

## **Organizational Meeting**

January 5, 2016

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The Clerk of the Legislature called the meeting to order at 9:30 a.m. The Pledge of Allegiance was led and Nadine Hanlon, Clerk of the Legislature, recited a prayer that was offered by the late Rev. Robert H Mowatt at the January 5, 1984 Organizational meeting of the Orleans County Legislature. The Clerk called the roll and the following Legislators were present: Donald Allport, David Callard, E. John DeFilipps, Kenneth DeRoller, William Eick, Lynne Johnson, and Fred Miller.

The Clerk opened the floor for nominations for a Temporary Chairman of the Legislature. Legislator Callard moved that Legislator Allport be the temporary Chairman. Legislator DeFilipps seconded the motion. The Clerk asked if there were any other nominations. With everyone in favor of the motion, this motion was carried.

Temporary Chairman Allport asked for nominations for Chairman. Legislator DeFilipps nominated Legislator David Callard as Chairman who has showed great finesse in this Legislature and at the same time has equality for all of the Legislators thoughts and opinions. Legislator Miller seconded the motion. Temporary Chairman Allport called three times for any other nominations. With none being offered, Temporary Chairman asked for any further discussion. With there being no other nominations or further discussion, Temporary Chairman Allport requested a roll call vote: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, and Miller; 0 nays; 0 absent. The motion for Legislator Callard to be Chairman of the Orleans County Legislature was carried. Legislator Callard was congratulated on his re-appointment as Chairman of the Orleans County Legislature

Temporary Chairman Allport asked for nominations for Vice Chairman. Legislator DeRoller made a motion to nominate Legislator Lynne Johnson; seconded by Legislator Eick. Temporary Chairman Allport called three times for any other nominations. With their being none, Temporary Chairman called for the following roll call vote: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, and Miller; 0 nays; 0 absent. The motion for Legislator Johnson to be Vice Chairman of the Orleans County Legislature was carried. Legislator Johnson was congratulated as being elected again as Vice Chairwoman of the Orleans County Legislature.

A brief recess was called for the swearing in of the Orleans County Legislature by Orleans County Clerk Karen Lake-Maynard. Karen Lake-Maynard asked everyone to rise and she performed their oaths of office and the official book was signed by the Legislators.

Temporary Chairman Allport turned the meeting over to the newly re-elected Chairman, Legislator Callard. Chairman Callard was welcomed to the Chairman's chair by Temporary Chairman, Legislator Allport. Chairman Callard thanked the Legislators for their continued vote of confidence. He then requested to move forward with the business part of the meeting.

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

**RESOLUTION NO. 1-116**

**APPOINTING CLERK OF THE LEGISLATURE**

RESOLVED, that Nadine P. Hanlon be appointed Clerk of the Legislature to serve during the pleasure of the Legislature, at grade 6, step 9 of the Management Salary Schedule.

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

**RESOLUTION NO. 2-116**

**APPOINTING COUNTY ATTORNEY**

RESOLVED, that David C. Schubel be appointed County Attorney to act as the Attorney for the Orleans County Legislature, the County of Orleans, and the County Officers, for a term of two years with salary set at Grade 11, Step 9 of the Management Salary Schedule; and, that in addition thereto, the reasonable disbursements and expenses of the County Attorney incurred in the conduct of County business shall be paid upon the usual monthly vouchers to be audited by this County Legislature.

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

**RESOLUTION NO. 3-116**

## FIXING COMPENSATION OF LEGISLATORS

RESOLVED, that pursuant to provisions of Section 200 of County Law, effective January 1, 2016, the compensation of each Legislator payable by the County of Orleans shall be annual salary, with the Chairman's salary to be \$17,087, Vice Chairman's salary to be \$12,920 and each other member to receive \$11,390 in lieu of all other compensation for both meetings and committee work, payable in bi-weekly installments in the same manner as other county salaries are paid; and be it

FURTHER RESOLVED, that each Legislator shall also receive from the County, travel allowance and expenses in the performance of his duties in attending meetings, committee work and other duties committed to him, at the rate of 1 cent per mile less than the IRS rate in effect for each calendar year per mile for the miles actually traveled by the most usual route in going and returning between his residence to the place of the performance of each duty; and be it

FURTHER RESOLVED, that in performing duties assigned or committed to him outside the County, each Legislator shall receive from the County his actual expenses and if he furnishes his personal automobile for such travel shall receive, therefore, mileage at the rate of 1 cent per mile less than the IRS rate in effect for each calendar year per mile for the miles actually traveled by the most usual route in going and returning between his residence and place of such assignment; such expenses and mileage shall be audited by the Legislature upon the usual voucher thereof, and paid as are other County charges; and be it

FURTHER RESOLVED, that each Legislator shall be entitled to fringe benefits as currently prescribed by the Management Compensation Plan; and be it

FURTHER RESOLVED, that Legislators are not allowed expenses for meals between Conference Sessions and Legislature Meetings.

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

### **RESOLUTION NO. 4-116**

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#### DESIGNATING NEWSPAPERS

WHEREAS, The Daily News is the only newspaper available to be deemed a designated newspaper in Orleans County; and

WHEREAS, Section 214 of County Law provides that, if there be but one newspaper published in the county, such newspaper shall be designated; now therefore be it

RESOLVED, that the County Legislature does hereby designate of The Daily News as their legal newspaper and further designates the Daily News to publish the Concurrent Resolutions for 2016 and 2017, the Tax Redemption Notices for 2016 and 2017; the Official Canvas for 2015 and 2016 and the Election Notices for 2016 and 2017.

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

#### **RESOLUTION NO. 5-116**

#### DESIGNATING MAJORITY AND MINORITY LEADERS OF THE LEGISLATURE

RESOLVED, that William Eick is hereby designated by the Republicans as Majority Leader of the Legislature and that Fred Miller is hereby designated by the Democrats as Minority Leader of the Legislature.

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

#### **RESOLUTION NO. 6-116**

#### SETTING LEGISLATURE MEETING SCHEDULE FOR 2016

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

FURTHER RESOLVED, that the the regular meetings of the Orleans County Legislature will be held on the third Wednesday of the

months of November and December at 4:30 PM at the Orleans County Legislative Chambers; and be it

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

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

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

**RESOLUTION NO. 7-116**

**RE-AFFIRMING APPOINTMENTS TO THE ORLEANS COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

WHEREAS, certain individuals were heretofore appointed by this Legislature as members of the Orleans County Industrial Development Agency to specified terms as set forth in the resolutions of appointment; and

WHEREAS, subdivision 2 of section 856 of the General Municipal Law provides that members of an industrial agency shall serve at the pleasure of the appointing authority; and

WHEREAS, this Legislature is desirous of resolving any ambiguity with respect to the terms of the certain named individuals by reaffirming their respective appointments to serve at the pleasure of this Legislature; now, therefore be it

RESOLVED, that this Legislature hereby reaffirms the appointments of the following named individuals as members of the Orleans County Industrial Development Agency who shall serve at the pleasure of the Orleans County Legislature pursuant to the provisions of section 856 of the General Municipal Law of the State of New York: Kenneth Rush, Merle L. Draper, Paul Hendel, Carol D'Agostino, and John Misiti; and be it

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FURTHER RESOLVED, that it shall be a policy of this Legislature to periodically review the appointments to the Orleans County Industrial Development Agency no less frequently than bi-annually upon the commencement of a new term of the Orleans County Legislature.

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

**RESOLUTION NO. 8-116**

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY [COIDA] FOR THE YEAR 2016

WHEREAS, it is in the best interest of the County that the many advantages of Orleans County be publicized to those who may be interested in establishing, maintaining, or expanding business and industry in the County of Orleans, in order to create new jobs and keep a healthy economy; and

WHEREAS, equally as important, is the ability to retain within the county the jobs already located here; and

WHEREAS, among the most important tasks facing New York State are the need to increase jobs and encourage higher levels of private capital investment in business and industry, thereby improving the general prosperity and economic welfare of the people of New York State and its constituent municipalities; and

WHEREAS, the County recognizes that the Agency is a community-wide organization with the expertise and capacity to improve the general prosperity and economic welfare to the people of the County; and

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County; and

WHEREAS, New York State Public Officers Law Section 18 states that a county legislative body may provide for the defense and indemnification of the officers and employees of a public entity and additional indemnification of said Agency may be contracted in return for services; and

WHEREAS, the County has, by Resolution adopted by the Orleans County Legislature, authorized the execution of this contract and the indemnification agreement herein between the County and the Agency; now, therefore be it

RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with the County of Orleans Industrial Development Agency [COIDA] to provide the services as set forth in the agreement at an annual cost of \$166,500, to be paid in quarterly payments of \$41,625.

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

**RESOLUTION NO. 9-116**

**AUTHORIZATION TO ENTER INTO A GRANT AGREEMENT WITH THE ORLEANS COUNTY LOCAL DEVELOPMENT CORPORATION FOR THE IMPLEMENTATION OF A SMALL CITIES GRANT RECEIVED FROM THE NEW YORK STATE HOUSING TRUST FUND CORPORATION**

WHEREAS, Orleans County has received Federal grant assistance in the amount of two hundred thousand dollars (\$200,000.00) from the New York State Housing Trust Fund Corporation represented by the New York State Office of Community Renewal (hereinafter the “OCR”) through the Community Development Block Grant (hereinafter “CDBG”) Program (OCR Grant #857ED724-10) for the purpose of (i) financing a Microenterprise Grant Program (the “Grant Program”) which will provide grants to microenterprises within Orleans County, and (ii) providing funding for the continuation of the Orleans County Downtown Commercial Rent Subsidy Program; and

WHEREAS, the Orleans County Local Development Corporation (the “OCLDC”) has the capacity to implement and administer the OCR grant in the best interests of the County; and

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WHEREAS, the OCLDC is a not-for-profit corporation eligible to receive grants of CDBG funds pursuant to Section 105(a)(15) of the Housing and Community Development of 1974, as amended (42 USC 5305); be it

RESOLVED, that the County will enter into an agreement with the OCLDC for implementation and administration of the OCR grant under terms and conditions fully reviewed and agreed to by Counsel; and

BE IT FURTHER RESOLVED, that consistent with the OCR grant application and budget, such agreement shall grant to the OCLDC the sums of \$100,000 for the funding of Microenterprise grants, \$60,000 for the funding of Downtown Commercial Rent Subsidy grants, \$30,000 for program delivery costs, and \$10,000 for grant administration costs.

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

**RESOLUTION NO. 10-116**

**AUTHORIZING SHERIFF TO SET SALARY FOR UNDERSHERIFF**

RESOLVED, that this Legislature authorizes the Orleans County Sheriff, as of January 1, 2016 to set the salary of the Orleans County Undersheriff up to Grade 9, Step 5 of the Management Compensation Salary Schedule..

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

**RESOLUTION NO. 11-116**

**AUTHORIZING FILLING A VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that this Legislature, due to a resignation, hereby authorizes the filling of a vacant full-time Social Welfare Examiner position (6010.0109) in the Department of Social Services at Grade 13 of the CSEA salary schedule effective January 6, 2016.

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

**RESOLUTION NO. 12-116**

**AUTHORIZING CREATING A TEMPORARY POSITION IN THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, a full-time Caseworker (6010.0229) will be out indefinitely with medical issues 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 a temporary part-time Caseworker position (6010.0229\*) in the Department of Social Services at Grade 16 of the CSEA salary schedule, to be effective for the period of January 6, 2016 through the return of the full-time permanent employee (6010.0229) ; and be it

FURTHER RESOLVED, that the Commissioner of Social Services is authorized to fill the newly created part-time temporary position.

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

**RESOLUTION NO. 13-116**

**AUTHORIZING ABOLISHING, CREATING AND FILLING POSITIONS IN THE JOB DEVELOPMENT AGENCY**

RESOLVED, that this Legislature does hereby authorize abolishing a part-time Assistant Employment and Training Director III position in the Job Development Agency; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Employment and Training Coordinator position in the Job Development Agency, at grade 17 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Job Development Agency effective January 6, 2016.

Moved, Miller; second, Eick.

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Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 14-116**

**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>
\$4,602.00	Barton & Loguidice, D.P.C.	Engineering Services – E. Scott Road Bridge- Invoice #80572

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>
6,900.00	Gudabri, Inc./ dba Secor Building Solutions	Pole Barn fencing

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 15-116**

**AUTHORIZING PAYMENT OF CLAIMS FOR JANUARY 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 January 13, 2016:

Fund/Department	Check Number (s):	Amount:
General	2369-2531	\$334,335.77
Highway	672-675; 1588-1594	\$28,725.09
Job Development	1972-1978	\$4,417.69
Self Insurance	56287-56288	\$51,327.00

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 January 27, 2016:

Fund/Department	Check Number (s):	Amount:
General	2536-2723	\$593,889.89
Highway	676-679;1595-1627	\$22,402.55
Job Development	1982-1988	\$13,591.22
Self Insurance	1104-1105; 56331-56332; 56337	\$14,200.05

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

The following add on resolution was adopted as follows:

**RESOLUTION NO. 16-116**

**AUTHORIZING FILLING VACANCY IN THE BOARD OF ELECTIONS OFFICE**

RESOLVED, that this Legislature does hereby authorize the filling of the vacant full-time Deputy Elections Commissioner position (1450.03), effective January 1, 2016, to be filled at Grade 2, Step 9 of the Management Compensation Plan.

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

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Chairman Callard expressed that in serving on a number of different boards over the years he has he stated that this was the finest board he has ever been associated with. He further stated that he looks forward to a very aggressive year. He feels that it is important to continue to strengthen its ties with the business community within the county and the educational institutions which benefit all the people of our county. He also feels it is important to educate and train the best we can, along with delivering jobs the best we can. They will strive to do this. One of the key components to elevating our educating process and job training is broadband. Chairman Callard stated that the board is excited about the prospects of this. Legislator Johnson has personally done much to bring this process along and we hope to participate in money that should possibly be awarded by May. This is the first step in delivering broadband across the entire county of Orleans instead of the fifty-percent we are at now. Chairman Callard stated that they will continue to fight hard for their fair share of infrastructure money for our roads and bridges. We will continue to push forward with Public and Mental Health issues. Chairman Callard stated that specifics will be addressed when he delivers the State of the County message in April. He will inform everyone in that message of the agenda for the next two years. Chairman Callard said he is very excited with the newly elected Sheriff and his appointments. He is excited to hear of his ideas and will work together to move that department forward as aggressively as they can. Chairman Callard again thanked everyone for their confidence and stated that he truly looks forward to the next two years and hopes that they can continue to grow in advances as much as we have in the past and even more so.

Legislator Eick moved to enter into executive session at 9:51 a.m. per Open Meetings Law §105 (f ) to discuss the employment history of an employee and (h) to discuss the property in the Village of Holley; second by Legislator Allport. Motion Carried. Chairman recessed the meeting and will begin the Executive Session at 10:00 a.m.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 10:34 a.m.; second by Legislator Allport. Motion Carried.

With there being no further business, Legislator Eick moved to adjourn; second by Legislator Miller. Meeting adjourned at 10:34 a.m.

**LEGISLATURE MEETING**

January 27, 2016

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Chairman Callard called the meeting to order at 4:35 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications:

Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Shelby	Supporting New York State's Constitutional Home Rule
T/Shelby	Supporting New York State Legislation Concerning Fuel Zone Pricing
T/Yates	Resolution of Yates Town Board to Formally Oppose the APEX Clean Energy Lighthouse Wind LLC Project within the Town of Yates

Town of Somerset will be holding a Public Hearing on February 1, 2016 at 6:30 p.m. on the adoption of a proposed Local Law entitled "A Local Law Amending the Code of the Town of Somerset Chapter 205 Zoning.

Town of Somerset will be holding an additional Public Hearing on February 10, 2016 at 6:30 p.m. on the adoption of a proposed Local Law entitled, "A Local Law Amending the "Violations; Penalties for Offenses" Provision (Chapter 205) of the Code of the Town of Somerset. Both Public Hearings will be held at the Town of Somerset Town Hall located at 8700 Haight Road, Barker.

The Albion Strawberry Festival Committee, under the authority of the Village of Albion, is requesting permission to hold its 30<sup>th</sup> annual festival on the Courthouse Lawn on Friday, June 10<sup>th</sup> and Saturday, June 11<sup>th</sup>, 2016. Hours of operation will be 11 a.m. to 9 p.m. on Friday and 9 a.m. to 9 p.m. on Saturday. As in the past, the Courthouse grounds will be used for the same purposes which include arts and crafts and entertainment. The Board approved this request.

As President of the Employee Assistance Program, Jack Welch presented the awarding of the 2015 Employee of the Year. The EAP Committee is tasked to recognize Employees of the Month. This is very important and a very special occasion when fellow county employees are recognized for not only their service to the citizens of the county but to recognize those individuals who go above and beyond their duty. The EAP Committee

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receives nominations from fellow employees and department directors and then the nominations are reviewed and discussed by the committee and a selection is made.

The employees of the months for the past year were: Katherine Marks (Probation), October 2014; Diana Kephart, (Social Services), January 2015; Nicole Spohr, (Sheriff's Department) February 2015; Claire Haulk, (Social Services) March 2015; Michael Mele (Sheriff's Department), April 2015; James DeFilipps (Sheriff's Department), May 2015; Julie Vendetti (Sheriff's Department), June 2015;

From this pool of candidates, a Department Head must make a recommendation to a separate committee to determine the Employee of the Year. The committee looked for additional service that an employee has performed since the individual was recognized as an Employee of the Month. Then the Employee of the Year is selected.

The 2015 Employee of the Year has been a representative for her union since 2006; including being on the union's negotiating committee and continues in that role. She has been on the EAP Committee since January 2004, as the union's representative. She has been the Treasurer of EAP since January 2006; and now since January 2014 has been the Secretary Treasurer of EAP. In 2015 she chaired the subcommittee for the Summer Picnic and the Holiday Luncheon which are both for the County employees. She was instrumental in the EAP committee's ability to hold these two events without using the Nursing Home staff for the base for these two events.

