

## LEGISLATURE MEETING

July 27, 2016

---

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 Legislators Allport, DeRoller and Eick.

Chairman Callard called for a moment of Silence to remember Stanley R. Kubatek who passed away on June 11, 2016. Stan served with the Medina Police Department for 10 years, resigning as Lieutenant to accept a position as the Orleans County Civil Defense Director. Prior to retirement he was the Assistant Director of Real Estate and Management for OTB of Western New York. Stan was very involved in area politics; he was elected to the Village of Medina Board of Trustees, Councilman and Supervisor of the Town of Ridgeway, and served from 1972 through 1979 on the County of Orleans Board of Supervisors. He also served as the Orleans County Republican Chairman.

In continuation of our conference session topics, Kelly Kiebala Director of Job Development for the County, stated that she was encouraged by the Legislature's Economic Assistance & Opportunity Committee to look into the possibility of establishing a leadership program in Orleans County after much discussion of the positive impact on economic, workforce and community development of similar programs in other areas.

She indicated that our neighboring counties all have existing programs: Leadership Genesee, Leadership *Niagara*, Leadership *Buffalo*, Leadership *Livingston*, Leadership *Wyoming* and Leadership *Rochester*. Each is structured differently and some have been more well-developed over time than others, but they seem to share overarching similarities in program make-up.

Ms. Kiebala reported on the progress of this effort. As a 2010 graduate of the Leadership Program in Genesee County, she reached out to the Director of Leadership Genesee, Peggy Marone, who generously offered to help facilitate a focus group in Orleans County for this purpose: to determine what needs would be addressed by a community leadership program, what kind of a program it would be, and would it be feasible in terms of participation and financial capacity. In the past, Peggy similarly helped to develop the Leadership Wyoming program. Participants in the focus group were identified, primarily though not exclusively engaging a cross-section of individuals who had previously experienced a leadership program. To be clear, this is not to say that these are the only people to be involved in this endeavor, but in the interest of initiating the process, they include:

Laura Bentley, owner of Bentley Brothers in Albion, LEAD New York - Cornell University; Don Colquhoun, former Director of Arc of Orleans County and retired US Army, who attended the US Army Command and General Staff College; Carol D'Agostino, Kendall High School Principal & OEDA Board member; Diana Fox, Assistant Clinic Coordinator, OC Mental Health, Leadership Genesee '02; Fred Miller, Orleans County Legislator; Mark O'Brien, Director, Orleans County Mental Health, Leadership Buffalo 2004; Paul Pettit, Public Health Director, Genesee & Orleans Counties, Leadership Genesee '15; Jim Simon, Associate Dean, Genesee Community College – Medina & Albion; Pat Weissend, Associate VP/Branch Manager, Tompkins Bank of Castile, LG '02 and herself served on this Focus Group.

The Focus Group met on July 19<sup>th</sup> at the Hoag Library in Albion. The group unanimously agreed that the development of a leadership program in some form, likely similar to already proven programs, is important for Orleans County and that there is a desire to move forward. Many success stories were shared due to having leadership programs in communities, such as increased volunteerism and participation in leadership roles in the public and private sectors, community service projects, engagement of a greater range of individuals – including

youth, and overwhelmingly the networks and collaborations that resulted were viewed as just as, if not more than, important than other results. Such a program might include the teaching and practice of leadership skills along with community awareness, personal and professional development, mentorship opportunities and civic engagement.

In giving a sense of the structure of the program, Ms. Kiebalá and some of the others in the focus group went through in Genesee, it was a commitment of one day each month, with different themes around which the curriculum was developed. The selected themes naturally evolve over time to reflect the current climate, but in 2010 they included an Opening and Closing Retreat, and then in the 10 months in-between the days were Business & Economic Development, Arts, Culture & Diversity, Health & Human Services, Simulated Society, Agriculture, Tourism, Red Pines (teambuilding), Government, Education and Criminal Justice. The days were a combination of interactive, experiential and informational segments.

Bill Gates, co-founder of Microsoft, is quoted as saying “As we look ahead into the next century, leaders will be those who empower others,” and as we make an effort to anticipate our future needs given upcoming changes in all sectors of our rural community, it is essential that we are proactive in the development of the skills, knowledge, courage and shared vision for those who live and work in Orleans County in order to ensure success.

