	\$5.25	\$7.00	\$5.25

Moved, Miller; second, Allport.
 Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 386-1116

APPROVING AN INTER-MUNICIPAL AGREEMENT BETWEEN ORLEANS COUNTY AND GENESEE COUNTY FOR STOP-DWI PUBLIC INFORMATION AND EDUCATION

WHEREAS, the Youth Bureau Director did present an agreement with Genesee County for the operation of the STOP-DWI Public Information and Education Component for 2017; and

WHEREAS, the Committee of Economic Assistance and Opportunity did review the agreement and do recommend approval at this time; now, therefore be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the STOP-DWI Public Information and Education Program by Genesee County at a cost not to exceed \$10,960 to the Orleans County STOP-DWI Program effective January 1, 2017 through December 31, 2017.

Moved, Miller; second, Allport.
 Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 387-1116

APPROVING INTER-MUNICIPAL AGREEMENT BETWEEN ORLEANS COUNTY AND GENESEE COUNTY FOR YOUTH BUREAU OPERATION

WHEREAS, the Youth Bureau Director did present an agreement with Genesee County that for the operation of the Youth Bureau for 2017; and

WHEREAS, the Committee of Economic Assistance and Opportunity did review the agreement and do recommend approval at this time; now be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized and directed to execute an agreement and all necessary documents between the County of Genesee and the County of Orleans for the operation of the Orleans County Youth Bureau by Genesee County at a cost to Orleans County of \$4,398.75 per quarter effective January 1, 2017 through December 31, 2017 for a total of \$17,595.

Moved, Miller; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 388-1116

APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2017 calendar year:

Ann P. Burbank, NPP, 32 Park View Dr., Pittsford, NY 14534 providing services as a Psychiatric Nurse Practitioner for up to 468 hours at an hourly rate of \$100. County cost is \$3,276.

Patrick J. Stein, MD, 5627 Martha's Vineyard, Clarence Center, NY 14032 providing services as Staff Psychiatrist for an average of 20 hours per month for annual total not to exceed 240 hours at \$185 per hour; contractor will provide an additional 260 hours per year at \$160 per hour. County cost is \$6,020.

John G. Amos, Ph.D., 9 Woodrose Dr., Webster, NY 14580 providing services as Consulting Psychologist for an average of 14 hours per week at an hourly rate of \$119.86 per hour. County cost is \$5,638.

Tulio Ortega, MD, 2 Featherstone Crt., Pittsford, NY 14534 providing services as Medical Director for an average of 11 hours per week including seven additional service hours per month for ten months at \$155 per hour. County cost is \$6,488.

County Attorney, P. O. Box 606, Medina, NY 14103, providing attorney services as needed for matters requiring counsel at a cost of \$9,000. County cost is \$630.

DocuTrac, Inc., 1800 Dual Hwy, Ste 306, Hagerstown, MD 21740 providing software support maintenance and support for the QuicDoc Enterprise Edition, Call Remind, EMR, PM, and EPrescribe at a cost of \$53,717. County cost is \$3,760.

EFPR Group, LLP, 280 Kenneth Dr., Rochester, NY 14623 providing 2016 Consolidated Fiscal Report compliance review/audit at a cost of \$6,000. County cost is \$420.

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

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main St., Batavia, NY 14020 providing substance abuse/dependency and prevention services, as well as gambling treatment services at a cost of \$338,694. County cost is \$35,167.

Genesee/Orleans Council on Alcoholism & Substance Abuse, 430 East Main St., Batavia, NY 14020 providing chemical dependency services for inmates at the Orleans County Jail at a cost of \$6,000. County cost is \$6,000.

Arc of Genesee/Orleans, 64 Walnut St., Batavia, NY 14020 providing supportive employment, vocational assessment, job readiness, and job coaching services at a cost of \$51,028. County cost \$0.

Arc of Genesee/Orleans, 64 Walnut St., Batavia, NY 14020 providing services to the developmental disabilities population of Orleans County at a cost of \$104,831. County cost is \$39,831.