What is impressive with this employee is that during her service with the County the last five years, her real job is to prepare the payroll for the largest department in the County every two weeks. To do that properly, this employee is required to know two union contracts as well as the Management Compensation Plan. Jack mentioned this because as complicated as those agreements are, there are no issues with that Department's payroll.

This employee is able to perform her duties and is willing to take on additional service to the County and to the County employees, always cheerfully with a can do attitude. This year's Employee of the Year is Nicole Spohr. Ms. Spohr was escorted by Undersheriff Bourke and Chief Deputy Mele along with Legislator DeFilipps and Legislator Johnson, who

make up the Public Safety Committee, who all presented Nicole her award.

Legislator Eick presented special recognition, along with Legislator Miller and Johnson, to retiring Republican Commissioner Dennis Piedimonte for his nineteen years of service to Orleans County in the Board of Elections Office. Janice Grabowski, Democrat Commissioner; and Sylvia Shoemaker, incoming Republican Commissioner, also joined in on the presentation. He was applauded for his years of service and dedication to Orleans County voters. Mr. Piedimonte stated that over the nineteen years he has worked in that office there was never an argument, large voices or disagreements. Mr. Piedimonte stated it was a pleasure to work with the employees in that office during this time.

Treasurer Heard did not have a treasurer's report because of year end postings.

Chairman Callard called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired in Resolution No. 19 if the Milton Cat Dump Trucks were off road vehicles. Highway Superintendent Gray advised Mr. Lofthouse that they are on road vehicles. Superintendent Gray said they are 10 wheeled dump trucks that can safely carry up to 22 ton on the road.

Paul Lauricella, Yates, also inquired about the dump trucks in if they were tri-axes. Superintendent Gray stated that these dump trucks do not need tri-axes because they will not travel the thruway and have the capacity to carry legally up to 22 ton.

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

**RESOLUTION NO. 17-116**

**AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY TAX REFUNDS**

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

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

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

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

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

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

**RESOLUTION NO. 18-116**

**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>
\$948.38	Labella Associates	Prof. Serv: 9/19/15-12/31/15 for Waterport Carlton Bridge Replacement – Inv #67596
\$40,768.55	Labella Associates	Prof. Serv: 9/19/15-12/31/15 for Oak Orchard Bridge Replacement – Inv

		#67597
\$11,091.00	Labella Associates	Prof. Serv: 11/28/15-12/31/15 for Carton Road Bridge- Inv #67600
\$17,546.50	Barton & Loguidice D.P.C.	Engineering Services – E. Scott Road Bridge-Inv #80876
\$23,781.15	CP Ward	Construction for Waterport Carlton Bridge - Final Payment – 12/16/15- 1/7/16

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.251, Capital Project – Infrastructure Project – Culvert Improvements:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$4,987.03	Labella Associates	Prof. Serv:9/19/15-12/31/15 for Knowlesville Culvert Repl. Inv #67593
\$17,625.75	Labella Associates	Prof. Serv: 11/28/15-12/31/15 for Platten Road Culverts Inv #67599

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

#### **RESOLUTION NO. 19-116**

#### **AUTHORIZING THE HIGHWAY DEPARTMENT TO PURCHASE TWO NEW DUMP TRUCKS**

RESOLVED, that this Legislature authorizes the Highway Superintendent to purchase two (2) New 2017 CAT CT660S Dump Trucks from Southworth-Milton CAT, 4610 E. Saile Drive, Batavia, NY 14020 in the amount of \$347,000 through the OGS/NJPA contract #PC66988; and be it

FURTHER RESOLVED, this Legislature approves a lease agreement with Caterpillar Financial Services Corporation, 2120 West End Avenue, Nashville, TN 37203 to be paid in five annual payments of \$36,365.42 for each truck and to be paid from Account #DM5130.270 in 2016; County Cost of \$15,656.20.

Moved, Eick; second, Miller.

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Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 20-116**

CALLING ON THE STATE OF NEW YORK TO RESTORE FUNDING PARITY BETWEEN THE CAPITAL PLANS OF THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA) AND THE NY STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, Governor Andrew Cuomo and Mayor de Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly \$11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS, as part of this agreement, the Governor is committing \$8.3 billion in state resources to cover the MTA plan's multi-year deficit; and

WHEREAS, while we may agree that this vital investment in downstate transit is needed, the state has yet to develop a new Department of Transportation 5-Year Capital Plan designed to assess current conditions and determine investments needed to provide for the future needs of a modern, safe, reliable and efficient multimodal transportation system; and

WHEREAS, the enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the state to develop and fund a Transportation 5-Year Capital Plan; and

WHEREAS, locally-owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and are responsible for a vast system of aging culverts. These locally-owned transportation facilities are deteriorating at a rapid rate as counties continue to struggle to find adequate funding for their maintenance and replacement; and

WHEREAS, three of the last four DOT/MTA five-year capital programs were virtually identical in size; and

WHEREAS, for nearly two decades, through 2009, the parity agreement was honored and both five-year capital programs were similar

in size as well as adopted within a month of each other. It is necessary to once again restore parity between the programs; and

WHEREAS, according to a 2014 Comptroller's report, thirty four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the state are rated fair or poor and getting worse; now be it

RESOLVED, that the Orleans County Legislature calls upon Governor Cuomo and our State Legislative Delegation to work with our County and other local governments in order to develop and fully-fund a 5 Year Capital Plan that will provide the necessary and proper funding to New York's counties by substantially increasing CHIPS and Marchiselli funding and establishing a 5 year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their infrastructure; and be it

FURTHER RESOLVED, that restoring parity between the Department of Transportation's (DOT) highway and bridge five-year capital program and the MTA's capital program will assure each program is funded at a \$26.1 billion level, providing enough resources to help fund the local needs as described above; and

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

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 21-116**

#### **APPOINTING MEMBERS TO THE GENESEE TRANSPORTATION COUNCIL**

RESOLVED, that the following members are appointed to the Genesee Transportation Council for a two-year term effective January 1, 2016 through December 31, 2017:

Name

Representation

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David B. Callard	Legislature
Gerald Gray	Alternate
William Eick	Legislature
James Bensley	Alternate

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

#### **RESOLUTION NO. 22-116**

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 the renewal of a grant 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, 2015 to September 30, 2016, County Cost \$0; and be it

FUTHER 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, Eick.  
Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 23-116**

APPROVING RENEWAL AGREEMENT BETWEEN OFFICE FOR THE AGING DEPARTMENT AND ELLEN FOSTER, RD

RESOLVED, that this Legislature approves a renewal agreement between the Office for the Aging and Ellen Foster, RD of 33 Willmont Street, Rochester, NY to provide dietician services for Orleans County residents age 60 and older from January 1, 2016 to December 31, 2016 at a cost not to exceed \$13,708. County cost \$624.

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

**RESOLUTION NO. 24-116**

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF  
SOCIAL SERVICES AND VARIOUS AGENCIES.**

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

Orleans County Building and Grounds, A Division of the Highway Department, Albion, NY for the provision of Messenger and Custodial Services; to be effective January 1, 2016 through December 31, 2016 at a cost of \$53,072. County cost is \$18,575.

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance and consultation services; to be effective January 1, 2016 through December 31, 2016. County cost is \$28,207.

Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2016 through December 31, 2016 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Pathstone Corporation, Rochester, NY for the provision of housing at a safe dwelling to victims of domestic violence who are eligible for DSS payment of these services; to be effective January 1, 2016 through December 31, 2016. Rates are established by NYS Office of Children and Family Services.

Angels in Your Home, Hilton NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2016 through December 31, 2016 at rates set by NYS Department of Health. County cost is \$0.

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

**RESOLUTION NO. 25-116**

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

RESOLVED, that this Legislature, as the result of a retirement and a termination, does hereby authorize the filling of the following vacancies in the Department of Social services:

Full-time Social Welfare Examiner position (6010.0249) at Grade 13 of the CSEA Salary Schedule effective January 28, 2016.

Full-time Caseworker position (6010.0221) at Grade 16 of the CSEA Salary Schedule effective February 10, 2016.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Miller moved to approve a project at the Veterans Service Agency and authorizing to transfer funds for this project; seconded by Legislator Eick. Chairman Callard invited Earl Schmidt, Director of the Veterans Service Agency, to explain the project details. Mr. Schmidt stated that the project will update security in the office, make it handicap accessible (bringing it up to compliance with ADA standards), and the sign board will be changed to the Veterans Service Agency. He said in all good faith this will take care of the veterans as strongly as they can with the quick responses that took place with the Legislators moving forward on these updates. The following resolution was adopted:

**RESOLUTION NO. 26-116**

**APPROVING PROJECT AT THE VETERANS SERVICE AGENCY AND AUTHORIZING TREASURER TO TRANSFER FUNDS IN THE BUILDINGS AND GROUNDS BUDGET AND VETERANS BUDGET**

WHEREAS, the Orleans County Veterans Service Agency has identified a need for reconfiguration renovations at the office to improve security and accessibility for Veterans; and updating the front signage; and

WHEREAS, the Veterans Services Director has identified a need for a high speed scanner to provide more efficient service to our Veterans; now be it

RESOLVED, that this Legislature approves a project to change the front signage; to reconfigure the office to provide better security for the facility and records; and to make the office more handicap accessible at a cost not to exceed \$7,560 to be paid from Buildings and Grounds Account A1620.403 – Maintenance Projects; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds from Contingency and Future Infrastructure Account into the Buildings and Grounds and Veterans budgets to complete this project and for the Veterans Service Agency to purchase a high speed scanner to better provide services to our Veterans as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$7,560.00
A1990.435	Contingency Fund	\$987.52
<u>To:</u>		
A1620.403	Building Projects	\$7,560.00
A6510.220	Office Equipment	\$987.52

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

Legislator Allport moved to approve several agreements with Mental Health and various agencies. He said it should be noted since the Mental Health Association was combined with Genesee County, the state taxpayers are donating another \$5,000 to this cause. Legislator DeRoller seconded the motion. The following resolution was adopted:

**RESOLUTION NO. 27-116**

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

RESOLVED, that this Legislature approves the following agreements for the Mental Health Department for the 2016 calendar year, retroactive beginning January 1, 2016 and ending December 31, 2016:

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The Arc of Orleans County, 122 Caroline Street, Albion, NY 14411 providing supportive employment services, vocational assessment, job readiness and job coaching services at a cost of \$50,928. County cost \$0.

The Arc of Orleans County, 122 Caroline Street, Albion, NY 14411 providing services to the developmental disabilities population of Orleans County at a cost of \$104,831. County cost is \$39,831.

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

DocuTrac, Inc., 1800 Dual Highway, Suite 306, Hagerstown, MD 21740 providing software support maintenance and support for the computer software utilized by the Department of Mental Health for the client electronic health record at a cost of \$54,354. County cost is \$3,805.

EFP Rotenberg, LLP, 280 Kenneth Drive, Rochester, NY 14623 providing compliance review/audit of the 2015 Consolidated Fiscal Report at a cost of \$6,500. County cost is \$455.

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 E. Main Street, Batavia, NY 14020 providing substance abuse/dependency and prevention services, as well as gambling treatment services and translational services at a cost of \$338,771. County cost is \$35,167.

Genesee/Orleans Council on Alcoholism and Substance Abuse, 430 E. Main Street, 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.

Goodwill of the Finger Lakes, Inc., 422 South Clinton Avenue, Rochester, NY 14620 providing mental health telephone referral and information services at a cost of \$11,500. County cost \$0.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a cost of \$14,000. County cost \$0.

Hillside Children's Center, 24 Main Street, Mount Morris, NY 14510 proving a program of family resiliency as a community support service for

individuals with mental and emotional problems who are living in the community at a cost of \$79,111. County cost \$0.

Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227 providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services at a cost of \$166,232. County cost \$0.

Mental Health Association in Genesee and Orleans County, 25 Liberty Street, Batavia, NY 14020 providing mental health support services and Drop-In Center at a cost of \$68,945. County cost \$0.

Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127 providing a mobile mental health crisis intervention team at a cost of \$80,337. County cost \$0.

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

Legislator Allport moved to approve the MiFi's for the Mental Health Department to be added to our Verizon Account along with approving the use of these MiFi's in the Mental Health Department. Legislator Allport explained that these MiFi's will be used by employees to gain internet access in the field, such like the satellite sites in our area schools so they can log their notes and data into the Mental Health records while off site which will keep billing moving ahead. Legislator DeRoller seconded the motion. Legislator DeRoller understood that this will enhance the satellite functions in our schools. Mark O'Brien, Mental Health Director, reported that the Mental Health Department has satellite offices in four out of the five school districts as of March and in some cases multiple satellites in the same school district. Director O'Brien stated that they will be close to nine locations by the end of the year. The following resolution was adopted:

**RESOLUTION NO. 28-116**

**AUTHORIZING THE MENTAL HEALTH DEPARTMENT TO ADD MIFI'S TO THE VERIZON ACCOUNT AND APPROVING MIFI USE AGREEMENT IN THE MENTAL HEALTH DEPARTMENT**

RESOLVED, that this Legislature authorizes the Mental Health Department to add 10 MiFi's to the Verizon account, to be paid at \$39.99

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per unit per month from Mental Health Account A4310.421 - Telephone;  
and be it

FURTHER RESOLVED, that this Legislature approves the Department of Mental Health MiFi Use Agreement and further authorizes the use of these MiFi's for the following positions at the Mental Health Department:

4310.08	4310.20
4310.14	4310.21
4310.16	4310.22
4310.17	4310.39
4310.19	4310.41

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

#### **RESOLUTION NO. 29-116**

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

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

David C. Schubel, Orleans County Attorney, 113 West Center St; Medina, NY 14103 to provide Attorney services to the Orleans County Health Department. Contract period January 01, 2016 through December 31, 2016. Contract amount not to exceed Fifteen thousand five hundred (\$15,500). Reimbursement from various NYS contract grants and State Aid. County cost \$0.

Jack Venesky CPA & Associates (JVPA) at 6114 Rt 31, Cicero, NY 13039 to provide accounting services for required NYS regulations. Cost Report Required-Medicaid-AHCF Report. Contract to pay up to \$7,500.00 per year for length of contract. Reimbursement from State Aide. County Cost \$0.

Dr. Alan Barcomb at 1 Dennis Drive, Batavia NY 14020, Contract to provide medical consultant services throughout the various departments within the Orleans County Health Department. Contract period to run 1/1/2016 through 12/31/2016 Reimbursement from State Aide. County cost \$0.

Orleans Community Health a/k/a (Medina Memorial, 200 Ohio St, Medina NY 14603, Contract to provide lead poisoning education, information, sampling, and testing for the residents of Orleans County. County cost \$0.

Timothy Hens, PE 7319 Quinlan Rd, LeRoy, NY 14482 Contract to provide Engineering Services for the Orleans County Environmental Department. Reimbursement from New York State water Grant and State Aide. County cost \$0.

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

Legislator Allport moved to set up money for grants to align with the Federal Drug Administration guidelines. These are being voted in by most states so the guidelines are uniform across the nation and our Health Department is leading the way in this process in New York State stated Legislator Allport. Paul Pettit, Director of Public Health, further stated that these monies will be used to do an assessment of where our public health department currently aligns with the federal standards. Currently in New York State we have the Sanitary Code and now looking at the Federal Food Code explained Director Pettit. Legislator DeRoller seconded the motion. The following resolution was adopted:

**RESOLUTION NO. 30-116**

**AUTHORIZING SETTING UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT**

RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department Budget as a result of two grants from the Voluntary National Retail Food Regulatory Program Standards Grant Program:

Revenue:

A4403	Association of Food and Drug Officials	\$ 4,500
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Appropriations:

A4010.452	Personal Service Contracts	\$ 2,500
A4010.460	Training & Education	\$ 1,000
A4010.463	Travel Other Than Mileage	\$ 1,000

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

**RESOLUTION NO. 31-116**

AUTHORIZING THE CONTINUATION OF THE CONTINUITY OF  
GOVERNMENT ADVISORY COMMITTEE FOR ORLEANS  
COUNTY

WHEREAS, Resolution No. 323-808 authorized the establishment of a Continuity of Government Advisory Committee to create a Continuity of Operations Plan (COOP) to ensure the continued performance of essential functions and services when normal, standard operations become overwhelmed, regardless of the emergency; therefore be it

RESOLVED, that this Legislature re-authorizes the continuation of the Continuity of Government Advisory Committee as established and will be subject to reauthorization at the end of calendar year 2017.

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

**RESOLUTION NO. 32-116**

APPROVING LEASE AGREEMENT FOR LARGE FORMAT  
SCANNER BETWEEN PLANNING AND DEVELOPMENT  
DEPARTMENT AND REAL LEASE

WHEREAS, the Department of Planning and Development received a quote from Eastern Managed Print Network, LLC to lease a Colortrac Smart LF SG 44C scanner, stand, and software valued at \$13,187 through a third party; and

WHEREAS, such scanner will allow the preservation of aging blueprints, engineering drawings, schematics and other oversized original documents of the County and its towns and villages while also reducing the need for suitable physical storage space; now be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to enter into a Sixty (60) Month Lease in the amount of \$292.22 per month with a \$1.00 buyout at the end of lease from Real Lease, 1387 Fairport Road, Suite 1000, Fairport, NY 14450 to be

paid from Planning and Development Equipment Lease Account A8020.222.

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

**RESOLUTION NO. 33-116**

AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND THE SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Orleans, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ORLEANS

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF ORLEANS or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.