Ms. Kiebalá asked with the board’s permission, we will continue to pursue a plan for implementing a leadership program in Orleans County to help increase awareness of local resources, foster greater connections, and to encourage and develop community leaders now and in the future. Chairman Callard advised her to continue with this program pursuit.

The Clerk presented the following communications:

Town/Village resolutions that have been received

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Shelby	Calling on the State of New York to Fully Reimburse Municipal Self Insured Workers’ Compensation Plans

Larry Montello, of the Orleans County American Legion, is requesting permission to use the Courthouse grounds, power, and to hang the 911 Flag on the pole for the 911 Memorial Day Service at the Memorial on the Courthouse square and also permission to post the banner on the lawn to advertise this event from August 29<sup>th</sup> through September 11<sup>th</sup> and to place the line of American Flags along the sidewalk for this event. The board approved this request.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through June of 2016. Treasurer Heard reported that we are financially in good shape however sales tax is coming in slowly.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Yates, inquired about Resolution No. 269-716 concerning the acquisition of 309 West Academy Street in the Village of Albion and questioned why the County is purchasing this. CAO Nesbitt explained that a new build is going to occur therefore will be taking up space that we normally store highway equipment at. There is also a revenue opportunity to make a secured vehicle pound for our Sheriff’s Department, which now we pay for off site. Insurance companies pay money to house vehicles for evidentiary needs, not only from an accident but also from a crime scene.

Mr. Lauricella also inquired about Resolution No. 270-716 which he asked if there was a miss calculation by COIDA so now they are asking the County to borrow \$100,000. James Whipple, CEO of the Orleans County Industrial Development Agency (COIDA) stated that currently they are doing a sewer system for the Medina Business Park that will service Pride Pak and the hotel site. That was not budgeted for last year because initially Pride Pak was going to into the Bernzomatic plant which fell through therefore decided to do a new build. This has caused a cash flow problem at this time. Mr. Lauricella asked if this is a line of credit. Treasurer Heard stated that it is not and it is a one shot deal and the County will be making more interest on this than what she would be making from a bank.

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

**RESOLUTION NO. 250-716**

**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>
\$188,394.42	Crane Hogan-Structural Systems	Construction - Carton Road Bridge Replacement 6/16/16-7/16/16 – Payment 2

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 251-716**

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES, P.C.**

RESOLVED, that this Legislature does hereby approve a Supplemental #1 agreement for “Additional Construction Inspection Services” with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 for the Platten Road Culverts over Oak Orchard Creek Tributaries in the Town of Yates which will provide one additional full-time Construction Inspector and one part-time daily Construction Inspector; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$27,500.00 and to be paid out of the Capital Project Infrastructure for Culvert Improvements Account #H-5120.251.

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 252-716**

**APPROVING AGREEMENT BETWEEN THE BUILDINGS AND GROUNDS DEPARTMENT AND PANEK COATINGS, LLC**

RESOLVED, this Legislature accepts the low bid submitted by Panek Coatings, LLC and authorizes an agreement between Buildings and Grounds and Panek Coatings, LLC, 13748 Albion Eagle Harbor Road, Albion NY 14411 for the painting of the Orleans County Courthouse building and County Clerks/Legislature building for a total bid cost of \$106,450 to be paid from Buildings and Grounds account A1620.470 – Capital Construction Projects – (\$20,751 currently budgeted in this account for this project) and Capital Projects Courthouse Renovation Account H1160.250 of \$20,438.99; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to Transfer Funds into the Buildings and Grounds budget to cover the remaining costs to paint these two county owned buildings as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$65,260.01
<u>To:</u>		
A1620.470	Capital Construction Projects	\$65,260.01

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 253-716**

**AUTHORIZING PURCHASE OF GARAGE DOOR FOR COUNTY JAIL**

RESOLVED, that this Legislature authorizes purchase of a heavy duty steel garage door from Sunrise Door & Woodworks, Inc., 3122 Hartland Road, Gasport, NY 14067, for installation at the county jail, at a total purchase cost of \$5,240 to be paid from Buildings and Grounds budget account A1620.403 – Maintenance Projects.