YWCA of Genesee County, Inc., 301 North St., Batavia, NY 14020 providing mental health telephone referral and information services at a cost of \$10,000. County cost \$0.

Moved, Allport; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 389-1116

AUTHORIZING PURCHASES FROM MENTAL HEALTH DEPARTMENT BUDGET

WHEREAS, Resolution No. 359-1016 authorized the Treasurer to set up new money into the Mental Health Budget for Kids HIT Funding; be it

RESOLVED, that this Legislature authorizes the following purchases from CDW-G, 75 Remittance Drive, Suite 1515, Chicago, IL 60675-1515, grand totaling \$18,824.64, to be paid from Mental Health Budget account A4310.220 and 100% reimbursed from Health Information Technology grant monies issued by the New York State Department of Mental Health:

- 3 Vizio 55" SmartTV home theatres in the amount of \$2,034.87 and one Vizio 43" SmartCastTV in the amount of \$393.01(PO# 58185) for a total amount of \$2,427.88;
- various items for internet accessibility (PO# 58186) for a total amount of \$4,703.49;
- 2 Dell Latitude E7470i5-6200 4G Ram 128G SSDs in the amount of \$2,020.92 (P O# 58187);
- various accessories for Surface Pros (PO# 58188) for a total amount of \$3,640.14;
- 4 Apple iPad Pro 12.9" 128GBs in the amount of \$3,678.76 and 4 Logitech Create Kybrd/Folio f 12.9 iPad Pros in the amount of \$599.96 (PO #58189) for a total amount of \$4,278.72.
- Ancillary parts needed to provide the video capability to the MH main conference and group conference rooms (PO #58191) Quote # HMMW823 in the amount of \$1,753.49.

Moved, Allport; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 390-1116

AUTHORIZING CREATING AND FILLING TEMPORARY POSITION IN THE HEALTH DEPARTMENT

WHEREAS the sole billing person for Early Intervention and Preschool Education has submitted her notice of retirement effective November 30, 2016; now be it

RESOLVED that this Legislature authorizes the creation of a temporary part-time Account Clerk Typist position in the Health Department at Grade 9 Step 1 of the CSEA salary schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of this newly created vacant Temporary Account Clerk Typist position effective December 1, 2016.

Moved, Allport; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 391-1116

AUTHORIZING A STIPEND TO THE ORLEANS COUNTY DEPARTMENT OF PUBLIC HEALTH CORPORATE COMPLIANCE OFFICER

WHEREAS, the Orleans County Legislature Adopted. and implemented a Corporate Compliance Plan and Program (Resolution No. 325-808); and

WHEREAS, each Department has a Corporate Compliance Officer to oversee and monitor the Department Corporate Compliance Plan and Program; and

WHEREAS, the duties of the Public Health Department Corporate Compliance Officer are carried out in addition to the responsibilities held under the title of Administrative Assistant; now be it

RESOLVED, that the Public Health Corporate Compliance Officer be authorized an annual stipend of \$1,000 effective November 1, 2016.

Moved, Allport; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 392-1116

AUTHORIZING THE CONTINUATION OF A CORONER'S PHYSICIAN FOR ORLEANS COUNTY

WHEREAS, Resolution No. 454-1210 created the position of Coroner's Physician as a result of our three elected coroners not being duly licensed practicing physicians in New York State; now, be it

RESOLVED, that this Legislature authorizes the continuation of the appointment of Thomas Madejski, MD as the Coroner's Physician in Orleans County at an annualized salary as set forth below:

January 1, 2017 – December 31, 2017	\$ 3,313
January 1, 2018 – December 31, 2018	\$ 3,379

Moved, Allport; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 393-1116

APPROVING AGREEMENT WITH THE COUNTY OF ORLEANS AND WENDEL AND AUTHORIZING THE TREASURER TO TRANSFER FUNDS INTO THE PLANNING BUDGET