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3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

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

Legislator DeRoller moved a resolution to consolidate to one single agricultural district. He added we went from ten to three and now three down to one which is a great administrative process; seconded by Legislator Allport. The following resolution was adopted:

#### **RESOLUTION NO. 34-116**

#### **APPROVING CONSOLIDATION OF ALL COUNTY AGRICULTURAL DISTRICTS INTO A SINGLE AGRICULTURAL DISTRICT**

WHEREAS, consolidation of all three county agricultural districts would be simpler and more convenient for farmers whose operations now frequently include multiple municipalities; and

WHEREAS, consolidation is technically feasible and allows for greater administrative efficiency for the Department of Planning and Development that conducts reviews of county agricultural districts; and

WHEREAS, the New York State Department of Agricultural and Markets has requested formal action by the County to designate the appropriate districts to be terminated and the anniversary date for the surviving district for subsequent eight-year reviews; now be it

RESOLVED, that this Legislature approves the consolidation of County Agricultural Districts No. 2 and No. 3 into District No 1, henceforth to be known as Consolidated Agricultural District No. 1 (C-1) with an eight-year anniversary review cycle starting December 2, 2016.

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

Legislator DeRoller moved a resolution to purchase playground equipment for the Marine Park. He added that OONA (Oak Orchard Neighborhood Association) is adding to phase two in the amount of \$3,287 for this project. Legislator Allport seconded the motion. Chairman Callard thanked OONA and asked when the equipment could be added to the park. Jim Bensley, Director of Planning and Development, hopes to have it installed in April and hopes that OONA will be recognized for their contribution at one of the summer concerts. Chairman Callard added that he feels it will be a wonderful enhancement to the park. The following resolution was adopted:

**RESOLUTION NO. 35-116**

**AUTHORIZING PURCHASE BY PLANNING AND DEVELOPMENT DEPARTMENT OF PLAYGROUND EQUIPMENT FOR COUNTY MARINE PARK AND AUTHORIZING SETTING UP FUNDS INTO THE MARINE PARK BUDGET**

WHEREAS, this Legislature, pursuant to resolution No. 193-515 as amended by Resolution No. 249-715, entered into a contract with New York State Department of State for Phase 2 of capital improvement to the County Marine Park; and

WHEREAS, replacement and relocation of the existing County Marine Park playground was identified as one of said capital improvements; be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to purchase a playground system in the amount of \$19,497 from Miracle Recreation Equipment Company, P.O. Box 15517, Syracuse, NY 13215 to be paid from Marine Park Capital Projects Account A7180.486; and be it

FURTHER RESOLVED, that this legislature authorizes the treasurer to set up the remaining grant funds to the following accounts:

REVENUE:

A3097	NYS Parks/Recreation	\$ 81,500
Future	Infrastructure	\$ 85,338

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Reserve

APPROPRIATION:

A7180.486 Marine Park Special Grants \$166,838

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

**RESOLUTION NO. 36-116**

APPROVING APPOINTMENTS TO THE COUNTY PLANNING BOARD

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

<u>NAME &amp; MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>Expiration Date</u>
Daniel Strong 1150 Sawyer Road Kent, New York 14477	Town of Albion	12-31-18
Kevin Parker 3512 Keitel Road Albion, New York 14411	Town of Albion (Alternate)	12-31-18
Thomas Keeler 12931 Pask Road Albion, New York 14411	Town of Barre	12-31-18
Wesley Miller 4159 Oak Orchard Road Albion, New York 14411	Town of Barre (Alternate)	12-31-18
Michael Grabowski 14061 Bacon Road Albion, New York 14411	Town of Gaines	12-31-18
Ronald Vendetti 26 Park Place Holley, New York 14470	Village of Holley	12-31-18

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Edward Urbanik 12365 Platten Road Lyndonville, New York 14098	Town of Yates (Alternate)	12-31-16
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Moved, DeFilipps; second, Johnson.  
Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 37-116**

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

WHEREAS, the County of Orleans has appropriated the sum of \$6,647 as its share of the year 2016 operating funds of the Genesee Finger Lakes Regional Planning Council, and

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

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

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

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

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

**RESOLUTION NO. 38-116**

**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 (1) Toshiba e-Studio multifunction machine for a 36 month lease effective January 1, 2016 through December 31, 2018 as follows:

Tourism	e-Studio 287CSL	\$62.99 per month
Bill per copy B&W .014 per page, Color .095 per page with an annual increase of 2.5%		

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

**RESOLUTION NO. 39-116**

**APPROVING AGREEMENT WITH SOIL AND WATER  
CONSERVATION DISTRICT**

RESOLVED, that this Legislature authorizes the agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, New York, for the provision of services by "Soil and Water" for the calendar year 2016, at a cost of \$77,500, to be paid in quarterly payments of \$19,375.

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

**RESOLUTION NO. 40-116**

**APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL  
COOPERATIVE EXTENSION**

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$232,500 for the

calendar year 2016, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$58,125.

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

**RESOLUTION NO. 41-116**

**GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND WATER SYSTEMS**

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina and Lyndonville located outside their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant or reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2016 in accordance with the provisions of section 406 of the Real Property Tax Law.

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

**RESOLUTION NO. 42-116**

**APPROVING AGREEMENT EXTENTION BETWEEN REAL PROPERTY TAX SERVICE AND APPLIED BUSINESS SYSTEMS**

WHEREAS, resolution No. 300-814 approved an agreement between Real Property Tax Services and Applied Business Systems, 26 Harvester Avenue, Batavia, New York for printing of the Orleans County tax bills, Village Tax bills, and School tax bills at a cost \$.1897 per bill and \$.0612 per collector's copy, with such fees charged back to municipalities.

FUTHER RESLOVED, that this Legislature approves an agreement extension for an additional 12 month period for printing services rendered through August 31, 2016 with no contract changes.

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

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**RESOLUTION NO. 43-116**

APPROVING SOFTWARE AGREEMENT BETWEEN THE PERSONNEL AND SELF INSURANCE DEPARTMENT AND J.J. KELLER

WHEREAS the Department of Personnel and Self Insurance Department has been Prospera software to maintain human resources information and health assessments the past three years; and

WHEREAS the maintain and retrieval of human resources information and health assessments is a critical function and needs to be efficiently performed; be it

RESOLVED, that this Legislature approves an agreement between the Department of Personnel and Self Insurance Department and J.J. Keller, P.O. Box 368 Neenah, WI 54957-0368, for a 36-month lease of Prospera Professional Plus which will include one license at a total three year price of \$5,895.00 beginning March 1, 2016.

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

**RESOLUTION NO. 44-116**

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; now be it

RESOLVED, that this Legislature authorizes the agreement with Occupational Safety Consultants, Inc., 175 Thurlow Ave, Rochester, NY 14609 for safety consulting services at an hourly rate of \$130; and be it

FURTHER RESOLVED, that this budgeted contractual expense shall not exceed \$20,000 for 2016.

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

**RESOLUTION NO. 45-116**

**AUTHORIZING GRANT APPLICATION TO NEW YORK STATE  
DEPARTMENT OF LABOR HAZARD ABATEMENT BOARD  
GRANT 2016-17**

WHEREAS the New York State Department of Labor Hazard Abatement Board is providing opportunities to apply for grants that will help keep employees in compliance with OSHA or PESH requirements and help to reduce your Workers' Compensation claims and costs.

RESOLVED, that this Legislature authorizes the Orleans County Department of Personnel and Self Insurance to apply on the behalf of the Orleans County Self Insurance Plan to apply to the office of New York State Department of Labor Hazard Abatement Board Grant 2016-17 with no County cost.

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

**RESOLUTION NO. 46-116**

**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, 2016 through December 31, 2016.

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

Legislator Johnson moved to appoint members to the Employee Assistance Program Committee. Legislator Johnson asked to amend the resolution by adding Devon Pahuta as a representative of the Orleans County Deputy Sheriff's Association to the list of appointments already provided; seconded by Legislator DeFilippis. The following resolution was adopted as amended:

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**RESOLUTION NO. 47-116**

APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

RESOLVED, that this Legislature authorizes the following appointments to the Employee Assistance Program Committee for the following terms:

Katie Harvey	Personnel – Management	1/1/16-12/31/17
Patricia Urquhart	Mental Health – CSEA	1/1/16-12/31/17
John C. Welch, Jr	Personnel – Management	1/1/16-12/31/17
Devon Pahuta	Sheriff Department – OCDSA	1/1/16-12/31/17

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

**RESOLUTION NO. 48-116**

APPROVING AGREEMENT BETWEEN THE COUNTY OF ORLEANS AND HEALTH ECONOMICS GROUP INC

RESOLVED, that this Legislature does hereby approve an agreement between the County of Orleans and Health Economics Group, Inc, 1050 University Ave, Ste A, Rochester, NY 14607 for the provision of a Flexible Benefits Program with a cost pepm (per employee per month) of \$3.00 in 2016; \$3.25 in 2017; and \$3.40 in 2018, with a monthly minimum charge of \$75 and the annual fee will remain at \$100 and debit card fee of \$2.50 pepm effective January 1, 2016 through December 31, 2018.

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

**RESOLUTION NO. 49-116**

APPROVING REAL ESTATE SALES CONTRACT FOR THE SALE OF 315 EAST AVENUE (78.11-1-52), VILLAGE OF ALBION

WHEREAS, the parcel commonly referred to as 315 East Avenue (78.11-1-52), Village of Albion, was subject to an In Rem Tax Foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, the parcel is a commercial property, and

WHEREAS, the County of Orleans is authorized to sell commercial property via private treaty, and

WHEREAS, the County Legislature wishes to find a suitable and productive reuse of the real property, now, therefore, be it

RESOLVED, that this Legislature approves a Real Estate Sales Contract for 315 East Avenue (78.11-1-52) between the County of Orleans as Seller, and Richard Colonna as Buyer, for a sale price of \$15,000.00, subject to the attorney approval of the County Attorney.

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

**RESOLUTION NO. 50-116**

AUTHORIZATION TO ACCEPT GRANT AND APPROVE AGREEMENT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, the Office of the NYS Homeland Security and Emergency Services has informed the Orleans County Sheriff's Department that they have been awarded \$133,385 under the New York State 2015-2016 Public Safety Answering Points Operations Grant Program (2015-16 PSAP Grant); now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant agreement PS15-1017-D00; Contract #198540 in the amount of \$133,385 for the Sheriff's Department to use for eligible public safety call-taking and dispatching expenses, effective January 1, 2016 through December 31, 2016; and be it

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

**RESOLUTION NO. 51-116**

AUTHORIZING FILLING VACANCY IN THE SHERIFF'S/DISPATCH OFFICE

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RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Public Safety Dispatcher position (3020.19) in the Sheriff's Dispatch Department, at an hourly rate of \$11.59 effective January 28, 2016

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

**RESOLUTION NO. 52-116**

**AUTHORIZING EXECUTION OF SECRETARIAL SERVICES  
CONTRACT FOR ORLEANS COUNTY PUBLIC DEFENDER**

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a renewal contract for Secretarial Services with Church and Church Law Firm for the Orleans County Public Defender, at an annual cost of \$26,000; and said amount to be paid in quarterly installments of \$6,500, a 2% increase over 2014-15, upon submission of a county voucher at the end of each quarter, agreement effective for the 2016 and 2017 calendar years.

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

**RESOLUTION NO. 53-116**

**APPROVING AGREEMENT WITH ORLEANS COUNTY DISTRICT  
ATTORNEY'S OFFICE AND THE U.S. DEPARTMENT OF JUSTICE**

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement between the District Attorney's Office and the U.S. Department of Justice effective January 1, 2016 through December 31, 2016 allowing receipt of seized funds on Federal forfeitures; and be it

FURTHER RESOLVED, that this Legislative body hereby authorizes the Chairman of the Legislature to execute this agreement as approved by the Orleans County Attorney.

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

**RESOLUTION NO. 54-116**

**AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT**

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2015 Grant Funds for purchase of personal protective safety equipment (PPE) for Deputy Coordinators and Fire Investigators at a cost not to exceed \$3,000; radio repeater for Coordinator's emergency vehicle at a cost not to exceed \$12,059; and a lap top for the emergency vehicle at a cost not to exceed \$3,000; and be it

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

Revenue		
A4309.2015	State Homeland Security Grant Program FY2015	\$18,059
Appropriation		
3640.486.2015	Special Grants (SHSP-FY15)	\$18,059

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

**RESOLUTION NO. 55-116**

**APPROVING AGREEMENT WITH EMERGENCY MANAGEMENT OFFICE AND AMERICAN RED CROSS**

RESOLVED, that this Legislature approves the Memorandum of Understanding between the Emergency Management Office and the American Red Cross to define a working relationship in preparing for, responding to and recovering from emergencies and disasters for individuals, families and communities in Orleans County as well as clarification of roles and responsibilities of Red Cross and other agencies within the County, and be it

FURTHER RESOLVED, that this MOU will be for a 5-year period of January 1, 2016 to December 31, 2020.

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

**RESOLUTION NO. 56-116**

APPROVING REPAIRS AND UPGRADE OF EMERGENCY MANAGEMENT FIRE TRAINING TOWER, APPROVING AGREEMENT WITH CALL'S METAL BUILDING ERECTORS, INC AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE EMERGENCY MANAGEMENT BUDGET

WHEREAS, Resolution No. 296-815 authorized an inspection of the Fire Training Tower/Burn Building by LaBella Associates; and

WHEREAS, the inspection report showed defective burn room panels per NFPA1403 standards; and

WHEREAS, Fire Facilities, Inc. is the sole source provider of the Westec Insulation System; now be it

RESOLVED, that this Legislature authorizes Fire Facilities of Sun Prairie, Wisconsin to supply all materials and parts at a cost not to exceed \$26,759 and Call's Metal Building Erectors, Inc. of Somers, Wisconsin to provide all labor at a cost not to exceed \$22,785, for a total project cost of \$49,544; said funds to be paid from Emergency Management A3640.444—Repairs to Equipment and Property; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute an agreement with Call's Metal Building Erectors, 8128 12<sup>th</sup> St, Somers, WI 53171-0162 to provide the labor to re-line burn room with Westec Liner, subject to the review and approval of the Chief Administrative Officer and County Attorney; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds from the Future Infrastructure Reserve into the Emergency Management budget to complete the repairs recommend by the LaBella as follows:

From:  
Future Infrastructure Reserve \$70,000.00

To:

A3640.444      Repairs to Equipment and Property      \$70,000.00

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

**RESOLUTION NO. 57-116**

**APPOINTING MEMBERS TO EMERGENCY MEDICAL SERVICES  
COUNCIL**

RESOLVED, that this Legislature appoints the following members to the Emergency Medical Services Council, all terms expiring December 31, 2016:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
<u>VOTING MEMBERS:</u>	
Albion Fire Department	Chuck Prentice/Fred Piano Alt.
Barre Fire Department	Patrick Lamka/Terry Bentley, Alt.
Carlton Fire Company	Lynn Miller/ Justin Niederhofer, Alt.
Clarendon Fire Company	Donald Mosier
East Shelby Fire Department	Michael Fuller
Fancher-Hulberton-Murray Fire Company	Debbie Fiorito/Tracey Sicurella, Alt
Holley Fire Company	Susan Dann
Kendall Fire Company	Sue Maslyn
Lyndonville Fire Company	Tina Woolley
Medina Fire Department	Steve Cooley/Matthew Jackson, Alt.
Ridgeway Fire Company	Kristin McAdoo
Shelby Fire Company	John L. Miller II
COVA	Jason Spencer/Laurie Schwab, Alt.
Orleans County Health Dept	Al Cheverie
Mutual Aid / EMS Coordinator	H. Dale Banker
Orleans County Sheriff	Randy Bower
Orleans County Dispatch	Allen Turner
<u>NON-VOTING MEMBERS</u>	
Co. Leg /Public Safety Committee	David Callard/Lynne Johnson
NYS Department of Health	James M. Mihalko

Moved, Johnson; second, DeFilipps.

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Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to appoint members to the Fire Advisory Board; seconded by Legislator DeFilipps. Legislator Johnson commended Pat Eick, Secretary to the Emergency Management Director, who is consistently working on pulling these people together from the various fire departments and EMS agencies. The following resolution was adopted:

**RESOLUTION NO. 58-116**

**APPOINTING MEMBERS TO FIRE ADVISORY BOARD**

RESOLVED, that this Legislature appoints the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2016 with all terms expiring December 31, 2016:

<u>AGENCY</u>	<u>NAME OF REPRESENTATIVE</u>
Albion Fire Department	Will Francis
Barre Fire Department	Jerry Bentley
Carlton Fire Company	Andrew Niederhofer
Clarendon Fire Company	Robert Freida
East Shelby Fire Department	Allen Turner
Fancher-Hulberton-Murray Fire Company	Chris Chilson
Holley Fire Company	Kevin Dann
Kendall Fire Company	Michael Schultz
Lyndonville Fire Company	Scott Buffin
Medina Fire Department	Josh Wolck
Morton (H-W-M Fire District)	Randy Davis
Ridgeway Fire Company	Francis Woodward
Shelby Fire Company	Andrew Benz
and be it	

FURTHER RESOLVED that the following are approved as non-voting members of the Board:

Orleans County Emergency Management	Dale Banker
Orleans #2 Deputy Coordinator	Francis Gaylord
Orleans #3 Deputy Coordinator	Martin Zwifka
Orleans #4 Deputy Coordinator	David J. Hydock
Orleans #5 Fire Investigator	David Clary

Orleans #6 Fire Investigator	Walter Batt
Orleans #7 Fire Investigator	David Knapp
Radio Systems	Kevin Doherty
Legislature Vice Chairwoman	Lynne Johnson
Legislator / Public Safety Committee	E. John DeFilipps
Orleans County Sheriff	Randy Bower
Office of Fire Prevention and Control	Dan Hausman

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

**RESOLUTION NO. 59-116**

**APPROVING AGREEMENT WITH MERCY FLIGHT**

RESOLVED, that this Legislature approves an agreement with Mercy Flight, Inc. for the provision of necessary air medical transfers; Orleans County to pay \$5,000 for the 2016 calendar year; no increase from 2015.

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

**RESOLUTION NO. 60-116**

**AUTHORIZING EXECUTION OF SECRETARIAL SERVICES CONTRACT FOR ORLEANS COUNTY ATTORNEY**

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a contract for Secretarial Services for the Orleans County Attorney, at a annual cost of \$19,055; said amount to be paid in equal monthly installments of \$1,587.91, upon the submission of a county voucher at the end of each month; agreement effective for the 2016 and 2017 calendar years.