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 254-716**

**AUTHORIZING PURCHASE FROM BOARD OF ELECTIONS BUDGET**

RESOLVED, that this Legislature authorizes the Board of Elections to purchase a 2016 Pace American 8.5 x 24 foot enclosed car hauler trailer, with NYS Motor Vehicle Inspection, including recessed E track one row down both sides of trailer height, at a cost of \$8,550.90 with the trade in allowance of a 2011 20 foot US Cargo Trailer of \$2,800.00 for a net cost of \$5,750.90 from JPR Service, 16761 Ridge Road, Holley, NY 14470, for the transportation of the Image Cast Voting Machines and all voting booths to the municipal voting sites in Orleans County. The amount to be paid from Account A1450.486-Special Grants and is fully funded under the New York State Board of Elections Contract #C003236 (Shoebox Program). County Cost \$0.

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 255-716**

**APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND LIVINGSTON COUNTY FOR GLOW WORKFORCE DEVELOPMENT BOARD**

RESOLVED, that this Legislature approves the agreement between the Job Development Department and Livingston County on behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Room 303, Geneseo, NY, 14454, to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) for Youth from July 1, 2016 to June 30, 2017 at a cost of \$97,095. Contract# PY2016 – 3. County cost \$0.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 256-716**

**APPROVING ADDENDUM BETWEEN OFFICE FOR THE AGING AND QUALITY AND TECHNICAL ASSISTANCE CENTER (QTAC)**

WHEREAS, Resolution No. 319-913 approved an agreement with New York State Evidence-Based Health Programs Quality & Technical Assistance Center (QTAC), a unit of State University of New York at Albany who would like to affiliate with Orleans County Office for the Aging in effort to provide quality delivery of QTAC-promoted evidence-based health promotions and self management programs effective October 1, 2013 through September 30, 2018; now be it

RESOLVED, that this Legislature approves an addendum to this Memorandum of Understanding to add Exhibit 1- that allows Orleans County Office for the Aging to offer the Stepping On program.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 257-716**

**APPROVING AGREEMENT WITH OFFICE FOR THE AGING OFFICE AND NEW YORK STATE OFFICE FOR THE AGING**

WHEREAS, an agreement must be entered into before NYSOFA can allow subcontractors to create, receive, maintain, or transmit PHI. Because the expansion and enhancement of the NY Connects Program is a joint venture with DOH and therefore involves information which will be deemed PHI, participating AAAs must enter into agreements with NYSOFA prior to participation in the program; now be it.

RESOLVED, that this Legislature approves the Memorandum of Understanding between the Office for the Aging and the New York State Office for the Aging (NYSOFA) that details the responsibilities of each AAA that administers NY Connects and BIP concerning the use and disclosure of Protected Health Information; and be it

FURTHER RESOLVED, that this MOU will be for a 5-year period of July 1, 2016 to June 30, 2021.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 258-716**

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

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

Orleans County Office for the Aging, Albion, NY for the provision of outreach activities for Low Income Home Energy Assistance Program (HEAP) recipients; effective August 28, 2016 through August 27, 2017 at a cost of \$17,500. County cost \$0.

Orleans County Sheriff's Department, Albion, NY for safe transportation of youth to out-of-county detention facilities; effective September 1, 2016 through August 31, 2017 at a cost of \$15,000. County Cost is \$7,650.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 259-716**

**AUTHORIZING FILLING VACANCIES IN THE DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that this Legislature authorizes the filling of a vacant full time Sr. Social Welfare Examiner position (6010.106) in the Department of Social Services at Grade 15 of the CSEA Salary Schedule effective July 28, 2016; and be it

FURTHER RESOLVED, that this Legislature also authorizes the filling of a vacant full time Social Welfare Examiner position at Grade 13 of the CSEA Salary Schedule that may result from the filling of the Sr. Social Welfare Examiner position; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of vacant full time Grade B Supervisor position (6010.203) in the Department of Social Services at Grade 21 of the CSEA Salary Schedule effective July 28, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of a vacant full time Caseworker position at Grade 16 of the CSEA Salary Schedule that may result from the filling of the Grade B Supervisor position

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 260-716**

**AUTHORIZING CREATING TEMPORARY POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that this Legislature authorizes the creation of temporary positions in the Department of Social Services for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% Federal Funds, as follows:

Full time Social Welfare Examiner effective August 10, 2016 through March 31, 2017 at grade 13 of the CSEA Salary Schedule;

Full time Social Welfare Examiner effective November 1, 2016 through April 30, 2017 at Grade 13 of the CSEA Salary Schedule;

Full time Clerk effective November 1, 2016 through April 30, 2017 at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created temporary vacant positions.