RESOLVED, that this Legislature approves an agreement between the County of Orleans and Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY, for the purpose of a preliminary survey and geotechnical work related to a proposed addition to the county office building, in the amount not to exceed \$13,500 with such work to be completed and paid from Planning account A8020.418 - Other Contractual Expenses; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds into the Planning budget as follows:

From:		
A1990.435	Contingency	\$13,500
Appropriation:		
A8020.418	Other Contractual Expenses	\$13,500

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 394-1116

APPROVING ADVERTISING FOR ORLEANS COUNTY TOURISM

RESOLVED, that this Legislature approves advertising in the 2017 CONY Directory through Campground Owners of NY, Inc., 1 Grove St, Ste 200, Pittsford, NY 14534 for the purpose of placing a 3 page advertisement in this directory for Orleans County Campgrounds in the amount of \$5,500 to be paid from Tourism Account A6410.468 – I Love New York. 50% Reimbursement from I Love NY Matching Funds.

Moved, DeRoller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps moved to approve the renewal agreement between Orleans County and Modern Disposal services for our solid waste and recycling program; second by Legislator Allport. CAO Nesbitt noted that this is the final two year renewal on the Modern Disposal contract and will need to go out to bid late of 2017 or early in the year of 2018. He expressed that this is a very successful program. Chairman Callard asked if our rates are among the least in our State. CAO Nesbitt explained that very few counties do it the way we do it and very few counties have the favorable rates we have. People were paying more in 1991 than they are now. Chairman Callard asked if this is a very good deal? CAO Nesbitt would but the savings in the seven figures a year, over what was paid out before the program was put in place. Hats off to Mr. Dudek for starting this solid waste and recycling program, indicated CAO Nesbitt. The following resolution was adopted:

RESOLUTION NO. 395-1116

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND MODERN DISPOSAL SERVICES FOR SOLID WASTE AND RECYCLING

WHEREAS, Resolution No. 295-810 awarded the bid to Modern Disposal Services for solid waste and recycling services in Orleans County; be it

RESOLVED, that this Legislature renews the solid waste and recycling services agreement with Modern Disposal Services, Inc, 4746 Model City Road, Model City, NY 14107-0209 effective January 1, 2017 through December 31, 2018.

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 396-1116

APPROVING A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH GENESEE COUNTY FOR MAINTENANCE OF TAX MAPS

RESOLVED, that this Legislature approves a Memorandum of Understanding agreement between Orleans County and Genesee County, Old County Courthouse, 7 Main St, Batavia, NY, for Maintenance of the Orleans County tax maps at a cost of \$6,500 for the term January 1, 2017 through December 31, 2017.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 397-1116

APPROVING AN ADDENDUM TO AN AGREEMENT BETWEEN REAL PROPERTY TAX SERVICES AND TOWN OF GAINES

WHEREAS, resolution No. 304-816 approved an agreement between the Real Property Tax Services office and the Towns of Albion and Gaines for the provision of assessment services to the towns effective October 1, 2016 through September 30, 2017;

RESOLVED, that this Legislature approves an addendum to the assessment services agreement with the Town of Gaines.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 398-1116

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND ROYAL EMPLOYER SERVICES

RESOLVED, that this Legislature approves a renewal agreement with Royal Employer Services, 430 East Main St., Batavia, NY 14020 for the provision of an Employee Assistance Program, at a cost \$6,000, with cost of agreement to be apportioned at 50% from Mental Health; 25% from Personnel; and 25% from Employee Assistance Program and said agreement effective from January 1, 2017 through December 31, 2017.