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

**RESOLUTION NO. 61-116**

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APPROVING PAYMENT TO NEW YORK STATE ASSOCIATION OF  
COUNTIES (NYSAC) FOR GOVERNMENT CONSULTATION  
SERVICES

RESOLVED, that this Legislature hereby approves payment to NYSAC for Orleans County shared cost of government consultation in Albany, NY and Washington, D.C in the amount of \$6,018 for the 2016 calendar year for the provision of services to include: state budget advocacy, legislative advocacy, legal and technical assistance, training and educational programs, policy analysis, research, daily news clips, electronic newsletters, NYSAC news, and other programs and services of benefit to Orleans County.

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

Legislator Johnson moved to approve appointments to the InterCounty Association; seconded by Legislator DeFilipps. Legislator DeRoller added that he felt this has been a great opportunity to interrelate with other counties and it has been a great experience for him and looks forward in continuing in this process. The following resolution was adopted:

**RESOLUTION NO. 62-116**

APPROVING APPOINTMENTS TO INTERCOUNTY ASSOCIATION  
OF WESTERN NEW YORK

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

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

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

**RESOLUTION NO. 63-116**

APPOINTING MEMBERS TO SOIL AND WATER DISTRICT BOARD

RESOLVED, that this Legislature approves the following appointments to the Soil and Water District Board:

<u>Name</u>	<u>Representation</u>	<u>Term</u>
E. John DeFilipps	Legislature	1/1/2016-12/31/2016
William Eick	Legislature	1/1/2016-12/31/2016

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

**RESOLUTION NO. 64-116**

APPROVING APPOINTMENTS TO THE LOCAL DEVELOPMENT CORPORATION BOARD

RESOLVED, that this Legislature approves the following appointments to the Local Development Corporation Board:

<u>Name:</u>	<u>Address:</u>	<u>Expiration</u>
William Eick	10471 Freeman Rd, Medina NY	December 31, 2017
Fred Miller	5 Linwood Ave, Albion NY	December 31, 2017

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

**RESOLUTION NO. 65-116**

APPOINTING REPRESENTATIVES TO THE GENESEE FINGER LAKES REGIONAL PLANNING COUNCIL

RESOLVED, that this Legislature confirms the Chairman's appointment of Kenneth DeRoller, Orleans County Legislator as the Chairman's Alternate to the Genesee Finger Lakes Regional Planning Council, for a two-year term ending December 31, 2017; and be it

FURTHER RESOLVED, that this Legislature appoints James Bensley, Director of Planning, as an Orleans County representative on the

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Genesee Finger Lakes Regional Planning Council, for a two-year term ending December 31, 2017.

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

**RESOLUTION NO. 66-116**

**APPROVING APPOINTMENTS TO THE FISH AND WILDLIFE  
MANAGEMENT BOARD**

RESOLVED, that this Legislature confirms the Chairman of the Legislature's appointment of the following Sportsman and Legislative representatives to the Fish and Wildlife Management Act Board, terms effective January 1, 2016 through December 31, 2017:

Name	Representing:
E. John DeFilipps	Legislature
Don Allport	Legislature (Alternate)
Michael Elam	Sportsmen's Federation
Neil Newton	Sportsmen's Federation (Alternate)

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

**RESOLUTION NO. 67-116**

**APPROVING APPOINTMENT TO THE ORLEANS COUNTY JURY  
BOARD**

RESOLVED, that this Legislature approves the appointment of Fred Miller to a two-year term on the Orleans County Jury Board, effective January 1, 2016 through December 31, 2017.

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

**RESOLUTION NO. 68-116**

**APPOINTING MEMBERS TO SAFETY COMMITTEE**

RESOLVED, that this Legislature appoints the following members to the Safety Committee for a two-year term beginning January 1, 2016 through December 31, 2017:

Ryan Woolston	CSEA Union Representative
David B. Callard	Legislature Chairman
Lynne M. Johnson	Vice Chairman (Chairman's Designee)
Mike Christopher	OCSEA Union Representative
Jeff Cole	OCDSA Union Representative
Chuck Nesbitt	Chief Administrative Officer
Jim Noreck	Buildings and Grounds
Dale Banker	Director of Emergency Management
Jack Welch	Director of Personnel and Self-Insurance

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

Legislator DeFilipps moved a resolution to appoint a commissioner of Elections; seconded by Legislator Johnson. Chairman Callard expressed that Sylvia was an excellent selection. She has served Orleans County for many years in the past and did a wonderful job. He is confident that she will do a wonderful job as she replaces Commissioner Piedimonte. The following resolution was adopted:

#### **RESOLUTION NO. 69-116**

##### **APPOINTING COMMISSIONER OF ELECTIONS**

WHEREAS, the Republican Commissioner of Elections has announced his retirement effective January 30, 2016; and

WHEREAS, a recommendation has been received from the Orleans County Republican Committee recommending that Sylvia Shoemaker be appointed as Commissioner of Elections effective February 1, 2016 to fill the unexpired term of Commissioner Piedimonte; therefore, be it

RESOLVED, that this Legislature appoints Sylvia Shoemaker as the Commissioner of Elections for the term of January 1, 2016 through December 31, 2016, at an annualized salary of \$18,860 which will be prorated.

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

Sylvia was applauded and gathered for a picture with Janice Grabowski, Democrat Commissioner and Legislators Eick and Miller of the Elections Committee.

**RESOLUTION NO. 70-116**

**AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY 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 February 10, 2016:

Fund/Department	Check Number (s):	Amount:
General	2738-2887	\$368,631.19
Highway	681-687; 1628-1657	\$40,822.23
Job Development	1994-2004	\$10,205.23
Self Insurance	1106; 56378-26382	\$4,820.01

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 February 24, 2016:

Fund/Department	Check Number (s):	Amount:
General	2899-3018	\$311,234.14
Highway	688-693; 1658-1676	\$18,815.17
Job Development	2006-2015; 2018	\$10,231.05

Self Insurance	1170; 56443, 56446, 56448- 56450; 56456	\$20,321.48
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Moved, Eick; second, Miller.  
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson presented an add on resolution in its entirety to oppose Governor Cuomo's proposed increase in the minimum wage. Legislator Johnson asked to add Orleans Community Health in the distribution of this adopted resolution. She stated she was at a Hospital Board meeting and this is one more thing that could cripple our only county hospital. Legislator DeFilipps seconded the motion. Legislator Allport during discussion stated that it amazes him that the people in government don't know how the free capitalist system works. He said that they always say that this guarantees a working wage but all it does is it causes a vicious cycle. Employers, whether mandated or not, have to raise their wages if a person enters with a college degree at an entry level to compete. A minimum wage job is not to raise a family on. This is not what entry level to the workforce is. So, Legislator Allport further explained that this is the vicious cycle, that once wages are raised, product prices are then raised, and minimum wage will then be raised again. Legislator Johnson believes that we stand to lose businesses over this. She has spoken to restaurant owners where most of the wait staff is at minimum wage. So they will either close, or pass it on to the customer in order to survive. The following resolution was adopted:

**RESOLUTION NO. 71-116**

**OPPOSING GOVERNOR CUOMO'S PROPOSED INCREASE IN THE  
MINIMUM WAGE**

WHEREAS, Governor Cuomo's Executive 2016-17 State Budget Proposal includes increasing the minimum hourly wage from \$9.00 to \$15.00 over the period from December 31, 2016 to July 1, 2021; and

WHEREAS, Orleans County has experienced the loss of local jobs when New York's minimum wage was previously increased, which made New York State non-competitive with the minimum wage paid in other states; and

WHEREAS, it is the belief of this Legislature that the proposed government mandated minimum wage increase will cost upstate New York

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hundreds of thousands of jobs since the onerous tax structure in New York State already places a tremendous burden on small businesses; and

WHEREAS, this proposed increase in minimum wage will also create pressure on local governments, as employers, to increase wages in order to attract workers; and

WHEREAS, this wage pressure, together with a possible .12% tax cap on property taxes for next year, would create great pressure to cut non-mandated programs, such as valuable youth employment and senior programs to keep seniors at home and out of nursing homes; now, therefore, be it

RESOLVED, that the Orleans County Legislature urges the Governor to reconsider this proposal, and asks our state delegation to oppose this increase; and, be it further

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, InterCounty of Western New York, all Orleans County Towns and Villages, Orleans Community Health System, and all others deemed necessary and proper.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard called for old business. Legislator Allport stated that last year this Board passed a resolution opposing the state's plan to close workshops (like our ARC affiliated workshop). Shortly after we passed our resolution, NYSARC and other ARC's from around the state went to Albany to protest this action. Legislator Allport stated that Legislation is working its way through Albany to oppose closing these workshops and allow individuals who are working in these center based workshops to stay or choose to work in the public sector. He said this is good news and he hopes they have enough to override a veto from the Governor.

Taylor Quarles, who is working on the proposed Apex Lighthouse Wind Project, came to introduce himself and provided a brief update. He said they are working hard through the Article X process, which is new to everyone. On October 31, 2014 they submitted their public involvement

plan. They carried out public informational activities for over a year, which was over double the time that was required of them for this. In November of 2015 they submitted their preliminary scoping statement which outlines what will be in the final application. Mr. Quarles said that this had a public comment period through January 12<sup>th</sup> again double of its original requirement for public comment. His company is working hard in responding to those comments in a subsident manner which they have until February 11<sup>th</sup> to do so. They are looking forward to working with the towns, agencies and members of the public to finalize what is going to be submitted in the final application which will include all of the details these folks are waiting for explained Mr. Quarles. This final application is planned for submission sometime this summer. Mr. Quarles stated that between now and then, he is hoping to meet with everyone individually. He knows of numerous constituents that are in favor of the project that are also very eager to meet with the board members individually. Mr. Quarles indicated they have an office in downtown Barker that is open four days a week, a website at [lighthousewind.com](http://lighthousewind.com), and an email address of [info@lighthouse.com](mailto:info@lighthouse.com).

Paul Lauricella, Yates, stated that he supports the minimum wage resolution. He said government always comes back with cutting valuable services for seniors and youth, which is their typical “tug at your heart strings” response. Mr. Lauricella feels the government does not want to give up on some of these programs either. It is all about taxes in the state and local levels which need to be lowered. He said what does it matter if everyone’s wages are raised when the taxes on everything is high. Chairman Callard said the ownness is on the state because what it will do to the local municipalities is to force reduction in services while the state continues to place the burden on the local tax payer. Chairman Callard stated that it is a vicious cycle. The State needs to look at the duplication of services and efficiencies that could help save taxpayer money. Mr. Lauricella stated as a citizen we only have control locally. Legislator Allport stated that the services we provide in our County, with the exception of road patrol, 911 call center, and a portion of the highway department that can’t be turned over to the local towns and villages on mandates of maintenance; everything else is mandated by the State. Legislator Allport stated he would never support not continuing with road patrol and 911 services. Chairman Callard asked Mr. Lauricella what he would do. He suggested that Sheriff Deputies could be placed in the towns so they are closer to crime if it happens and do not need to travel across the county.

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Legislator DeRoller reported that a large focus has been on two infrastructure areas which include bridges, our Erie Canal bridges and other high span bridges. We have 27 total bridges in Orleans County which 25 of those are over 100 years of age. We have 20 high span bridges with approach issues and 7 lift bridges which incorporate 40% of the lift bridges in New York State. We have two closed, one reduced lane, 6 structurally deficient, 14 obsolete, 16 with low limits, and the list goes on. It is a real burden to this county stated Legislator DeRoller. Staff has been working diligently with our state representatives and agencies and getting information on our website about our infrastructure issues. Legislator DeRoller also stated that we have 12.7 miles of parkway, two lanes that are in terrible shape. He said that \$2.6 million has been committed to do work on the parkway starting in Monroe County where the traffic counts are high and moving this way where it is not being used as much due to its condition. He said \$2.6 million in paving from the O'Rourke bridge up to Route 390 and then out to Route 237 is the plan. Our focus then would be from Route 237 out to Lakeside State Park to fill that gap. Legislator DeRoller expressed that all hands have been on deck to make people aware of this. All ten towns and four villages have resolutions on the books concerning these infrastructure issues. Knowing the importance of these assets, Legislator DeRoller stated they are trying to get people to the table to obtain funding.

Legislator Allport noted that we heard a lot about the snow storm along the east coast a week ago and a picture was sent to him of the Tomb of the Unknown Soldier that remained guarded the entire time the snow fell. He expressed that the commitment to duty and dedication that our military has and he thought that it was a disgrace that our news media never covered this. What these individuals do to get the privilege of this detail and their commitment to stand guard and protect that tomb at Arlington Cemetery should not go unrecognized. He feels that it is a shame that our government does not acknowledge these individuals.

Legislator DeRoller moved to adjourn; second by Legislator Allport.. Meeting adjourned at 5:30 p.m.

**LEGISLATURE MEETING**

February 24, 2016

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Vice Chairwoman Johnson 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 Chairman David Callard.

The Clerk presented the following communications:

**Orleans County Town/Village Resolution Submissions**

Town/Village	Resolution Title
V/Albion	Support of Local Transportation Funding (Supporting
T/Yates	Orl. Co. Leg Resolution No. 20-116)

Orleans County Youth Board calls for nominations for Youth Recognition Awards, the Helen R. Brinsmaid Award and the Eileen Heye Adult Volunteer Recognition Awards. All nominations are due March 18, 2016. The 34<sup>th</sup> Annual Youth Recognition Banquet is scheduled for Thursday, May 12, 2016. Nomination Forms are available through the Orleans County website by locating the Youth Bureau through the Resident Services choice under Departments menu or call 344-3960.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements for December 2015 and January, 2016. The Nursing Home funds hit the account in December. In February \$9,074,000 has been collected in taxes.

Vice Chairwoman Johnson called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired about the type of beeps that are heard after the monitors are called on emergency calls. Sheriff Bower indicated that those beeps trip the low band radio that also sends out the page. Mr. Lofthouse asked if other counties have this. Sheriff Bower stated that is what our county is doing.

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

**RESOLUTION NO. 72-216**

**AUTHORIZING PAYMENTS FROM CAPITAL PROJECT  
INFRASTRUCTURE PROJECTS ACCOUNT**

February 24, 2016  
Resolutions 72-103

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>
\$948.00	Barton & Loguidice, DPC	Prof. Services for East Scott Road over Fish Creek – Inv #81376
\$15,077.31	Redman Construction	Final Construction payment for Oak Orchard Bridge

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.251, Capital Project – Infrastructure Project – Culvert Improvements:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$63,298.85	Keeler Construction	Construction Knowlesville Culverts – Final Pay #3 – 11/15/15-2/12/16

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>
\$4,940.54	Medina Lumber & Hardware	Change Order: steel and accessories – Inv #20141

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

### **RESOLUTION NO. 73-216**

AMENDING RESOLUTION NO. 19-116 AND AUTHORIZING  
TRANSFER OF FUNDS WITHIN THE HIGHWAY BUDGET

WHEREAS, the Legislature approved the purchase of (2) two new  
dump trucks on Resolution No. 19-116 through Southworth-Milton CAT

through budget code DM5130.270 for a total cost of \$363,654.20 to be paid in five equal payments of \$36,365.42, and be it

FURTHER RESOLVED, that the Legislature hereby does approve amending resolution No. 19-116 to be paid entirely from account DM9785.601 Debt Service; and therefore be it

FURTHER RESOLVED, the Treasurer is authorized to transfer funds within the Highway Budget as follows due to auditor's recommendation.

<u>FROM:</u>		
DM5130.270	Capital Equipment	\$72,730.84
 <u>TO:</u>		
DM9785.601	Principal Debt Service	\$72,730.84

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

**RESOLUTION NO. 74-216**

**APPROVING PURCHASE BETWEEN THE HIGHWAY DEPARTMENT AND ELDERLEE INC.**

RESOLVED, that this Legislature authorizes the Highway Department to purchase heavy posts and blockouts from Elderlee Inc., 729 Cross Road, Oaks Corners, New York 14518 due to a claim for stolen property, file #Orle-2015-003-00. Total cost of the recovering damages are \$92,550; to be reimbursed through insurance recovery money and to be paid from account D5120.436 (Bridge Materials). Pricing is based on the OGS contract #PC66722. County Cost is \$0.

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

**RESOLUTION NO. 75-216**

**APPROVING AGREEMENT BETWEEN BUILDINGS & GROUNDS AND OTIS ELEVATOR COMPANY**

*February 24, 2016*  
*Resolutions 72-103*

RESOLVED, that this Legislature approves an agreement (proposal #AF6762) between Highway/Building & Grounds and Otis Elevator Company, 2 Townline Circle, Rochester, NY 14623 to provide maintenance and inspection of elevators in the County Jail, County Office Building, Mental Health Building, County Clerk's Building and the County Courthouse effective January 1, 2016 through December 31, 2019 in the amount of \$9,336.36 per year (\$778.03/mo); and be it

FURTHER RESOLVED, that this Legislature authorizes the contractor's price adjustment on the effective date of any labor rate adjustment under Otis's contract with the International Union of Elevator Constructors (IUEC) contract to reflect increases or decreases in material and labor costs.

Moved, Eick; second, Miller.

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

#### **RESOLUTION NO. 76-216**

**AUTHORIZING PURCHASE AND APPROVING AGREEMENT  
BETWEEN BUILDINGS AND GROUNDS AND OLD DUTCHMAN'S  
WROUGHT IRON**

RESOLVED, that this Legislature authorizes a purchase from Old Dutchman's Wrought Iron, 2800 Millersport Highway, Getzville, NY 14068, for fabrication and installation of Series 250 aluminum railing system to be installed at the Courthouse Square, per written Quote #8217 submitted in the amount of \$9,211. Project to be paid from the 1620.470 Capital Construction project account; and be it

FURTHER RESOLVED, that this Legislature approves an agreement between Buildings and Grounds and Old Dutchman's Wrought Iron, 2800 Millersport Highway Getzville, NY 14068, for the installation of these replacement railings at the Courthouse Square.