Moved Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

### **RESOLUTION NO. 261-716**

#### **AUTHORIZING OUT OF STATE TRAVEL FOR VETERANS SERVICE AGENCY DIRECTOR**

RESOLVED, that this Legislature authorizes Out of State Travel for Earl M. Schmidt, Director of Veterans Service Agency to attend the Assemblyman Steve Hawley's Patriot Trip IX in Washington DC from September 15<sup>th</sup> through September 18<sup>th</sup>, 2016. County cost \$0.

Moved, Miller; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

### **RESOLUTION NO. 262-716**

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

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

Pamela Gallo, 6630 Conner Rd, East Amherst NY 14051 to provide appropriate related services for Orleans County preschool students with disabilities through the delivery of preschool special education related services within the 3-5 program at the Orleans County Health Department effective from July 1, 2016 through December 31, 2019. Reimbursement at 59.5% from NYS Department Of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement.

Paula Neuman, 7122 Chestnut Ridge Rd, Lockport NY 14094 to provide appropriate related services for Orleans County preschool students with disabilities through the delivery of preschool special education related services within the 3-5 program at the Orleans County Health Department from July 1, 2016 through December 31, 2019 and Reimbursement at 59.5% from NYS Department Of Health. Orleans County Department of Health is responsible for 40.5% of which we receive some Medicaid reimbursement.

Genesee County, 7 Main St., Batavia NY 14020 to provide an increase in stipend for the Emergency Preparedness Coordinator from \$3,000.00 to \$6,000.00 due to added responsibilities. Contract to also provide a \$4,000 stipend for the Deputy Public Health Director roll for Orleans and Genesee Counties. Contract to run from July 1, 2016 through December 31, 2019. Orleans County is responsible for half of the total stipends.

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTON NO. 263-716**

**AUTHORIZING THE APPOINTMENT OF A DEPUTY PUBLIC HEALTH DIRECTOR**

WHEREAS, the Orleans County Legislature adopted Resolution 432-1214 which authorized the Orleans County Health Department to continue their mutual desire to work collectively with Genesee County to share the Public Health Director, Deputy Public Health Director, Director of Community Health Services, Emergency Preparedness Coordinator and to further explore shared services opportunities in the area of Public Health; and

WHEREAS, the Genesee County Deputy Public Health Director has retired; and

WHEREAS, Resolution No. 262-716 approved the stipend for a Deputy Director of Public Health; now be it

RESOLVED that the Orleans County Legislature appoint Brenden Bedard, Director of Community Health Services of the Orleans County Public Health Department, as the Deputy Director of Public Health for the Orleans County Health Department effective July 28, 2016 at an annual stipend of \$4,000.

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 264-716**

**AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE HEALTH DEPARTMENT**

RESOLVED, that the County Treasurer is authorized to transfer funds within the Health Department Budget to assist with the purchase of the 2016 Chevrolet Tahoe as approved in Resolution No. 236-616:

<u>From:</u>		
A4010.452	Personal Service Contracts	\$6,000
A4010.478	Health Promotional Supplies	\$784
<u>To:</u>		
A4010.270	Capital Plan – Equipment	\$6,784

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 265-716**

**AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE**

RESOLVED, that this Legislature approves Out-of-State travel request made by Francisco G. Meza Aguero, Public Health Sanitarian, to attend the 13<sup>th</sup> Annual Drinking Water Workshop in Cincinnati, Ohio from August 22 – 25, 2016. All costs covered by New York State Water Grant and State Aide. County Cost \$0.

Moved, Allport; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 266-716**

**APPROVING ORLEANS COUNTY CONSOLIDATED AGRICULTURAL DISTRICT NO. 1 WITH MODIFICATIONS AFTER EIGHT-YEAR REVIEW**

WHEREAS, pursuant to Resolution No. 34-116 the County approved a process for consolidation of all Agricultural Districts henceforth into a single Agricultural District for the purpose of greater administrative efficiency and convenience to farmers; and

WHEREAS, consolidation and modification of existing Agricultural Districts No. 1, 2, and 3 throughout the County have been completed in accordance Article 25AA of State Agricultural and Markets Law into a single District henceforth known as Orleans County Consolidated Agricultural District No. 1; and

WHEREAS, proper notice was provided and a public hearing was held on July 27, 2016; now be it

RESOLVED, that a Notice of Determination of Non-Significance - Negative Declaration be filed in the absence of any significant adverse effect of this action on the environment, pursuant to Article 8 of Environmental Conservation Law; and be it

FURTHER RESOLVED, that Orleans County Consolidated Agricultural District No. 1 be approved for eight years as recommended by the County Agricultural and Farmland Protection Board, with modifications subsequent to the public hearing as incorporated into the final District report. Said District shall have the anniversary date of Agricultural December 2, 2024 for its next review.