Moved, DeFilipps, second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 399-1116

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

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

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc. for safety consulting services at an hourly rate of \$130 and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$16,000 for 2017.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 400-1116

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

WHEREAS, the Orleans County Legislature approved the 2017/2018 Management Compensation Plan by passing Resolution No. 95-216; now be it

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

FURTHER RESOLVED, that the following salaries, effective January 1, 2017, are authorized for certain part-time and unclassified employees:

<u>Annual:</u>	<u>1/1/17-12/31/17</u>
Administrative Assistant – MFCTF	\$ 2,844
Corporate Compliance Officer	4,693
Corporate Compliance Officer – Mental Health	1,530
Deputy Budget Officer	4,760
Deputy Fire Coordinator	2,178
Election Commissioners (2)	19,237
Fire Investigator	2,178
Historian	8,323
Parole Denial Attorney	22,132
Insurance Program Assistant	1,072
Director of Computer Services	\$ 76,486
IT Operations Analyst I	59,551
Secretary to the Highway Superintendent	50,399
Director of Community Health Services	71,705
Director of Veterans Service Agency	53,283
Confidential Secretary to the Sheriff	50,399
<u>Daily:</u>	
Court Attendant	\$ 71.08
Examination Monitor (Full Day)	123.15
Examination Monitor (Half Day)	61.59
<u>Hourly (Part-Time Employees)</u>	
Animal Control Officer	\$ 14.20
Clerk (Elections)	10.33
Correctional Officer (Jail)	14.20
Correctional Officer (Jail) Second rate	19.60
Crew Leader (Sheriff)	13.28
Deputy Sheriff (Marine Patrol)	13.68
Dispatchers	14.20
Medical Director	98.95
Voting Machine Technician	17.96

and be it

FURTHER RESOLVED, that the Chairman of the Legislature will be paid an annual salary of \$17,429 for 2017; the Vice-Chairperson will be paid an annual salary of \$13,179 for 2017; with the remaining members of the Legislature to be paid an annual salary of \$11,618 each for 2017.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 401-1116

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 3-INTRO OF 2016 REGARDING SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled "A LOCAL LAW INCREASING THE SALARIES OF VARIOUS EMPLOYEES OF THE COUNTY OF ORLEANS APPOINTED OR ELECTED FOR A DEFINITE TERM"; and

WHEREAS, no local law shall be Adopted. until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; now therefore, be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 21st day of December 2016 at 4:25 p.m. at the Orleans County Legislature, 3 South Main Street, Albion, New York.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 402-1116

AUTHORIZING THE PROBATION DEPARTMENT TO ADD MIFI'S TO THE VERIZON ACCOUNT FOR USE OF CASE MANAGEMENT SYSTEM DURING FIELD WORK

RESOLVED, that this Legislature authorizes the Probation Department to add 2 MIFI's to the Verizon Account, to be paid at \$39.99 per unit per month from Probation Account A4310.401- Telephone; and be it

FURTHER RESOLVED, that this Legislature approves the Probation Department MIFI Use Agreement and further authorizes the use of these MIFI's for Case Management Purposes effective January 1, 2017.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 403-1116

MODIFICATION OF SALARIES IN DISTRICT ATTORNEY'S OFFICE AND PROBATION DEPARTMENT

WHEREAS, Resolution No. 199-612 authorized the salary adjustment created when the New York State Legislation passed in 2010 set up a Judicial Compensation Commission that was tasked with reviewing statewide judicial salaries and to make recommendations on new salary levels. The Commission recommended a 27% increase from 2011 salary levels to be implemented over a 3-year period. Pursuant to Judicial Law 183-

a, which links and with judicial salaries with district attorneys' salaries and requires district attorneys' salaries to be at least as high as the County Court Judge in the County; and

WHEREAS, the New York State legislation was once again passed for this Judicial Compensation Commission to review statewide judicial salaries and to make recommendations on new salary levels; and

WHEREAS, the Commission of Legislative, Judicial and Executive Compensation issued a report in 2015 to once again make salary adjustments to Supreme Court Judge's salary; and

WHEREAS, the passed Governor's Budget for 2016-2017 increased the Supreme Court Judge's salary which is directly tied to each District Attorney's salary in each county; and

WHEREAS, the passed Governor's Budget for 2016-2017 increase for the District Attorney's salary, but did not include the incremental funding from the State of New York for this increase, therefore; it is

RESOLVED, that this Legislature sets the salary of the District Attorney at \$182,500 retroactive to April, 1, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the Probation Director II position to be placed in Grade 10, step 9 of the Orleans County Management Compensation Plan effective January 1, 2017.