Moved, Eick; second, Miller.

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

#### **RESOLUTION NO. 77-216**

**AUTHORIZING PURCHASE AND APPROVING AGREEMENT  
BETWEEN BUILDINGS AND GROUNDS AND GP LAND & CARPET  
CORP**

RESOLVED that this Legislature authorizes Buildings & Grounds to purchase Carpet – Milliken Southern Analog Carpet tiles and Mannington VCT, vinyl base material and adhesive, with labor/installation included from GP Land & Carpet Corp., 5905 Lake Road South, Brockport, NY 14420 at the cost of \$5,646.55 (NJPA Contract #022712-MAC) (Proposal #816-0211-1) for Orleans County Real Property’s office due to safety issues and shall be paid from the Buildings and Grounds Budget Account A1620.403 - Maintenance Projects.

RESOLVED that this Legislature approves an agreement between Buildings & Grounds and GP Land & Carpet Corp., 5905 Lake Road South, Brockport NY 14420 for the installation of the carpet in the Orleans County Real Property Tax Office.

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

**RESOLUTION NO. 78-216**

**AUTHORIZING FILLING OF VACANCIES IN THE ELECTIONS  
DEPARTMENT**

RESOLVED, that this Legislature does hereby authorize the filling of two vacant part-time Clerk positions (1450.11 and 1450.12) in the Elections Office at \$10.13 per hour effective February 25, 2016.

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

**RESOLUTION NO. 79-216**

**AUTHORIZING ABOLISHING, CREATING AND FILLING  
POSITIONS IN THE JOB DEVELOPMENT AGENCY**

RESOLVED, that this Legislature authorizes the abolishment of a full-time Employment and Training Coordinator position (6210.08) in the Job Development Agency effective February 24, 2016; and be it

*February 24, 2016*  
*Resolutions 72-103*

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Workforce Coordinator position in the Job Development Agency, at grade 18 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Job Development Agency effective February 25, 2016.

Moved, Miller; second, Eick.

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

**RESOLUTION NO. 80-216**

**AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR THE MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA) FUNDING**

RESOLVED, that this Legislature authorizes Office for the Aging to apply for the MIPPA grant in the amount of \$9,917 to educate and assist Medicare beneficiaries with limited incomes, outreach and assistance with Medicare Part D for beneficiaries in rural areas, and assist with Low Income Subsidy and Medicare Savings Applications effective September 30, 2015 through September 29, 2016; County cost of \$0; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute the grant agreement and all related documents associated with this grant, subject to review by the County Attorney.

Moved, Miller; second, Eick.

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

**RESOLUTION NO. 81-216**

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES**

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

Orleans County Health Department, Albion, NY for the provision of licensed nursing assessments for DSS Medicaid Personal Care Aide clients; to be effective January 1, 2016 through December 31, 2016 at rates established by the NYS Department of Health. County cost \$0.

Villa of Hope Youth and Family Services, Rochester, NY for the provision of residential foster care services; to be effective March 13, 2016 through March 12, 2017 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.

Willcare, Inc. to provide personal care aide services to Medicaid clients at rates to be set by the NYS Department of Health for the period the period January 1, 2016 through December 31, 2016

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

#### **RESOLUTION NO. 82-216**

**APPROVING SUBMISSION OF THE ANNUAL PLAN UPDATE OF THE CHILD AND FAMILY SERVICES CONSOLIDATED SERVICE PLAN TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES ON BEHALF OF SOCIAL SERVICES**

WHEREAS, New York State Office of Children and Family Services requires each local district to submit an Annual Plan Update describing and explaining all available services provided to the public and changes made since the last submission was made; and

WHEREAS, this present plan update provides explanatory procedures and policy to those within the realm of needing services and assistance for their families; be it

RESOLVED, that this Legislature does hereby approve the submission of the Annual Plan Update of the Children and Family Services Consolidated Services Plan as required to the State of New York.

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

**RESOLUTION NO. 83-216**

**AUTHORIZING ABOLISHING AND CREATING POSITIONS IN THE  
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operation of County business and reorganization to more effectively utilize positions; now be it

RESOLVED, that the Legislature does hereby abolish a full-time Keyboard Specialist position (6010.0603) upon the position being vacated; and be it

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Clerk position at the Grade 7 of the CSEA Salary Schedule effective February 25, 2016.

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

**RESOLUTION NO. 84-216**

**APPROVING APPOINTMENTS TO THE COUNTY OF ORLEANS  
INDUSTRIAL DEVELOPMENT AGENCY (COIDA)**

RESOLVED, that this Legislature approves the following appointments to the County of Orleans Industrial Development Agency:

<u>Name:</u>	<u>Address:</u>	<u>Expiration</u>
E. John DeFilipps	4726 South Manning Rd, Holley, NY	December 31, 2017
Kenneth DeRoller	2498 Kendall Rd, Kendall, NY	December 31, 2017
Kenneth Rush	1986 Main St, Waterport, NY	Serves at the pleasure

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

**RESOLUTION NO. 85-216**

**APPROVING AGREEMENT BETWEEN MENTAL HEALTH  
DEPARTMENT AND VARIOUS AGENCIES**

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

Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611 providing specialized financial management services and preparation and submission of CFR reports retroactive beginning January 1, 2016 and ending December 31, 2016 at a cost of \$27,000. County cost is \$1,890.

Language Line Services, 1 Lower Ragsdale Road, Monterey, CA 93940; to provide telephone interpretation provider services following the term of the New York State Office of General Services contract dated October 25, 2012 through October 24, 2017 at a cost of \$0.75/minute of translation services. County cost \$.08/minute of translation services.

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

#### **RESOLUTION NO. 86-216**

**AUTHORIZING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND FINGER LAKES PERFORMING PROVIDER SYSTEM (FLPPS)**

RESOLVED, that this Legislature approve an agreement between Mental Health and Finger Lakes Performing Provider System (FLPPS), 2100 Brighton Henrietta Town Line Road, Suite 100, Rochester, NY 14623, providing participation in achieving outcome measures related to the health care system improvements under the Delivery System Reform Incentive Payment (DSRIP) program for the period of March 1, 2016 through December 31, 2016; anticipated payments to the Mental Health Department will be performance-based up to a maximum of \$28,630; and be it

FURTHER RESOLVED, that the Chairman of the Legislature be authorized to execute subsequent contracts received during the remainder of 2016 subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

#### **RESOLUTION NO. 87-216**

**AUTHORIZING SETTING UP NEW MONEY IN THE MENTAL HEALTH BUDGET**

RESOLVED, that this Legislature authorizes setting up new money in the Mental Health budget to purchase a new Surface Pro tablet, as follows:

<u>From</u>	Misc Reserve	\$658.34
<u>To:</u>		
A4310.220	Office Equipment	\$658.34

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 88-216**

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

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

Office of the Aging, 14016 Rt 31 West, Albion, NY 14411 to provide chronic disease and accident prevention along with safety programs for Orleans County residents sixty and above effective January 1, 2016 through December 31, 2016. Reimbursement from New York State Health Department. County cost \$0.

Planned Parenthood, 114 University Ave, Rochester, NY 14605 to provide sexually transmitted infections testing to the uninsured or under insured residents of Orleans County effective January 1, 2016 through December 31, 2020. Fees for testing on page 12. All to be billed at the prevailing Medicaid rate, reimbursed from State Aide Grants. County cost \$0.

Oak Orchard Community Health Center Inc., at 300 West Ave, Brockport, NY 14420 to provide for translation services and liaison between the Orleans County Department of Health and the Migrant population effective October 1, 2015 through September 30, 2016 Contract funded

through New York State Migrant Grant. Contract period to run concurrent with the New York State Contract. County cost \$0.

Pamela Gallo, 6630 Conner Rd, East Amherst, NY 14051 Contract 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 January 1, 2016 through June 30, 2016 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.

Stepping Stones Learning Center, 41 Colebrook Dr, Rochester, NY 14617 Contract to provide appropriate special education related services (speech, music, physical therapies and evaluations) for eligible preschool children of Orleans County with disabilities through the 3-5 program placed by the Board Of Education effective September 1, 2015 through June 30, 2019. Rates are set by NYS Department of Education. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement.

United Memorial Medical Center, 127 North St, Batavia, NY 14020 to provide sexually transmitted infections testing to the uninsured or under insured residents of Orleans County effective January 1, 2016 through December 31, 2020. Various Fees for testing on page 12 of contract. All to be billed at the prevailing Medicaid rate, reimbursed from State Aide Grants. County cost \$0.

Building Blocks Comprehensive Services., Inc. at 275 Parrish St. Suite A, Canandaigua, NY 14424 Contract 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 January 1, 2016 through June 30, 2016. 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.

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 89-216**

**AUTHORIZING PURCHASE FROM HEALTH DEPARTMENT  
BUDGET FOR RABIES VACCINE**

WHEREAS, the Orleans County Health Department needs to purchase Human Rabies Vaccine for post exposure treatment to the residents of Orleans County; now, therefore be it

RESOLVED, that this Legislature allows the Health Department to make purchases of human rabies vaccine, when needed, up to the amount of \$83,708.00 from Health Department budget account A4010.409 – Vaccines & Medications as approved in the 2016 Orleans County Budget.

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 90-216**

**APPROVING AGREEMENT FOR DOCK WORKER/CUSTODIAL  
SERVICES AT ORLEANS COUNTY MARINE PARK**

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Ronald Bierstine, 1764 Oak Orchard Road, Albion, NY 14411, to provide dock worker and custodial services at Orleans County Marine Park from April 15, 2016 to September 25, 2016 at a cost not to exceed \$15,559 to be paid from Marine Park Budget account A7180.432-Misc. Contracts/Agreements.

Moved, DeRoller; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 91-216**

**APPROVING AGREEMENT WITH TIMOTHY NEWTON  
CONSTRUCTION FOR MOWING AT ORLEANS COUNTY PARKS**

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Timothy Newton Construction, 2374 Eagle Harbor-Waterport Rd., Albion, NY 14411, for mowing and trimming at the Orleans County Marine Park; Point Breeze site; boat dock rental site and Rte. 98/18 site from April 15, 2016 to October 31, 2016 at a cost of \$280

per mowing at all sites, to be paid from Marine Park Budget account A7180.432-Misc. Contracts/Agreements.

Moved, DeRoller; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 92-216**

**AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE  
FILE REDUNDANCY PROJECT**

RESOLVED, that this Legislature authorizes the purchase of one (1) server and accessory equipment from CDW-G, 75 Remittance Drive, STE 1515; Chicago, IL 60675-1515 for the Computer Services Capital Project File Redundancy project in the amount of \$5,592.97 (PO# 57055) to be paid from Computer Services Account A1680.270 – Capital Equipment which will maximize the architecture to minimize data loss and provide backup and failover tolerances; and provide a greater fault tolerance and user accessibility.

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

**RESOLUTION NO. 93-216**

**AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE  
SECURITY ACCESS CONTROL UPGRADE PROJECT**

RESOLVED, that this Legislature authorizes the purchase of hardware, professional installation service, software and conversion training from LINSTAR Inc., 430 Lawrence Bell Drive, Buffalo, NY 14221 for the Computer Services Security Access Upgrade project in the amount of \$8,906.26 (PO# 57059) to be paid from Computer Services Account A1680.270 – Capital Equipment which will upgrade the aging security hardware and software of the current access control systems, extend the life of the current hardware infrastructure and maintain the safety and security posture of Orleans County Government, its personnel and its building assets.

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

**RESOLUTION NO. 94-216**

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF  
INSURANCE PLAN AND OLIVER WYMAN**

WHEREAS, it is necessary to determine the liability of the workers' compensation costs associated to the individual members of the Orleans County Self Insurance Plan per Local Law 4 of the year 2015, and

WHEREAS, a Request For Proposal was issued December 28, 2015 for Actuarial Services for the Orleans County Self Insurance Plan which had a due date of February 2, 2016; and be it

RESOLVED, that this Legislature authorizes the agreement with Oliver Wyman Actuarial Consulting Inc, 48 South Service Rd, Ste 310, Melville, NY 11747 for an Actuarial Services to estimate the Plan's unpaid retained workers compensation loss and allocated loss adjustment expenses and to identify the portion that is attributable to the Orleans County Self Insurance Plan's members with an evaluation date of December 31, 2015, 2016 and 2017 with two optional one-year renewals for years ending December 31, 2018 and 2019 at an annual cost of \$11,000 for each year of the agreement, which will be a direct expense to the Orleans County Self Insurance Plan.

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

**RESOLUTION NO. 95-216**

**AMENDING THE 2015-2016 MANAGEMENT COMPENSATION  
PLAN AND APPROVING THE MANAGEMENT COMPENSATION  
PLAN FOR 2017 AND 2018**

WHEREAS, this Legislature desires to control costs and provide certainty for the approaching budget process as it relates to compensation for management and elected officials; therefore, be it

RESOLVED, that as of January 1, 2016 the Management Compensation Plan for 2015 and 2016 be updated to reflect a continued savings from the implementation of a high deductible plan and complete health insurance reorganization will be invested back into compensation

for management employees allowing for increases of 2% in January 2017 and 2% in January 2018; and be it

FURTHER RESOLVED, that various adjustments will be made to the plan that allow for implementation of quality of life measures at little or no cost to the county effective January 1, 2016; and be it

FURTHER RESOLVED, that the aforementioned plan is to be filed with the Clerk of the Legislature by the Chief Administrative Officer and Director of Personnel and Self Insurance and that the terms and provisions of the plan as filed are incorporated herein by reference as if fully set forth in this resolution.

Moved, DeFilippis; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

#### **RESOLUTION NO. 96-216**

SETTING DATE AND TERMS FOR AUCTION OF COUNTY-OWNED TAX PROPERTIES NOTWITHSTANDING ANY RESOLUTION HERETOFORE ADOPTED

RESOLVED, that the following terms of auction for County-owned property for the auction to be held Wednesday, June 22, 2016 at 11:00 a.m. at the Albion Elk Lodge #1006, 428 West State Street, Albion, New York, be approved by this Legislature as follows:

TERMS OF AUCTION  
ORLEANS COUNTY TAX PROPERTY AUCTION  
ALBION ELK LODGE#1006  
ALBION, NEW YORK  
June 22, 2016  
11:00 AM

This is the sale at public auction of various parcels of real property, which have been conveyed in the County of Orleans by final judgment under the so-called In Rem Tax Foreclosure Proceedings. This sale is ordered by various resolutions of the Orleans County Legislature and is in accordance with the appropriate provisions of the Real Property Tax Law. This sale and sale of each and every parcel herein is upon the following terms:

TERMS AND CONDITIONS

OF THE  
ORLEANS COUNTY AUCTION OF TAX FORECLOSED PROPERTY

1. Orleans County acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings; and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose: (b) applicable zoning/land use/building regulations; (c) water assessments are the responsibility of the purchaser, whether they are received or not; (d) the levied 2016 Town and County tax bill including any releived taxes, 2015/2016 village taxes, 2015/2016 school tax, any village or town water and sewer rents and assessments, in addition to any other applicable charges (including, but not limited to, omitted and pro rata taxes, demolition charges, interest and penalties); and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the public auction.
4. The purchaser shall be solely responsible for the payment of: the levied 2016 Town and County tax bill including any releived taxes; any Village taxes levied after May 31, 2016, the 2016/2017 school taxes, the 2017 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.
5. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date of the auction. Upon delivery of the quitclaim deed by the County of Orleans to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
6. No personal property is included in the sale of any of the parcels owned by Orleans County, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
7. All informational tools, such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a

guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. THE COUNTY, THE AUCTIONEER, AND THE AUCTION SERVICE MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.

8. The County of Orleans reserves the right, in its sole discretion, to withdraw from the auction any of the properties listed on the schedule of real property.
9. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and sold subject to the provisions of law applicable thereto.
10. All bidders are required to register and provide suitable personal identification prior to the auction. Auctioneer reserves the right to decline registration if identification is not sufficient.
11. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.
12. Bidder acknowledges receipt of the pamphlet entitled "Protecting Your Family From Lead in Your Home." Bidder also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards, mold, asbestos or any other hazardous substances.
13. The former owner of the property, or his agent, shall not be deemed to be the successful bidder on the property or purchase same at the public auction, unless the bid amount exceeds the amount of the purchase price to affect the release of County's interest. If the former owner or his agent reacquires the property, all liens existing prior to the foreclosure, will be reinstated and the purchaser (former owner) must sign the deed to reinstate the liens.
14. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for recording the deed in the Orleans County Clerk's Office. The purchaser executing the auction terms and conditions of sale may not assign or otherwise transfer his right to complete the bid, unless the County agrees in writing. The deed prepared will be in the name of the successful bidder (and spouse) only. No third party bidding will be accepted, unless the bidder identifies that he is bidding as an agent for a disclosed principal.

15. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.
16. The Purchaser will execute an Offer to Purchase form immediately upon being declared the high bidder. The approval of each bid by Resolution of the County Legislature *will not constitute a Contract of Sale* and the County reserves the right to reject any bid prior to the closing of title and the recording of the deed.
17. The Purchaser shall be responsible for the payment of an eleven percent (11%) buyer's premium should buyer be paying by credit card or a ten percent (10%) buyer's premium should the buyer be paying by cash or by bank check in addition to the accepted purchase price and the closing fees/costs. The "buyer's premium" is the fee/commission earned by the auctioneer. An additional one and one half percent (1.5%) of the purchase price will be added to each parcel for advertising expenses. Accepted purchase price is the amount bid by a perspective bidder, which has been approved by the Orleans County Legislature.
18. All required deposits must be paid in full for all successful bids immediately upon being declared the successful bidder. Any successful bidder, who fails to tender the deposit immediately upon being declared the successful bidder, will be forbidden to participate in this or any other auction. Any parcels which the County did not receive deposits for, as per these terms and conditions, will be considered to be defaulted, and resold and the bidder will be disqualified from further bidding.
19. 25% of the total contract price (total contract price is the combination of the high bid and the buyer's premium, as defined in section 17 of these terms and conditions), shall be paid as a down payment on the day of the auction upon execution of an Offer to Purchase Form. Total contract prices selling for \$250.00 or less must be paid in full at auction, including all closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax [\$4.00 for the first \$1,000; \$2.00 for each \$500 thereafter of the purchase/bid price]; (b) Filing Fee for the Real Property Transfer Report [\$125.00 if the parcels classification code is 100-199, 200-299 or 411-C; \$250.00 for all parcels otherwise classified]; (c) Filing Fee for combined Gains Transfer Tax Affidavit [\$5.00]; (d) all fees required by the Orleans County Clerk for recording of the deed [\$50.00 to record a one page deed; \$5.00 for each additional page] *Closing costs may be subjected to an*

- increase in fees as required by law, without notice.* All deposits must be made in cash or guaranteed funds payable to the “Orleans County Treasurer” and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No exceptions.
20. All bids shall be subject to approval by the Orleans County Legislature, which shall have the right, in the Legislature’s sole discretion, to reject any bid for any reason whatsoever.
  21. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all deposits tendered, and you will not be permitted to close on any other parcels for which you are the successful bidder.
  22. The entire balance of the accepted purchase price, the buyer’s premium, as defined in section 17 of these terms and conditions, and all closing costs/fees must be paid by cash or guaranteed funds payable to received by the Orleans County Treasurer’s Office on or before July 29, 2016. The County is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the total contract price plus closing costs and fees as herein provided, the deposit shall be forfeited. The County reserves the right, in its sole discretion, to extend the time of payment upon such terms and conditions it deems appropriate.
  23. If the successful bidder fails to tender such amount due by the close of business on July 29, 2016, then the County may, but is not obligated to offer any unsold property to the second highest bidder. All terms and conditions for the sale set forth herein above shall apply to the second highest bidder and/or any other purchaser.
  24. All sales shall be final, absolute and without recourse, once title has closed and the deed has been recorded. In no event, shall Orleans County and/or Haroff Auction & Realty, Inc. and/or Absolute Auctions & Realty, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, success or assigns, against Orleans County and/or Haroff Auction & Realty, Inc. and/or Absolute Auctions & Realty, Inc. arising from this sale.
  25. The County of Orleans will execute no warranties concerning the parcel or title thereto and will not deliver or be responsible for abstracts, title insurance, title searches, surveys, maps or other documents concerning a parcel whatsoever.

26. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the accepted purchase price, buyer's premium, and closing fees/costs. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE ORLEANS COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording the deed.
27. A quitclaim deed issued as a result of the auction shall contain the following provisions: (a) "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein;" (b) Orleans County shall in no event be or become liable for any defect in the title so conveyed for any cause whatsoever, or for any encroachments or disputed boundaries; and that no claim or demand of any nature shall ever be made against said Orleans County arising from such sale or conveyance or any proceedings leading thereto.
28. Evictions, if necessary, are solely the responsibility of the successful purchaser after closing and recording of the deed.

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

#### **RESOLUTION NO. 97-216**

**APPROVING AGREEMENT BETWEEN THE TREASURER'S OFFICE AND ABSOLUTE AUCTIONS AND REALTY, INC AND HAROFF AUCTION AND REALTY, INC.**

RESOLVED, that this Legislature approves an agreement between the Treasurer's Office and Absolute Auctions and Realty, Inc. and Haroff Auction and Realty, Inc. for professional auction and licensed real estate broker services for the County In Rem Auction; for their professional services rendered through December 31, 2016 for the County In Rem Auction to be held on Wednesday, June 22, 2016; and be it

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

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

**RESOLUTION NO. 98-216**

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE  
AND NEW YORK STATE DIVISION OF HOMELAND SECURITY  
AND EMERGENCY SERVICES**

WHEREAS, the Orleans County Sheriff's Office continues to participate in the available Operation Stonegarden grants awarded annually by New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that the Orleans County Sheriff is authorized to participate in and accept the grant agreement between the NYS Division of Homeland Security and Emergency Services and the Sheriff's Office for Operation Stonegarden FY2015 in the amount of \$76,220; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SG15-1013-D00; contract #C838759 in the amount of \$76,220 for the Sheriff's Office to enhance cooperation and coordination between Federal, State, local and tribal law enforcement agencies in joint operations along the Canadian border effective September 1, 2015 through August 31, 2018.

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

Legislator DeFilipps moved a resolution to ask the state to increase Indigent Legal Defense system funding; seconded by Legislator Allport. Vice Chairwoman Johnson indicated that several of the Legislators attended the NYSAC conference and this was a resolution that was forwarded by many counties across the state and this resolution calls for 100% funding from the state for the indigent services. The following resolution was adopted:

**RESOLUTION NO. 99-216**

**RESOLUTION CALLING ON THE STATE TO INCREASE  
INDIGENT LEGAL DEFENSE SYSTEM FUNDING**

WHEREAS, the United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

WHEREAS, in 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS, the decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with the vast majority of costs for this state responsibility; and

WHEREAS, the shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover over 80% of the cost; and

WHEREAS, implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

WHEREAS, Assemblymember Patricia Fahy and Senator John DeFrancisco recently sponsored a same-as bill (A.6202B/S.6341) recognizing that indigent defense is a State fiscal responsibility and requiring the State, not the county, to pay for such service; and

WHEREAS, we commend Assemblymember Fahy and Senator DeFrancisco for championing a state fiscal takeover of indigent defense services, which will directly lead to improvements to this vital service for residents in need, and provide meaningful fiscal mandate relief for counties and real property taxpayers; and

WHEREAS, the State and multiple counties were sued, and ultimately settled, Hurrell-Harring, et. al v. State of New York, which sought to transform the indigent defense system and called for more government funding to be invested in the system; and

WHEREAS, the Hurrell-Harring settlement requires the parties involved in the suit to provide additional indigent defense services and

costly increases including first arraignment counsel, case load caps for public defenders, and additional staff and support for public defenders; and

WHEREAS, the proposed 2015-16 Budget only allocates increased funding to the five counties involved in the Hurrell-Harring lawsuit for expanding indigent defense; and

WHEREAS, the remaining 52 counties need increased funding so that expanded indigent defense services are uniform throughout the State; and

WHEREAS, the Governor has stated recently that the entire New York State justice system needs to be examined to insure it provides the most equitable and fair treatment possible; and

WHEREAS, the state can improve the public defense system by incrementally increasing state funding, designing a cost-effective way to finance the system over time, and relieving counties of a responsibility delegated to them since 1965; and now therefore be it

RESOLVED, that the Orleans County Legislature supports increased state funding to the indigent legal defense system and for the state to ensure counties will not be forced to pay for the additional requirements resulting from the Hurrell-Harring settlement; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, and all others deemed necessary and proper.

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

NYSAC Support – association counties – 100% funding for indigent services

**RESOLUTION NO. 100-216**

APPOINTING MEMBERS TO THE RADIO SYSTEM ADVISORY BOARD

February 24, 2016  
Resolutions 72-103

WHEREAS, the Orleans County Radio System Advisory Board, per grant guidelines, must organize once per year; now be it

RESOLVED, that this Legislature appoints the following members to the Radio System Advisory Board for a one year term beginning January 1, 2016 through December 31, 2016:

David B. Callard	Legislature Chairman
Lynne M. Johnson	Legislature Vice Chairman
E. John DeFilipps	Chairman, Public Safety Committee
Chuck Nesbitt	Chief Administrative Officer
Randy Bower	Sheriff
H. Dale Banker	Director of Emergency Management
Gerald R. Gray	Highway Superintendent
Allen Turner	Sheriff's Dispatch
Rolland Nenni	Chief of Police Albion/Holley
Kevin Doherty	Radio System Manager
Gerald Bentley	Fire Advisory Board
Michael Schultz	Fire Chiefs' Association

Moved, DeFilipps; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

#### **RESOLUTION NO. 101-216**

#### **AUTHORIZING EMAIL DELIVERY OF LOCAL LAWS TO COUNTY LEGISLATORS**

WHEREAS, pursuant to Chapter 397 of the Laws of 2015, the New York State Legislature amended Subdivision 4 of Section 20 of the Municipal Home Rule Law to provide that county legislative bodies may elect to receive introduced local laws via email delivery in lieu of regular mail delivery; and

WHEREAS, to reduce mailing costs and expedite the receipt and review of introduced local laws by County Legislators, it would be advantageous for the Orleans County Legislature to authorize email delivery of local laws; therefore be it

RESOLVED, that pursuant to Subdivision 4 of Section 20 of the Municipal Home Rule Law, the Orleans County Legislature hereby authorizes the email delivery of introduced local laws, with introduced local laws to be e-mailed to the e-mail in-box of each County Legislator in the Portable Document Format (PDF) at least ten calendar days, exclusive of Sunday, prior to its final passage.

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

**RESOLUTION NO. 102-216**

**AUTHORIZING PAYMENT OF CLAIMS FOR MARCH 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 March 9, 2016:

Fund/Department	Check Number (s):	Amount:
General	3035-3187	\$320,949.29
Highway	694-699; 1677-1703	\$46,006.76
Job Development	2021-2026	\$764.03
Self Insurance	1108; 56502-56506	\$5,166.26

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 March 23, 2016:

Fund/Department	Check Number (s):	Amount:
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General	3204-3319	\$198,045.90
Highway	700-702; 1704-1719	\$29,908.03
Job Development	2029-2032	\$8,012.30
Self Insurance	56608-56612; 1109	\$6,174.35

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

The following add on resolution was presented and adopted:

Legislator Eick moved to amend previous appointments to the Genesee Transportation Council; seconded by Legislator Miller. Legislator DeRoller added that this is an extremely important function that we need to participate in and knows that everyone here concurs with this. CAO Nesbitt stated that it is indicative of our focus as a county government for the need for improved communications with the Department of Transportation and our regional NPO in attempting to get additional infrastructure funding for roads and bridges in Orleans County. Genesee Transportation Council is a federal regional NPO that oversees federal money through their transportation bill that is distributed throughout the regional. CAO Nesbitt stated that he previously served on this council during his past employment and feels it is necessary that he participates in this again with it being a major focus in our county. The following resolution was adopted:

**RESOLUTION NO. 103-216**

**AMENDING RESOLUTION NO. 21-116 APPOINTING MEMBERS TO  
THE GENESEE TRANSPORTATION COUNCIL**

WHEREAS, that Resolution No. 21-116 appointed members to the Genesee Transportation Council; now be it

RESOLVED, that Resolution No. 21-116 be amended and the following members be appointed to the Genesee Transportation Council for two-year terms effective January 1, 2016 through December 31, 2017:

Genesee Transportation Council Board

<u>Name</u>	<u>Representation</u>
David B. Callard	Legislature
Charles H. Nesbitt, Jr.	Alternate

Genesee Transportation Council Planning Committee

<u>Name</u>	<u>Representation</u>
Charles H. Nesbitt, Jr	Orleans County
Gerald Gray	Alternate
James Bensley	Alternate

Moved, Eick; second, Miller.

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

Vice Chairwoman Johnson called on discussion of old business. Legislator Allport stated that we passed a resolution at the tail end of last year opposing zone pricing for gasoline and wanted to update the board as of today. He reported that the Assembly passed their bill (A.00103) but the Senate bill (S.332) is still stuck in the consumer protection committee. They are both relatively the same and now we await the Senate to enact their bill to make it fair across the state. This has support throughout the state as far as pricing of the gasoline and the delivery costs.

Vice Chairwoman Johnson asked if the public would like to make any comments. Mark O'Brien, Director of Mental Health, reported that on Wednesday March 2<sup>nd</sup>, on Channel 2 News at 11 p.m. members of the Orleans County Suicide Coalition will be interviewed, including a very brave woman who lost her daughter and husband to suicide. It will highlight the impact on suicide in rural counties and what is being done.

With there being no further business, Vice Chairwoman Johnson entertained a motion for adjournment; Legislator DeFilipps moved to adjourn; second by Legislator DeRoller. Meeting adjourned at 4:52 p.m.

**LEGISLATURE MEETING**

March 23, 2016

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Chairman Callard called the meeting to order at 4:33 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 DeFilipps.

The Clerk had no communications to present nor did the Treasurer have a Treasurer's Report today. Chairman Callard called for any open discussion from the Legislators and then the public concerning resolutions and there were none.

The following resolutions were presented for adoption:

**RESOLUTION NO. 104-316**

**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>
\$7,397.02	Barton & Loguidice, DPC	Prof. Services for East Scott Road over Fish Creek – Inv #81415 – Prof Serv through 1/23/16
\$1,033.00	Barton & Loguidice, DPC	Prof. Services for East Scott Road over Fish Creek – Inv #81770 – Prof Serv through 2/20/16

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.254, Capital Project – Infrastructure Project – Mental Health Generator:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$2,097.64	Suburban Electric	Mental Health Generator Transfer Switch charge for labor and materials – Inv #139469

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

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

**RESOLUTION NO. 105-316**

APPROVING AGREEMENT BETWEEN THE HIGHWAY  
DEPARTMENT AND DORITEX CORPORATION

RESOLVED, that this Legislature approves an agreement between the Highway Department and Doritex Corporation, 11980 Walden Ave, Alden, NY 14004 for the provision of textile cleaning services at a cost of \$2,295.80 per year; with no more than an 8% increase each year effective May 1, 2016 through April 30, 2019.

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

**RESOLUTION NO. 106-316**

AWARDING BIDS FOR VARIOUS MATERIALS AND  
COMMODITIES FOR HIGHWAY DEPARTMENT

WHEREAS, the Orleans County Highway Department sought bids for various materials and commodities for the years 2016-2017; and

WHEREAS, such bids have been received, opened and reviewed to determine the lowest responsible bidder for each material and commodity; be it

RESOLVED, that the bids for the various materials and commodities be awarded to the low bidders named on schedules for the dollar amounts per unit shown on such schedules, subject to the approval of the County Attorney.

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

**RESOLUTION NO. 107-316**

March 23, 2016  
Resolutions 104-144

**AUTHORIZING PURCHASE AND APPROVING AGREEMENT  
BETWEEN BUILDINGS AND GROUNDS AND GERSTER TRANE**

RESOLVED, that this Legislature authorizes an agreement from Gerster Trane, 45 Earhart Drive, Buffalo NY 14221 for the purchase and service of installing the Niagara AX Framework Head-end/HVAC Controls with an annual cost of \$9,818 beginning April 1, 2016 - March 31, 2022- Project to be paid in quarterly payments of \$2,454.50 from the capital budget account 1620.470 Buildings & Grounds (US Communities Contract #15-JLP-023) to be installed at each of the following locations and integrated to control equipment per the proposal # 48-20008/-16-001 at the following county locations

:

Courthouse: 4 Air Handlers, 2 Boilers, 1 Chiller, 16 Vav's, 7 Exhaust Fans.

Mental Health Bldg: 2 Air Handlers, 2 Boilers, 1 Chiller, 26 Vav's.

COB: 2 Air Handlers, 2 Boilers, 1 Chiller, 2 Exhaust Fans.

Moved, Eick; second, Miller.

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

**RESOLUTION NO. 108-316**

**APPROVING AGREEMENT EXTENSIONS BETWEEN ORLEANS  
COUNTY BOARD OF ELECTIONS AND NEW YORK STATE  
BOARD OF ELECTIONS**

RESOLVED, that this Legislature approves the Appendix X agreement extensions between the Orleans County Board of Elections and the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2016 through March 31, 2017 that funds are available to the local board of elections for the following:

Contract #C003236 — HAVA Operations Expenses Shoebox Program — Original Funding amount of \$179,599.49 (Res. No. 160-412); current balance \$152,314.33.

Contract #T002560 — Voter Education and Poll Worker Training Program — Original Funding amount of \$23,131 (Res. No. 123-307); current balance \$4,226.02.

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute the Appendix X extensions and acknowledges that all other provisions of said agreements shall remain in full force and effect.

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

**RESOLUTION NO. 109-316**

**AUTHORIZING DIRECTOR OF JOB DEVELOPMENT TO APPLY FOR GLOW WDB YOUTH PROGRAM SERVICES GRANT**

RESOLVED, that this Legislature authorizes the Director of Job Development to apply for WIOA Youth Program Services grant for Program Year 2016 through the GLOW Workforce Development Board (WDB) up to the maximum amount allowable and as outlined in the GLOW WDB Request for Proposals, effective July 1, 2016 through June 30, 2017; and be it

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the agreement and all related documents associated with this grant, subject to review by the County Attorney and Chief Administrative Officer.

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

**RESOLUTION NO. 110-316**

**AUTHORIZING THE ORLEANS COUNTY LEGISLATURE TO EXECUTE ATTESTATION CONFIRMING THAT 2% FUNDING INCREASES WILL BE USED TO SUPPORT SALARY AND SALARY-RELATED FRINGE BENEFIT COSTS OF CERTAIN ORLEANS COUNTY OFFICE FOR THE AGING STAFF AND/OR STAFF AT NOT-FOR-PROFIT PROVIDERS CONTRACTED BY THE ORLEANS COUNTY OFFICE FOR THE AGING**

Pursuant to Part I of Chapter 60 of the New York State Laws of 2014.

WHEREAS, the New York State 2015-2016 enacted budget included funding for the provision of a 2% increase in annual salary and

*March 23, 2016*  
*Resolutions 104-144*

salary-related fringe benefit costs for Direct Support and Direct Care staff and Clinical staff at municipal and not-for-profit providers effective January 1, 2015, and

WHEREAS, additionally, the statute provides for an additional 2% increase for these staff effective April 1, 2015, and

WHEREAS, the statute requires each provider to submit an attestation confirming that the funding increases will be used solely to support salary and salary-related fringe benefit increases, now, therefore, be it

RESOLVED, that the Orleans County Legislature, and hereby is, authorized and directed to execute an attestation certifying that the State-aid funding for Direct Care Worker Program provided to Orleans County will be used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals as defined by the Director of the New York State Office for the Aging. County Cost \$0.