Moved, Miller; second DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 267-716**

**APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS**

RESOLVED, that the County of Orleans/10034 does hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities as follows:

TITLE	NAME	STANDARD WORK DAY (Hrs/day)	Term	Days/month
<b>ELECTED OFFICIALS</b>				
Legislator	Donald Allport	6	1/1/2016-12/31/2017	2.86
Legislator	E. John DeFilipps	6	1/1/2016-12/31/2017	16.56
Legislator	William Eick	6	1/1/2016-12/31/2017	5.35
Legislator, Vice Chairwoman	Lynne M. Johnson	6	1/1/2016-12/31/2017	9.58
Legislator	Frederick Miller	6	1/1/2016-12/31/2017	5.99
Sheriff	Randall Bower	6	1/1/2016-12/31/2019	31.30
Coroner	Rocco Sidari	6	1/1/2016-12/31/2016	1.50
<b>APPOINTED OFFICIALS</b>				

County Attorney	David Schubel	6	1/1/2016-12/31/2017	18.06
1 <sup>st</sup> Asst County Attorney	John Gavenda	6	1/1/2016-12/31/2017	16.21
2 <sup>nd</sup> Asst County Attorney	James Bell	6	1/1/2016-12/31/2017	10.33
Public Defender	Sanford Church	6	1/1/2016-12/31/2017	24.01
1 <sup>st</sup> Asst Public Defender	Patricia Pope	6	1/1/2016-12/31/2017	14.20
2 <sup>nd</sup> Asst Public Defender	Dominic Saraceno	6	1/1/2016-12/31/2017	15.61
3 <sup>rd</sup> Asst Public Defender	Nathan Pace	6	1/1/2016-12/31/2017	19.03
Medical Director/ Coroner's Physician	Thomas Madejski, MD	6	1/1/2016-12/31/2017	7.75
Historian	Matthew Ballard	6	1/1/2016-12/31/2017	10.90

Moved, Johnson; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

Legislator Johnson moved to approve a MOU with Home Leasing LLC concerning the former Holley High School; second by Legislator DeFilipps. Legislator Johnson stated that this is going to be a great for our eastern end of our County to have this old school building turned into something viable again and shared her appreciation to Legislators DeFilipps and DeRoller, our EDA and County Attorney for making this happen. Chairman Callard indicated that it still is not a done deal and it is contingent on financing but it will be a wonderful project once it comes to a conclusion. The following resolution was adopted:

**RESOLUTION NO. 268-716**

**APPROVING MEMORANDUM OF UNDERSTANDING WITH HOME LEASING, LLC, CONCERNING 1 WRIGHT STREET IN THE VILLAGE OF HOLLEY (FORMER HOLLEY HIGH SCHOOL)**

WHEREAS, the real property commonly known as 1 Wright Street in the Village of Holley, tax map no. 80.10-1-21.1, (the former Holley High School) was previously subject to an In Rem Tax Foreclosure proceeding, and

WHEREAS, the real property was subsequently withdrawn from the In Rem Tax Foreclosure Proceeding and become exempt from taxation, and

WHEREAS, Home Leasing, LLC, is desirous of acquiring the real property for the purpose of restoration of the building for senior housing units and using a portion of the building for Village of Holley offices, and

WHEREAS, the County is favorably disposed to such a restoration project by Home Leasing, LLC, and

WHEREAS, the County and Home Leasing, LLC, have arrived at mutual understandings with respect to the real property and, the parties have set forth their mutual understandings in a Memorandum of Understanding, now, therefore, be it

RESOLVED, that execution of a Memorandum of Understanding between the County of Orleans and Home Leasing, LLC, relative to 1 Wright Street in the Village of Holley, tax map no. 80.10-1-21.1, is hereby approved.