Moved, Johnson; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 404-1116

APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE/JAIL AND REGISTERED DIETITIAN FOR JAIL

RESOLVED, that this Legislature approves a three-year agreement between the Sheriff's Office/Jail and Registered Dietitian Tammy Myers, 1841 Como Park Blvd., Lancaster, NY, 14086 for services as dietary consultant and counsel to the dietary and food service program at the county jail, and to maintain compliance with government regulatory agency guidelines as directed by the jail facility, at an hourly rate of \$35.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 405-1116

APPROVE CERTIFICATION OF THE 2017 STOP DWI PLAN BETWEEN THE SHERIFF'S OFFICE AND THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES-GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature approves the Certification of the 2017 STOP-DWI PLAN with the New York State Department of Motor Vehicles-Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228, for a budget of \$109,997.80, effective January 1, 2017 through December 31, 2017.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 406-1116

ACCEPTING GRANT BETWEEN THE SHERIFF'S OFFICE AND NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN SHERIFF'S BUDGET

WHEREAS, Resolution No. #219-516 authorized the Sheriff's Office to apply for funding through the NYS Division of Homeland Security and Emergency Services for participation in the CTZ10 Red Team Program Operation; be it now

RESOLVED, that this Legislature accepts the funding received by the Sheriff's Office as reimbursement for personnel expenses during this operation; and be it

FURTHER RESOLVED, that this Legislature authorizes the the County Treasurer to set up new monies in the Sheriff's Office budget, as follows:

<u>Revenue:</u>		
A4309.3110	NYS Homeland Security-CTZ10	\$1,650.71
<u>Appropriations:</u>		
A3110.0101	Personal Services-Overtime	\$1,222.95
A3110.0830	Social Security	93.56
A3110.0810	State Retirement	334.20

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 407-1116

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PUBLIC DEFENDER BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Public Defender's budget to pay for contracted Investigator with NYS #C000634 – Upstate Quality Improvement Grant as follows:

<u>Revenue:</u>		
A3088.1170	NYS Assigned Counsel	\$10,000
<u>Appropriation:</u>		
A1170.452	Personal Service Contracts	\$10,000

Moved, DeFilipps; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 408-1116

AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE CONFIDENTIAL INVESTIGATIONS BUDGET

RESOLVED, that the County Treasurer is authorized to transfer funds in the Confidential Investigations (Major Felony Crime Task Force) budget as follows as a result of money budgeted for overtime was inadvertently added to the personal services line:

<u>From:</u>		
A3189.100	Personal Services	\$30,000
<u>To:</u>		
A3189.101	Overtime	\$30,000

Moved, DeFilipps; second, Allport.
 Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 409-1116

APPROVING INTERMUNICIPAL AGREEMENT BETWEEN ORLEANS COUNTY AND GENESEE COUNTY

RESOLVED, that this Legislature approves a Intermunicipal Agreement between Orleans County and Genesee County, 15 Main Street, Batavia, NY 14020 to participate with Genesee County as the lead agency for a Regional Interoperable communications grant project to better link communications systems throughout four Western New York Counties; and be it

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

Moved DeFilipps; second, Allport.
 Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 410-1116

AUTHORIZING DIRECTOR OF EMERGENCY MANAGEMENT TO APPLY FOR 2016 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for the 2016 Statewide Interoperable Communications Formula Based Grant program through the NYS Division of Homeland Security and Emergency Services Office which will aid in making necessary improvements and provide for sustainment of Land Mobile radio systems, maintenance components supporting interoperability, continuous training and exercise for our first responders, sustainment and further development of governance structure.