Moved, Miller; second, Eick.

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

#### **RESOLUTION NO. 111-316**

**APPROVING AGREEMENTS BETWEEN OFFICE FOR THE AGING AND ERIENIAGARA MLTCP, Inc.**

RESOLVED, that this Legislature does hereby authorize the following agreement between the Orleans County Office for the Aging and ErieNiagara MLTCP, Inc., 2424 Niagara Falls Blvd, Niagara Falls, NY 14304 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from April 1, 2016 to May 31, 2017 to clients needing services, ErieNiagara, MLTCP, Inc. will reimburse Orleans County Office for the Aging per home delivered meal and for Personal Emergency Response System. The county is approving an agreement for an initial term of one year with up to four additional one year renewals, to be reviewed in 2021. County cost \$0 – Revenue Source.

Moved, Miller; second, Eick.

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

**RESOLUTION NO. 112-316**

**AUTHORIZING EXTENSION OF TEMPORARY POSITION IN  
OFFICE FOR THE AGING**

WHEREAS, Resolution 87-315 authorized a temporary part-time Aging Services Specialist position in the Office for the Aging effective April 1, 2015 through March 31, 2016; and

WHEREAS, the following position changes presented herewith will be contingent upon the availability of receiving additional OFA funding; now be it

RESOLVED, that this Legislature authorizes the extension of the temporary part-time Aging Services Specialist position in the Office for the Aging Department, to be effective through December 31, 2016.

Moved, Miller second, Eick.

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

**RESOLUTON NO. 113-316**

**APPROVING APPOINTMENTS TO THE AGING ADVISORY  
COUNCIL**

RESOLVED, that this Legislature approves the following appointments to the Office for the Aging Advisory Council for a three year term, effective April 1, 2016 through March 31, 2019. (\* denotes final term)

\*Nancy Mack, 345 South Main Street, Albion, NY 14411

Moved, Miller; second, Eick.

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

**RESOLUTION NO. 114-316**

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF  
SOCIAL SERVICES AND VARIOUS AGENCIES**

March 23, 2016  
Resolutions 104-144

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

Children's Home of Wyoming Conference, Binghamton, NY for the provision of residential foster care services; to be effective May 1, 2016 through April 30, 2017 at per diem rates established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

ARC of Orleans County, Albion, NY for the provision of Consumer Directed Personal Care Assisted Program; to be effective May 1, 2016 through April 30, 2017 at rates established by the NYS Department of Health. County cost is \$0

Greater Rochester Collaborative MSW Program, Rochester, NY for an intern agreement among Nazareth College, Brockport College, and Orleans County Department of Social Services; to be effective June 12, 2016 through June 11, 2017. County cost will be \$0.

Orleans County Attorney, Medina, NY for the provision of 1.25 part-time attorneys assigned to Social Services(Child and Family Services); to be effective January 1, 2016 through December 31, 2016 at a cost of \$90,546. County cost is \$31,085

Orleans County Attorney, Medina, NY for the provision of 1 part-time attorney assigned to Social Services(Child Support); to be effective January 1, 2015 through December 31, 2015 at a cost of \$53,262. County cost is \$18,109

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

#### **RESOLUTION NO. 115-316**

**APPROVING LEASE AND SERVICE AGREEMENTS BETWEEN THE ORLEANS COUNTY DEPARTMENT OF SOCIAL SERVICES AND MAILFINANCE**

RESOLVED, that this Legislature approves a lease agreement between the Orleans County Department of Social Services and MailFinance, 478 Wheelers Farms Rd, Milford, CT 06461 to provide a 63

month lease on a postage meter to be used by the Department of Social Services at a monthly cost of \$220.37 billed quarterly effective May 1, 2016 through August 1, 2021.

FURTHER RESOLVED, that this Legislature approves a service agreement between the Orleans County Department of Social Services and Lineage, 150 Lawrence Bell Drive, Suite 100, Williamsville, NY 14221 for a postage meter with cost included in the monthly lease payment to MailFinance effective May 1, 2016 through August 1, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the Chairman to execute the appropriate agreements for the lease and service of the postage meter and equipment.

Moved, Miller; second, Eick.

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

**RESOLUTION NO. 116-316**

**AUTHORIZING ABOLISHING AND CREATING AND FILLING POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operation of County business due to recent retirements and resignations; and be it

RESOLVED, that this Legislature does hereby abolish a full-time Sr. Caseworker position (6010.0207) upon the position being vacated; and be it

RESOLVED, that this Legislature does hereby abolish a full-time Legal Assistant position (6010.2011) upon the permanent appointment of the Sr. Legal Assistant; and be it

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Caseworker position at the Grade 16 of the CSEA Salary Schedule effective March 30, 2016

FURTHER RESOLVED, that this Legislature does hereby create in the Department of Social Services a full-time Sr. Legal Assistant position at the Grade 15 of the CSEA Salary Schedule effective March 24, 2016.

*March 23, 2016*  
*Resolutions 104-144*

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

**RESOLUTION NO. 117-316**

**AUTHORIZING ABOLISHING, CREATING AND FILLING  
POSITIONS IN THE VETERANS SERVICE AGENCY**

WHEREAS, the annual Salary Review Policy has begun; and

WHEREAS, a position duty statement was submitted to the Personnel Director and it has been determine that the position should be a new title; now be it

RESOLVED, that this Legislature does here by abolish a full-time Senior Keyboard Specialist position (6510.03) in the Veterans Service Agency upon the permanent appointment of the Veteran Service Agency Assistant; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full time Veterans Service Agency Assistant position at the Veterans Service Agency at Grade 12 of the CSEA Salary Schedule effective March 24, 2016.

FURTHER RESOLVED, that this Legislature does hereby fill this newly created vacant position effective March 24, 2016.

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

**RESOLUTION NO. 118-316**

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

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

Bornhava, 25 Chateam Terrace, Buffalo, NY 14226 to provide appropriate special education related services (speech, music, physical therapies and

evaluations) for eligible preschool children of Orleans County with disabilities through the 3-5 program placed by the Board Of Education effective January 1, 2016 through June 30, 2019. Rates are set by NYS Department of Education. NYS guarantees Reimbursement of 59.5% of cost spent. Orleans County Health Department is responsible for 40.5% of which we receive some Medicaid reimbursement.

Venesky & Company, 6114 Rt. 31, Cicero, NY 13039 to provide the compilation and entry of information needed to complete the required Medicaid Cost Report for the Pre-School program for calendar years 2016 through 2018. This project will be \$4,500 for 2016, with an increase of \$500 in 2017, and \$500.00 in 2018 . County cost 100%.

Erie County Public Health Lab,503 Kensington Ave, Buffalo NY 14214 to provide Lab Services for Public Health Nursing and the Environmental Health Water Program effective January 1, 2016 through December 31, 2016. Contract reimbursement from NYS Water Grant fees and State Aid. Reimbursement in accordance with the most current fee schedules for environmental and clinical testing services. County cost \$0.

3D Delivery, Inc- d/b/a Genesee Delivery at 58 Kingsbury Ave. Batavia, NY 14020 to provide Delivery Services for the Orleans County Health Departments various programs regarding Lab samples taken within the Environmental and Nursing Divisions, cost is \$1.60 per mile, effective January 1, 2016 through December 31, 2016 and reimbursement through State Aid. County cost \$0.

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

### **RESOLUTION NO. 119-316**

#### **AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH EMPLOYEE**

RESOLVED, that this Legislature authorizes Out of State Travel for Mary Ellen Messmer, Supervising Public Health Nurse in the Public Health Department to attend the TB Intensive Workshop in Newark New Jersey from April 4<sup>th</sup> through April 9<sup>th</sup>, 2016. All costs covered by New York State Department of Health Scholarship. County cost \$0.

Moved, Allport; second, DeRoller.

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

Legislator DeRoller moved to approve the Household Hazardous Waste Collection Agreement along with the costs for collection of hazardous household items as listed; second by Legislator Allport. Legislator DeRoller commended everyone in the Legislature for making this an annual event as long as we can find the funding to support this event. Legislator Allport reported that our collection event will be held on August 6<sup>th</sup>. The following resolution was adopted:

**RESOLUTION NO. 120-316**

**APPROVING HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENT**

WHEREAS, this Legislature desires to conduct a Household Hazardous Waste Collection on August 6, 2016 to provide County residents safe and convenient disposal of household hazardous wastes, and

WHEREAS, the County cost is dependent upon the amount of waste collected according to the following formula as identified in the vendor's proposal:

Aerosol Cans	\$ .75 per pound
Anti-Freeze	\$ .16 per pound
Chemicals (labpacks)	\$1.00 per pound
Corrosive Acids	\$1.00 per pound
Corrosive Bases	\$1.00 per pound
Fluorescent Tubes	\$ .75 per pound
Household Cleaners	\$1.00 per pound
Miscellaneous Chemicals (reactives)	\$2.95 per pound
Oil Base Paints (liquids)	\$ .20 per pound
Oil Base Paints & Varnishes (sludges)	\$ .19 per pound
Oil Filters	\$ .09 per pound
Organic Liquids	\$ .19 per pound
Oxidizers	\$1.00 per pound
Pesticides/Insecticides	\$1.05 per pound
Pesticides/Insecticide (dioxin precursors)	\$1.05 per pound
Poisons	\$1.00 per pound
Resins & Adhesives	\$ .35 per pound
Waste Oil	\$ .09 per pound

RESOLVED, that this Legislature approves an agreement with Environmental Enterprises, Inc, 4650 Spring Grove Road, Cincinnati, Ohio 45232 for the 2016 Orleans County Household Hazardous Waste Collection Program.

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

Legislator DeRoller moved a resolution to publicize the 30 day notice for comments on the newly consolidated Agricultural District. He reported that three districts are being consolidated into one all encompassed district in Orleans County. Legislator Allport second the motion and the following resolution was adopted:

**RESOLUTION NO. 121-316**

AUTHORIZING PUBLICATION OF NOTICE OF 30-DAY COMMENT PERIOD FOR REVIEW OF ORLEANS COUNTY CONSOLIDATED AGRICULTURAL DISTRICT NO. 1 (C-1).

RESOLVED, that this Legislature hereby authorizes the publication of the Notice of 30-Day Comment Period for the consolidation and eight-year anniversary review of Orleans County Consolidated Agricultural District No. 1 (C-1) in portions of all towns in Orleans County.

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

**RESOLUTION NO. 122-316**

SETTING DATE OF PUBLIC HEARING FOR CONSOLIDATED AGRICULTURAL DISTRICT NO. 1 (C-1)

RESOLVED, that the public hearing for the eight year review of Orleans County Consolidated Agricultural District No. 1 (C-1), which encompasses portions of all towns, will be held 27<sup>th</sup> day of July at 4:15 PM at the Legislative Chambers, 3 South Main Street, Albion, New York, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall publish notice of said hearing in the official County newspaper.

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

**RESOLUTION NO. 123-316**

AUTHORIZING PURCHASE AND APPROVING AGREEMENT BETWEEN PLANNING AND DEVELOPMENT DEPARTMENT AND CORROSION PRODUCTS AND EQUIPMENT FOR FISH GRINDER FOR COUNTY MARINE PARK

WHEREAS, the fish grinder at the County Marine Park has been identified as a valuable service that supports the local sport fishing economy and help keeps waters and shorelines clear of fish carcasses; and

WHEREAS, replacement of the existing fish grinder at said Marine Park was included in the most recent County Capital Plan due to its unreliability, age, and increasing cost of maintenance; now be it

RESOLVED, that this Legislature authorizes the Department of Planning and Development to purchase JWC Model 3-HYDRO-IX-1206 industrial grinder in the amount of \$22,324 (PO #57204) to be paid from Marine Park Account A7180.270 – Capital Equipment; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an agreement with Corrosion Products & Equipment, Inc, 110 Elmgrove Park, Rochester, NY 14624 to provide the installation of this industrial grinder at the Orleans County Marine Park.

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

**RESOLUTION NO. 124-316**

AUTHORIZING PURCHASE AND APPROVING LEASE CONTRACT BETWEEN ORLEANS COUNTY AND AMERICAN CAPITAL 1

WHEREAS, this Legislature is aware of the current state of the aging telephone systems in the Orleans County Government and the devastating consequences of phone system loss, and

WHEREAS, this Legislature desires to replace the multiple, disparate phone systems with a robust unified phone, messaging and voicemail platform infrastructure; now be it

RESOLVED, that this Legislature approves the lease agreement between Orleans County and American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, establishing a lease program for the purchase of a Digium Voice Over Internet Protocol phone system being sold by CDW-G, 75 Remittance Drive, Suite #1515, Chicago, IL 60675-1515, a qualified Digium (Quote WQ63564179) reseller, for \$89,353.58, and as specified in the lease contract, to pay four (4) yearly lease payments of \$23,863.28, (remit to KS StateBank) with a \$1.00 buyout option at the end of the lease. This agreement is to be initially paid from Computer Services Account A1680.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Business Lease Agreement with American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, subject to the review and approval of the County Attorney and Chief Administrative Officer, effective April 1<sup>st</sup>, 2016 through the end of the lease contract period dated March 31<sup>st</sup>, 2020.

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

#### **RESOLUTION NO. 125-316**

**AUTHORIZING PURCHASE AND APPROVING BUSINESS AGREEMENT BETWEEN ORLEANS COUNTY AND TIME WARNER CABLE, BUSINESS CLASS DIVISION**

WHEREAS, this Legislature is aware of the need for greater telecommunications and data communications between the multiple campuses of Orleans County Government, and

WHEREAS, this Legislature desires to establish a more robust system in place to allow more reliable and economical infrastructure improvements; now be it

RESOLVED, that this Legislature approves the agreement between Orleans County and Time Warner Cable, Business Class Division to establish and provision a point to point circuit between the Public Safety

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Building, 13925 Route 31 West, Albion, NY and the Clerks Building, 3 South Main Street, Albion, NY, for a contract period of five (5) years minimum at a cost of \$13,680.00 per contract year 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 with Time Warner Cable, Government & Education, 425 Michigan Avenue, Buffalo, NY 14203, subject to the review and approval of the County Attorney and Chief Administrative Officer, effective May 1<sup>st</sup>, 2016 through the end of the contract period dated April 30, 2021.

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

**RESOLUTION NO. 126-316**

**AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE ACCOUNT TO CENTRAL REPAIR ACCOUNT**

WHEREAS, funds in the amount of \$22,900.19 from the 2015 Equipment Repair/Communications Repair Accounts have been reverted to the County's Reserve Account; and

WHEREAS, said funds must be segregated and carried forward to meet state auditing requirements; be it

RESOLVED, that the County Treasurer is hereby authorized to set up funds from the reserve account in the amount of \$19,758.08 to Equipment Repair Account A1615.443 – Central Repairs to Office Equipment, and the amount of \$3,142.11 to Account A1615.453 – Communications Repair Account.

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

**RESOLUTION NO. 127-316**

**APPROVING AQUISITION OF A CHEVY TAHOE FOR THE SHERIFF'S OFFICE/PATROL WITH JOE BASIL CHEVROLET AND AUTHORIZING LEASE AGREEMENT WITH FIRST NIAGARA LEASING INC.**

RESOLVED, that this Legislature authorizes the acquisition of a 2016 Chevrolet Tahoe 4wd, 4 door in the amount of \$45,850.35 from Joe Basil Chevrolet, Inc, 5111 Transit Rd, Depew, NY 14043, to be used for patrol and to be paid from Sheriff's budget A3110.270 – Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute a Lease Agreement between he Sheriff's Office and First Niagara Leasing Inc, 726 Exchange Street, Ste, 900, Buffalo, NY 14210; authorizing 3 annual lease payments of \$15,864.17 at an interest rate of 3.849%.

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

**RESOLUTION NO. 128-316**

APPROVING AQUISITION OF A TRANSPORT VAN FOR SHERIFF'S OFFICE/JAIL AND AUTHORIZING LEASE AGREEMENT WITH FIRST NIAGARA LEASING INC.

RESOLVED, that this Legislature approves the acquisition of a 2016 Chevrolet Express Cargo Van for the Orleans County Jail, equipped with prisoner transport insert, from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY 14043, at a total purchase cost of \$57,392.08 to be paid from account A3110.270-Capital Equipment; and be it

FURTHER RESOLVED, that this Legislature authorizes a four-year lease agreement between the Sheriff's Office and First Niagara Leasing, Inc., 726 Exchange Street, Suite 900, Buffalo, NY 14210, in annual payments of \$14,348.02 to be paid for in 2016, 2017, 2018 and 2019 from Sheriff's budget account from A3110.270 - Capital Equipment in the amount of \$3,338.02; and \$11,000 from Jail Budget A3150.270 – Capital Equipment; and be it

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

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

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Legislature Johnson moved for the Sheriff to apply for grant funding through the NYS Canal Corporation; second by Legislator Allport. Legislator DeRoller expressed that this is a positive move. The following resolution was adopted:

**RESOLUTION NO. 129-316**

**AUTHORIZING THE SHERIFF TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE CANAL CORPORATION**

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Canal Corporation in the amount of \$10,000 for the period April 1, 2016 through March 31, 2017 for the purpose of funding marine patrols on the Erie Canal and Canalway Trail.

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

**RESOLUTION NO. 130-316**

**AUTHORIZING THE JAIL SUPERINTENDENT TO APPLY FOR BUREAU OF JUSTICE ASSISTANCE FY16 GRANT**

RESOLVED, that this Legislature authorizes the Orleans County Jail Superintendent to apply for the State Criminal Alien Assistance Program (SCAAP) grant (FY16) through the Bureau of Justice Assistance, 810 Seventh St NW, Washington D.C., 20531 to provide federal payments to stated and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days.

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

**RESOLUTION NO. 131-316**

**AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE FOR ANIMAL CONTROL AND MARINE PATROL**

RESOLVED, that this Legislature does hereby authorize the

filling of the following vacancies in the Sheriff's office:

Animal Control Officer, part-time position (3510.02) in the Animal Control Department of the Sheriff's Office at Grade at an hourly rate of \$13.92 effective March 24, 2016.