Moved, Johnson; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTOIN NO. 269-716**

**AUTHORIZING PURCHASE OF REAL PROPERTY IN THE VILLAGE OF ALBION KNOWN AS 309 WEST ACADEMY STREET AND APPROVING PURCHASE AND SALE CONTRACT SUBJECT TO CONTINGENCIES AND AUTHORIZING TREASURER TO TRANSFER FUNDS**

RESOLVED, that this Legislature authorizes the purchase of real property in the Village of Albion, commonly known as 309 West Academy Street, being vacant land approximately 200 feet x 290 feet, to be more particularly described upon completion of an instrument survey for a price of \$28,000 plus tax pro-rations as of the date of closing and purchaser's recording costs of \$305; and be it

FURTHER RESOLVED, that this Legislature approves a Purchase and Sale Contract for the aforesaid real property subject to the approval of attorneys for the Buyer and Seller within 7 calendar days of full acceptance of the Contract by the parties and subject to the following contingencies: (i) municipal approvals per section 3(B) of the Contract; (ii) Legislature approval by July 29, 2016; (iii) Phase I Environmental within 30 days after full acceptance of the Contract by the parties satisfactory to the Buyer in Buyer's discretion, to be undertaken at Buyer's expense; and be it

FURTHER RESOLVED, that the Chairman or Vice-Chairman is authorized to sign the Contract and all transfer documents with respect to the purchase; and be it

FURTHER RESOLVED, that the Treasurer is authorized to tender within 5 days of Legislature approval a check in the amount of \$1,000.00 with Snell Realtors as a deposit which deposit is to become part of the purchase price or returned if the contemplated purchase fails to close for any reason not the fault of the County; and be it

FURTHER RESOLVED, that in order to pay the purchase price, the tax pro-rations, and the buyer's closing costs; the Treasurer is authorized to transfer funds as follows:

<u>From:</u>		
A1990.435	Contingent Fund	\$28,000
<u>To:</u>		
A1620.480	Buildings and Grounds Property Acquisition	\$28,000

Moved, Johnson; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 270-716**

**AUTHORIZING INTERAGENCY INSTALLMENT OBLIGATION AGREEMENT BY THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY**

WHEREAS, the County of Orleans Industrial Development Agency has requested from the County short term funding assistance with its cash flow obligations arising from the Medina Industrial Park Project in the principal sum of \$100,000, be it

RESOLVED, that this Legislature hereby authorizes an Interagency Installment Obligation Agreement by the County of Orleans Industrial Development Agency in the principal sum of \$100,000 to be repaid together with interest at the rate of 2% for a term of one year, and be it further

RESOLVED, that the Chairman is authorized to execute the said Agreement in the form substantially presented to this Legislature subject to final approval in form and substance by the County Treasurer, County Budget Officer, and County Attorney, and be it further

RESOLVED, that the County Treasurer is authorized to make such transfers as are necessary and appropriate to effectuate this resolution, and be it further

RESOLVED, that this resolution is not subject to permissive referendum.

Moved, DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 271-716**

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND EM SYSTEMS, INC.

RESOLVED, that this Legislature approves the renewal agreement between the Sheriff's Office and EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226 for Jail Management System (JMS) software support and maintenance, in the amount of \$5,000, for period January 1, 2016 through December 31, 2016.

Moved, DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 272-716**

APPROVING ADDENDUM TO MEMORANDUM OF UNDERSTANDING BETWEEN SHERIFF'S OFFICE/JAIL AND KEEFE COMMISSARY NETWORK, LLC

WHEREAS, a Memorandum of Understanding between Keefe Commissary Network, LLC, 13675 Darice Parkway, Strongsville, OH 44149, was approved in Resolution No. 334-914; now be it

RESOLVED, that this Legislature approves an addendum to this Memorandum of Understanding, which provides for the application of new service fees to all payments/deposits at the Jail's lobby kiosk in accordance with the new fee structure. Such fees are assessed to the depositor/payee.

Moved, DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 273-716**

AUTHORIZING SHERIFF TO APPLY FOR 2016-2017 PUBLIC SAFETY ANSWER POINTS (PSAP) OPERATIONS GRANT PROGRAM FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

RESOLVED, that this Legislature authorizes the Sheriff to apply for a Public Safety Answering Point (PSAP) Operations Grant, which provides reimbursement to counties for costs related to the operations of a PSAP, at no cost to the county, for contract year January 1, 2017 through December 31, 2017.