Moved, DeFilipps; second, Allport.
 Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps moved to request the enactment of a special law authorizing and empowering the County of Orleans to extend the expiration of the imposition of an additional 1% sales and compensation use tax; second by Legislator Allport. Chairman Callard expressed that this does not mean an additional percentage to what the sales tax is, it is a continuation of what our current sales tax is. The following resolution was adopted:

RESOLUTION NO. 411-1116

REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATION USE TAX

WHEREAS, the enactment of a special law amending the tax law in relation to extending the expiration of the authorization to the County of Orleans to impose an additional 1% sales and compensating use tax is in the best interests of the County of Orleans; be it

RESOLVED, that pursuant to Article IX of the Constitution, the County of Orleans requests the enactment of a senate bill and an assembly bill, entitled “An Act to amend the tax law in relation to extending the expiration of the authorization to the County of Orleans to impose an additional 1% sales and compensating use tax”; said bills to extend the sales tax increase through November 30, 2019.

Moved, DeFilipps; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps moved to support the request to the NYS DOT to take action in front of the Kendall Jr./Sr. High School by addressing the speed zone and non passing lanes; second by Legislator DeRoller. Legislator DeFilipps stated that the majority of the speed zones in front of schools are at 25 mph and it would be nice to get the current 50 mph speed zone reduced. Legislator DeRoller indicated that over 18 different accidents have been reported by the Sheriff’s Department and he appreciates the Chairman of the Public Safety committee to move this forward and everyone else. The following resolution was adopted:

RESOLUTION NO. 412-1116

SUPPORTING COMMUNITIES REQUEST TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO TAKE ACTION IN FRONT OF THE KENDALL JR/SR. HIGH SCHOOL BY ADDRESSING SPEED ZONE AND NON PASSING LANES.

WHEREAS, there is a Public Safety concern at the Kendall Jr./Sr. High School where there is a 50 mph speed zone and a passing zone that has created a major safety concern for students, parents, staff, and all other community members and travelers that use NYS Route 18 through this section of highway in the Town of Kendall; and

WHEREAS, 358 individual signed letters were presented to Orleans County Legislators DeFilipps and DeRoller, along with letters sent to Senator Ortt and Assemblyman Hawley, expressing continued safety concerns for the community if this 50 mph speed limit and a passing zone remains along this section of highway located at 16887 Roosevelt Highway; and

WHEREAS, the community of Kendall has stepped up to engage many community organizations, boards, and civic groups to help realize the importance of this safety concern and are assisting in advocating for a change in their community; now be it

RESOLVED, that the Orleans County Legislature supports the following requests to make this particular school zone at 16887 Roosevelt Highway, Kendall, NY a safer roadway for all local and visiting motorists that travel through this particular section in Orleans County:

- A reduction in speed from 50 miles per hour to a safer reduced speed limit due to the location of the Kendall Jr./Sr High School.
- A double solid line striping on NYS Route 18 between Route 237 and Norway Road due to line of sight through this section of highway; and be it;

FURTHER RESOLVED, that this Legislature directs the Clerk of the Legislature to forward certified copies of this resolution to Governor Andrew Cuomo, Senator Robert Ortt, Assemblyman Steve Hawley, Genesee Valley (Region 4) Commissioner of the New York State Department of Transportation, Orleans County Sheriff’s Office, Kendall Central School Board of Education, Town of Kendall Supervisor, Town of Kendall Highway Superintendent, Kendall Fire Department, and any others deemed necessary and appropriate.

Moved, DeFilipps; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

RESOLUTION NO. 413-1116

AUTHORIZING PAYMENT OF CLAIMS FOR DECEMBER AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, 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 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 December 14, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General		
Highway		
Job Development		
Self Insurance		

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the 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 December 28, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General		
Highway		
Job Development		
Self Insurance		

Moved, Miller; second, Allport.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

The following add on resolutions were presented:

RESOLUTION NO. 414-1116

SUPPORTING THE REUSE AND REHABILITATION OF THE FORMER HOLLEY HIGH SCHOOL AND ENCOURAGE NYS HOMES AND COMMUNITY RENEWAL TO FINANCE THE PROJECT

WHEREAS, Home Leasing, LLC proposes to adaptively reuse and rehabilitate the historic Holley High School located at 1 Wright Street into Holley Gardens – a proposed mixed-income, mixed-use facility that would include 41 residential units and accessible space for the Village offices; and