Moved, DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 274-716**

**AUTHORIZING SHERIFF’S OFFICE TO APPLY FOR GRANT FUNDING THROUGH WALMART FOUNDATION**

RESOLVED, that this Legislature authorizes the Sheriff’s Office to apply to Walmart Foundation for 2016 Community Grant funds, with possible grant awards of \$250 to \$2,500, that will be used to assist the Sheriff’s Office in establishing their K-9 Unit, which will aid in law enforcement within our communities.

Moved, DeFilipps; second, Johnson.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 275-716**

**AUTHORIZING THE FILLING OF VACANCIES IN THE SHERIFF’S OFFICE**

RESOLVED, that this Legislature does hereby authorize the filling of a vacant Deputy Sheriff- Road Patrol position (3110.25), Grade 1, effective July 28, 2016; and

FURTHER RESOLVED, to authorize the filling of a vacancy for part-time, seasonal Deputy Sheriff- Marine Patrol Division (3110.75), at the rate of \$13.41 per hour, effective July 28, 2016.

Moved DeFilipps; second, Johnson.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 276-716**

**AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE JAIL BUDGET**

WHEREAS, the County Jail has required the services of SI Technologies, Inc., 14 Petra Lane, Albany, NY 12205, for on-site repair, installation and testing of its camera system; now be it

RESOLVED, that this Legislature authorizes the Treasurer to transfer funds into the Jail budget for the purpose of paying for this camera system repair, as stated below:

From:		
A1990.0435	Contingency Fund Account	\$4,918.42
To:		
A3150.0418	Jail-Other Contractual Expenses	\$4,918.42

Moved, DeFilipps; second, Johnson.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

Legislator Johnson moved to authorize expanding grant funds and setting up money in the Emergency Management Department; second by Legislator DeFilipps. Legislator Johnson explained that this is to purchase the correct foam should it be needed for an ethanol fire. This is a necessary purchase which is covered by a grant. The following resolution was adopted;

**RESOLUTION NO. 277-716**

**AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds in the amount of \$27,115 for purchase of ARAFFF National 1-3% Universal Gold fire fighting foam for the use of Ethanol fires/emergencies on all Orleans County Highways from Churchville Fire, 340 Sanford Rd South, Churchville, NY 14428; and be it

FURTHER RESOLVED, that this Legislature approves setting up new 2015 Homeland Security Grant Funds as follows:

<u>Revenue:</u>		
A4309.2015	State Homeland Security Grant Program FY2015	\$27,115
<u>Appropriation:</u>		
3640.486.2015	Special Grants (SHSP-FY15)	\$27,115

Moved, Johnson; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

Legislator Johnson moved to approve an agreement with the County of Orleans and CGR which she explained that the county was awarded a grant to study the consolidation of the police departments in Orleans County and the steering committee has met. CGR will be doing the study on the county’s behalf. Legislator DeFilipps seconded the motion and the following resolution was adopted:

**RESOLUTION NO. 278-716**

**APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND CENTER FOR GOVERNMENTAL RESEARCH INC. (CGR) AND AUTHORIZING TREASURER TO SET UP MONEY INTO THE LEGISLATURE BUDGET**

WHEREAS, Request for Proposals for professional consulting services related to a study of countywide law enforcement service delivery models and efficiencies were solicited by the Chief Administrative Officer and were then reviewed and approved by the Law Enforcement Steering Committee on June 29, 2016; now be it

RESOLVED, this Legislature does hereby approve an agreement between the County of Orleans and the Center for Governmental Research Inc. (CGR), One South Washington St, Suite 400, Rochester, NY 14614 to secure the professional services of CGR to conduct an evaluation of the existing law enforcement operations in the county, identify options for change and make suggestions for an improved operation. Term of services will begin August 1, 2016 and shall terminate by May 31, 2017 at a cost of \$74,500. County Cost \$38,500.

<u>From:</u>		
A1990.435	Contingent Fund	\$38,500
<u>To:</u>		
A1010.418	Other Contractual Expenses	\$38,500

Moved, Johnson; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 279-716**

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

RESOLVED, that this Legislature approves a lease agreement between Orleans County and Toshiba Business Solutions, 6000 N. Bailey Ave., Amherst, NY 14226 to provide one Toshiba e-Studio multifunction machine for a 48 month lease effective October 1, 2016 through September 30, 2020 for the following:

County Office Building	e-Studio 657	\$176.00 per month
Bill per copy B&W .0075 per page, with an annual increase of 2.5%		

Moved, Johnson; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 280-716**

**AUTHORIZING PAYMENT OF CLAIMS FOR AUGUST 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 August 10, 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 August 24, 2016:

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

Moved, Miller; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

The following three add on resolutions were presented for adoption:

**RESOLUTION NO. 281 -716**

**GRANTING EXTENSION FOR PAYMENT ON IN REM AUCTION PARCELS**

WHEREAS, Resolution No. 155-413 Setting Date and Terms for the Auction of In Rem Tax parcels, indicates the balance of the successful and accepted bids shall be paid to the Orleans County Treasurer by July 29, 2016, unless extended by the County Legislature; and

WHEREAS, time extensions were requested in a timely manner for the following parcels: Parcel #9, Town of Albion, Tax Map #73.7-1-36; Parcel #6, Town of Albion, Tax Map #73.6-2-55; now, therefore be it

RESOLVED, that this Legislature grants an extension for the balance due for these parcels for a period of time not to exceed sixty (60) days; and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be charge of \$250 per parcel (property with improvements) and a charge of \$100 per parcel (vacant property) for each 30 day period until the property is fully paid, not to exceed 60 days.

Moved, Johnson; second, DeFilipps.  
Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

**RESOLUTION NO. 282-716**

**DECLARING ORLEANS COUNTY LEAD AGENCY TO A TYPE I ACTION UNDER SEQR FOR A SOLAR ARRAY PROJECT AT ALBION BUSINESS PARK AND AUTHORIZING WENDEL TO CONDUCT SEQR REVIEW**

WHEREAS, the County of Orleans is proposing to develop a 1.48 MW ground mounted solar array at the Albion Business Park; and

WHEREAS, the County of Orleans has classified this project as a Type I Action under SEQR 617.4(b)(6)(i); and

WHEREAS, pursuant to Part 617 NYCRR, Article 8 of the Environmental Conservation Law, the County of Orleans should, as early as possible in the design procedure, begin the SEQR review process; now be it

RESOLVED, that the County of Orleans wishes to declare itself Lead Agency and conduct a coordinated review; and be it

FURTHER RESOLVED, that the County of Orleans authorizes Wendel to complete and coordinate the required mailings and notifications.

Moved, Johnson; second, DeFilipps.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

### **RESOLUTION NO. 283-716**

#### **AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE BEN ROETHLISBERGER FOUNDATION**

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply to the Ben Roethlisberger Foundation for a possible grant award that will be used to assist the Sheriff's Office in establishing and operating their K-9 Unit, which will aid in law enforcement within our communities.

Moved, DeFilipps; second, Johnson.

Adopted. 4 ayes; 0 nays; 3 absent - Allport, DeRoller, Eick.

During Open Discussion, Paul Lauricella, Yates, asked if anyone has looked into the staggering costs of software. Is there anything available from the State for free? Eddie Moss stated that the majority of the free software does not have the feature sets as needed. Those that we pay for are feature rich, enterprise available, it is robust and it does everything we ask for it to do. Mr. Moss stated it costs money because software engineers need to create it from the ground up. Mr. Lauricella inquired if we have petitioned Assemblyman Hawley and Senator Ortt on the upgrading of software that they put out. Mr. Moss stated that mostly the software that we use is from the private sector and that they put out better product.

Mrs. Lauricella questioned if pet vouchers could ever be distributed to provide ways of saving money when it comes to spaying and neutering pets. She wanted the Board to look into the budget for any extra available money to see if a few months out of the year discounts could be offered. Chairman Callard stated that they will have this discussion through our Public Safety Committee and our Animal Control Services.

Legislator Miller moved to enter into executive session at 5:02 p.m. per Open Meetings Law §105 (f) to discuss the recommendations of the Salary Review Committee made to the Legislative Board; second by Legislator DeFilipps. Motion Carried.

Legislator Johnson moved to exit out of executive session and reconvene the regular meeting at 5:42; second by Legislator Miller. Motion Carried.

With their being no further business, Legislator DeFilipps moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:43 p.m.