WHEREAS, the Orleans County 1998 Strategic Plan for Economic Growth (SPEC) states that “Orleans County must demand high quality and environmentally sound economic development which respects agricultural lands, protects unique natural resources and strengthens and improves the image and economy of the Villages; land use decisions must be with the need to protect farmland and natural resources while balancing

the need to redevelop village centers...” and that, “local governments should encourage the construction of new government facilities within village boundaries, to complement and reinforce the synergy between government functions and adjacent businesses, and to take advantage of existing infrastructure within major population centers in the County...;” and

WHEREAS, the proposed Holley Gardens implements SPEC’s goals by transforming a dilapidated building into an historic landmark in a Village center, installing Green and Energy Efficiency measures, and improving upon the local government’s facilities within Village boundaries. The project is within a village center. Holley Gardens addresses the needs to: revitalize a Village center, increase and improve housing stock, and support the aging population; and

WHEREAS, the Orleans County Industrial Development Agency has provided their support by approving a PILOT agreement, mortgage and sales tax exemptions, purchase contract, and support resolution; now therefore be it

RESOLVED, that the Orleans County Legislature supports the adaptive reuse and rehabilitation of the former Holley High School, and encourages NYS Homes and Community Renewal to allocate financing to the project to allow it to proceed. The proposed Holley Gardens is consistent with Village, County, Regional, and State goals; and be it

FURTHER RESOLVED that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Schumer, State Senator Ortt, State Assemblyman Hawley, Town of Murray, Holley Central School District, Village of Holley, Finger Lakes Regional Economic Development Council and all others deemed necessary and proper.

Moved, DeFilipps; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Legislator DeFilipps stated that New York State Senator Chuck Schumer was present in the Village of Holley on Veterans Day at the Old Holley High School. Senator Schumer positively shared prospective funding sources and he has been a big participant, with many others, to further this endeavor. Legislator DeFilipps stated that he was one of the last classes to graduate in 1975 from this old Holley High School and would love to see it repurposed. Chairman Callard stated that he understood from what the Senator spoke of that this maybe a \$17 million housing investment in Holley, another \$15 to \$20 million housing investment in Albion and possibly the same in Medina. We look forward to this and it is an exciting time for us stated Chairman Callard. The following resolution was adopted:

RESOLUTION NO. 415-1116

AUTHORIZING VEHICLE PURCHASE FROM THE HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the Health Department to purchase a 2017 Equinox AWD Lt from Don Davis of Albion, LLC., P O Box 7, Albion NY 14411 at a total purchase price of \$25,432 to be paid from Health Department Budget account A4010.250 – Other Equipment. Full purchase price is covered by New York State Health Department State Aide Performance funding as set up by passage of Resolution No. 364-1016.

Moved, Allport; second, DeRoller.
Adopted. 5 ayes; 0 nays; 2 absent: Eick, Johnson.

Chairman Callard called for discussion of old business and then opened the floor for any further discussion. Mark O'Brien, Director of Orleans County Mental Health, acknowledged that the first crisis intervention team class is underway now as we are meeting here and he thanked Sheriff Bower for his support on this. State Office of Mental Health is training officers from the Orleans County Sheriff's Office, New York State Police, Villages Albion, Medina, and Holley Police, State Park Police will be learning help mediate mental health issues in our community. Mr. O'Brien also expressed that Senator Ortt will be present for the graduation on Friday.

Legislator DeRoller acknowledged the 36th Annual Employee Recognition Banquet. He said about 68 people were in attendance and the event was nicely done in recognizing our dedicated staff. The Legislative Board was truly honored to name Mary Jo Syck, Assistant Administrative Veterans Secretary for Orleans County as Employee of the Year.

Legislator DeRoller moved to enter into executive session at 5:07 p.m. per Open Meetings Law §105 (d) to discuss pending litigation; second by Legislator Allport. Motion Carried.

Legislator DeRoller moved to exit out of executive session and reconvene the regular meeting at 5:15 p.m.; second by Legislator Miller. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:15 p.m.