Deputy Sheriff - Marine Patrol Officer, part-time seasonal position (3110.75) in the Marine Patrol Division of the Sheriff's Office at an hourly rate of \$13.41 effective March 24, 2016.

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

**RESOLUTION NO. 132-316**

**APPROVING PURCHASE FROM SHERIFF'S OFFICE BUDGET FOR STOP DWI PROGRAM**

RESOLVED, this Legislature does hereby approve the purchase of equipment and supplies, to be used by local village police departments for DWI patrols and road checks, from Galls, LLC, 1340 Russell Cave Rd, Lexington, KY 40505. The quoted purchase cost of \$7,500 is to be paid from the STOP DWI Account A3315.432.

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

**RESOLUTION NO. 133-316**

**APPROVING APPOINTMENTS TO THE STOP-DWI COMMITTEE**

RESOLVED, that this Legislature approves the following appointments to the STOP-DWI Committee:

Randall Bower	Sheriff
Mike Mele	Chief Deputy
Chuck Nesbitt	Chief Administrative Officer
John DeFilipps	County Legislator/Public Safety Chairman
Joseph Cardone	District Attorney
Luci Taylor-Welch	Director of Probation
Roland Nenni	Albion & Holley Police Chief
Chad Kenward	Medina Police Chief
Kathy Hodgins	GCASA

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Jocelyn Sikorski                      Genesee County Youth Bureau

and be it,

FURTHER RESOLVED, that this Legislature approves the appointment of Randall Bower as Chairman of the STOP-DWI Committee.

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

**RESOLUTION NO. 134-316**

**APPROVING CONTRACT EXTENSION AGREEMENT WITH THE ORLEANS COUNTY DEPUTY SHERIFF'S ASSOCIATION**

RESOLVED, that this Legislature does hereby approve the extension of the existing collective bargaining agreement between Orleans County and the Orleans County Deputy Sheriff's Association, extending the existing terms through 2016 with a 2% increase for the year 2016.

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

Legislator Johnson moved to approve a resolution to support Probation Departments and Alternatives to Incarceration Programs to hopefully reduce reliance on prisons and jails; and hopefully to gain more power locally to our Probation Department seeing local costs cover the bulk of these efforts; second by Legislator Allport. Legislator DeRoller made mention that the Interlock program has always been a challenge and he is glad to see that the requirements for the dual supervision may be eliminated. The following resolution was adopted:

**RESOLUTION NO. 135-316**

**SUPPORTING EFFORTS TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS AND JAILS**

WHEREAS, county Probation Departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law, and the Family Court Act; and

WHEREAS, it is the mission of Probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, state funding for Probation was drastically reduced between 1990 and 2015 from a 46.5% State share in 1990 to less than 12% in 2015, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and

WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that Probation does to protect the public.; now therefore be it

RESOLVED, that the New York State Association of Counties (NYSAC) supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

- Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.
- In response to Violation of Probation Petitions:
  - Require counties to develop swift, certain graduated responses
  - Require the courts to dispose of the VOP's within 90 days
- Enable Probation to administratively modify Conditions of Probation in the provision of graduated responses.
- Establish a dedicated funding stream for juvenile services provided directly to Probation through DCJS/OPCA.

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- Eliminate the requirement for dual supervision of Ignition Interlock parolees by delegating direct supervision to NYS Parole only of defendants sentenced to DOCS.

and be it,

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Deputy Secretary for Public Safety Terrance O'Leary, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, and all others deemed necessary and proper.

Moved, Johnson; second, Allport.

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

### **RESOLUTION NO. 136-316**

#### **APPROVING EXTENSION OF AGREEMENT BETWEEN PUBLIC DEFENDER AND NYS OFFICE OF LEGAL SERVICES**

WHEREAS, Resolution No. 134-313 approved an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds in the amount of \$78,219 to assist the County in improving the quality of indigent legal services, initially effective June 1, 2012 through May 31, 2015, and Resolution 259-715 extending that contract to November 30, 2015; now be it

RESOLVED, that this Legislature approves extending the agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to continue to provide funds in the amount of \$78,219 through May 31, 2016.

Moved, Johnson; second, Allport.

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

### **RESOLUTION NO. 137-316**

#### **AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY**

AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE  
OF EMERGENCY MANAGEMENT AND SHERIFF'S OFFICE.

WHEREAS, new funding opportunities have become available in the amount of \$105,000 to continue participation in the State Homeland Security Program grant cycle (SHSP/LETTP) for FY2016; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH16-1046-D00, contract #C972460 in the amount of \$78,750 for the Emergency Management Office to use for regional preparedness efforts to address homeland security needs in the County based on the County Emergency Preparedness Assessment (CEPA) as allowed under FY2016 SHSP allocation effective September 1, 2016 through August 31, 2019; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE16-1039-D00; contract #T972462 in the amount of \$26,250 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under FY16 SLETPP allocation effective September 1, 2016 through August 31, 2019.

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

**RESOLUTION NO. 138-316**

AUTHORIZATION TO COMPLETE EMERGENCY WORK WITH  
THE MICROWAVE PATH

RESOLVED, that this Legislature approves the emergency service call by Finger Lakes Communications Co., Inc. to complete re-alignment work on the microwave path and repair a defective GPS2 unit in Clarendon, at a total cost of \$9,445 (PO#57144) to be paid from Emergency Management Account A3640.418 - Other Contractual.

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

**RESOLUTION NO. 139-316**

APPROVING RENEWAL AGREEMENT BETWEEN ORLEANS  
COUNTY AND PARK STRATEGIES, LLC

March 23, 2016  
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RESOLVED, that this Legislature approves a renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3<sup>rd</sup> Floor, Albany, NY 12207, to provide Government Affairs Services for Orleans County, in the amount of \$5,000 per month; effective April 1, 2016 through March 31, 2017 to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer

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

#### **RESOLUTION NO. 140-316**

#### **APPOINTING NEW MEMBERS TO THE ORLEANS COUNTY BOARD OF ETHICS**

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

RESOLVED, that this Legislature appoints the following new members to the County Board of Ethics with the following term expiration:

<u>Name:</u>	<u>Address:</u>	<u>Term expires:</u>
Julie Christensen	c/o 1932 Kendall Road, Kendall NY	12/31/2018
Darlene Waters	10481 Mill Rd, Medina, NY	12/31/2018
Replacing Jeffrey Evoy and Steve Lasch		

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

#### **RESOLUTION NO. 141--316**

#### **AUTHORIZING PAYMENT OF CLAIMS FOR APRIL 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 April 13, 2016:

Fund/Department	Check Number (s):	Amount:
General	3335-3541	\$727,197.43
Highway	703-711, 1720-1748	\$146,147.61
Job Development	2036-2046	\$3,885.08
Self Insurance	1110-1111	\$103.16

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 April 27, 2016:

Fund/Department	Check Number (s):	Amount:
General	3559-3706	\$338,856.37
Highway	712-7201; 1749-1766	\$103,995.22
Job Development	2049-2057	\$15,317.70
Self Insurance	56713-56717	\$17,474.97

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

The following three add on resolutions were presented for adoption:

**RESOLUTION NO. 142-316**

**AUTHORIZING PAYMENT OF TOURISM MATCHING FUNDS TO  
GREATER NIAGARA REGION**

March 23, 2016  
Resolutions 104-144

WHEREAS, Resolution No. 393-1115 authorized application for, and receipt of, State I Love New York Matching Funds which, in part, are committed to regional tourism promotion; now be it

RESOLVED, that this Legislature hereby authorizes payment of \$44,786 to the Greater Niagara Region, 210 E. Main St., Batavia, NY 14020, to be paid from Tourism Account 6410.468 - I Love New York Matching Funds, as it becomes available, with said amount to be expended for regional tourism promotion programs which may include the following:

- 4-County Country Byways
- 2-County Genesee/Orleans Program
- 5-County Greater Niagara Region
- 8-County Peace Garden Trail
- Lake Ontario Sportfishing Promotion
- Canal New York Business Alliance
- 26-County Haunted History Trail
- Seaway Trail National Scenic Byway

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

Legislator Johnson moved the following resolution to authorize 43 desktop computers to be leased and approve an agreement for these leased computers. She wished to amend the resolution (fourth paragraph) to add one laptop computer to the lease which would increase our yearly payment by \$250 therefore making the final yearly lease amount total \$8,293.65. Legislator Allport second the motion and the following resolution was adopted:

#### **RESOLUTION NO. 143-316**

**AUTHORIZING COMPUTERS TO BE LEASED FROM A CERTIFIED ASBO FINANCIAL INSTITUTION THROUGH AN AUTHORIZED RESELLER AND APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND AMERICAN CAPTIAL 1**

WHEREAS, Orleans County has committed to the procurement of quality hardware for ongoing computer operations and Computer Services has aligned Orleans County with Dell as a workstation of choice, and

WHEREAS, the New York State Legislature has ceased agreement with Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547 for aggregate purchases of hardware , and

WHEREAS, CDW-G, 75 Remittance Drive, Suite # 1515, Chicago, IL 60675-1515 is now a qualified reseller of Dell computer equipment and American Capital 1 is now a qualified financier of computer hardware; now be it

RESOLVED, that this Legislature approves the lease agreement between Orleans County and American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, establishing a lease program for the purchase of 43 desktop computers, 1 laptop computer, monitors and ancillary equipment being sold by CDW-G, 75 Remittance Drive, Suite #1515, Chicago, IL 60675-1515, (Quote# CDWG GWZJ000/GXFM560) a qualified Dell reseller, for \$30,908.64, and as specified in the lease contract, to pay four (4) yearly lease payments of \$8,293.65, (remit to KS StateBank) with a \$1.00 buyout option at the end of the lease. This agreement is to be paid annually from multiple Orleans County department accounts Axxxx.222 – Office Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Business Lease Agreement (XXXX), with American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, subject to the review and approval of the County Attorney and Chief Administrative Officer, effective May 1, 2016 through the end of the lease contract period dated April 30, 2019.

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

#### **RESOLUTION NO. 144-316**

APPROVING MASTER CONTRACT FOR GRANTS BETWEEN THE COUNTY OF ORLEANS AND NEW YORK STATE DEPARTMENT OF STATE DIVISION OF LOCAL GOVERNMENT AND AUTHORIZING DEVELOPMENT OF A STEERING COMMITTEE

RESOLVED, that this Legislature approves a Master Contract for Grants, Contract No. C1000613, between the County of Orleans and the New York State Department of State Division of Local Government, 99 Washington Avenue, Suite 1015, Albany, NY 12231 for a project named “Orleans County Law Enforcement Study” where Orleans County will act

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as the lead applicant for all four villages in Orleans County and hire a consultant to study the relative efficiency of current local law enforcement operations and compare them with alternative policing models, up to and including full consolidation of the four police departments into the Orleans County Sheriff's Office with a goal of finding sustainable options to reduce the annual tax levy while not compromising public safety at a cost of \$72,000. Contract period effective April 1, 2016 through March 31, 2019. County Cost \$36,000; and be it

FURTHER RESOLVED, that the Chairman is authorized to form a steering committee that will represent elected officials, the Sheriff's Office, police chiefs responsible for the village police departments, law enforcement officers from each organization, and members of the community.

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

Chairman Callard called for old business. With there being none, Chairman Callard asked the public for comments. Allen Lofthouse, Kendall, questioned upon the renewal of the Park Strategies contract today, if the county received \$50,000 worth of profit growth last year. Chairman Callard replied that they are concerned with return on investment (ROI) and it is to our benefit to be contracted with Park Strategies for the benefit of the county and its constituency.

Legislator Eick moved to enter into executive session at 4:55 p.m. per Open Meetings Law §105 (h) to discuss potential sale of real property, Old Holley High School; second by Legislator Allport. Motion Carried.

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

With there being no further business, Legislator Allport moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:16 p.m.

## LEGISLATURE MEETING

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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 Allport.

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer forwarded a listing of Real Property Tax Refunds in the amount of \$6,189.39 that has been reviewed and authorized by her office. Jack Welch, Director of Personnel and Self Insurance has provided notice that the New York State Civil Service Commission took action on one resolution amending the appendices of the Orleans County Civil Service Rules to include adding the job title of Public Health Director to Appendix B – Non-Competitive Class. The 34<sup>th</sup> Annual Youth Recognition Banquet is Thursday, May 12<sup>th</sup> at Hickory Ridge Golf and Country Club. ABATE of New York Inc. Orleans County Chapter is requesting use of the Courthouse steps to conduct their Motorcycle Safety and Awareness Rally on Sunday, May 1, 2016 from Noon till 3 p.m. They are requesting use of power. This is their annual promotion event for motorcycle safety, awareness, and rider education along with alerting the public to the renewed presence of motorcycles on the highway. The Board approved this request. Orleans County Office for the Aging and The ARC of Orleans will hold their Spring Jubilee celebrating Older Americans Month on Friday, May 6, 2016 at the Trolley Building at the 4-H Fairgrounds. Drug Take Back Day is scheduled for Saturday, April 30, 2016 from 10 a.m. till 2 p.m. at three Orleans County drop off locations: Holley Fire Department; Medina Fire Department and Orleans County Public Safety Building. Orleans County Department of Social Services is requesting use of the Courthouse lawn to place a banner from May 1<sup>st</sup> to May 15<sup>th</sup> for Foster Parent Month. The Board approved this request. The ARC of Orleans County would like to hold their Annual Chicken BBQ/Basket Raffle Fundraiser at the Albion Academy Nutri-fair site on Saturday, September 10<sup>th</sup>, 2016 from 12:30 – 5:30 p.m. This fundraiser benefits the Nutrition Program in Partnership with the Office for the Aging. The Board approved this request.

Legislator Johnson presented a proclamation for Motorcycle Awareness and Safety Month held in the month of May in Orleans County. Matt Tracy, Vice President of the Orleans County Chapter of ABATE of New York, Inc. accepted this and announced that they will be holding their

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annual Motorcycle Rally on Sunday, May 1<sup>st</sup> at the Orleans County Courthouse at 2 p.m. Mr. Tracy thanked everyone for their support for the awareness of Motorcycles, and for their safety in Orleans County.

Legislators Miller and Eick presented a proclamation for the 56<sup>th</sup> Anniversary of Western New York Armed Forces Week – May 1-7, 2016. Earl Schmidt, Orleans County Director of Veterans Service Agency and Frank Berger, an Orleans County Veteran and past Orleans County Legislative Chairman received the proclamation.

Legislator DeFilipps presented a special recognition certificate, along with Chairman Callard, to Melisa Ierlan for her dedication as the Clarendon Town Historian and preservation of history in Orleans County. Ms. Ierlan has been repainting the aging historical markers across her town and outside town boundaries. Ms. Ierlan has stated that she has completed fifteen signs. Chairman Callard shared his appreciation for her volunteerism in getting these signs painted.

Legislator DeRoller presented a special recognition to the Oak Orchard Neighborhood Association (OONA), along with Jim Bensley, Director of Planning, for their forthright donation for a swing set to be installed for the Marine Park. Mr. Bensley shared a summary of the improvements and shared his appreciation in that they can do all of the updates, including installing a new swing set, at one time and not have to do it in phases. Mr. Bensley credited Lynne Menz, also an OONA member who suggested that OONA be asked to help make this happen.

Treasurer Heard distributed an Analysis of Monthly Cash Receipts and Disbursements through March of 2016. She expressed that it was one of the best reports in her 20 some years due to the largest cash balance we have had on a monthly report in a very long time. It was noted that around April 1<sup>st</sup> she paid out \$3 million in school, village, and sales tax.

Chairman Callard called for open discussion from the Legislators. Legislator DeFilipps expressed that he likes seeing the participation as we move forward by the Department Heads along with County and Town governments.

Legislator Eick updated the Board on the updates to the Veterans Service Agency. Earl Schmidt announced the Open House on June 27<sup>th</sup> from 5 to 7 p.m. which will be a meet and greet with light refreshments but no ceremony.

Legislator Johnson provided an update on the broadband. The first round of bidding that the RFP's were in was from April 1<sup>st</sup> to April 15<sup>th</sup>. But, this past winter Time Warner Cable and Charter Communications began looking at a merger which entails many levels of approval. She indicated that the Justice Department signed off this week approving this. Because of Niagara and Orleans Counties, and most counties in New York State, have a foot print of Time Warner in their County. The FCC has mandated through the merger, that Time Warner expand to 145,000 homes that have not ever been served. So until that determination has been made to expand, Niagara/Orleans was blocked to participate in the first round of funding. The merger is moving forward and the last part of this is the approval of the FCC. Once approved, Time Warner has forty-five days to submit the actual address points of the 145,000 funds that will be fed back into these maps. The second round of funding will be in June. If the blockage is lifted from this merger, we are ready to submit.

Chairman Callard requested Legislator Johnson to give an update on the progress of our lake levels. She provided a bit of history on the IJC. She said she met with Congressman Collins last week and he assured her that it is a dead dog at this time and Governor Cuomo is not going to sign off on this. Congressman Collins also stated that at this time we should not pursue it anymore and feels the issue is going to die. Legislator Johnson said she will continue to monitor it. Chairman Callard stated that it died before and resurfaced and we will continue to monitor it because it will surely affect our shoreline and the negative impacts to our taxpayers and businesses.

Legislator Johnson acknowledged that on both these projects, Chairman Callard had the foresight to realize that a voice would be more powerful if we teamed up with a neighboring county. Chairman Ross, the retired Niagara County Chairman agreed and NORA came about. Chairman McNall, the newly elected Chairman of the Niagara County Legislature is also very supportive of having this joint alliance.

Chairman Callard stated that he met with Chairman McNall who is interested in coming to visit our Legislature in the next few months. Chairman Callard also welcomed Shelby Councilman Ken Schaal and Village of Medina Trustee Owen Toale to the chambers today.

Chairman Callard opened the floor for public comment as it relates to today's resolutions: Allen Lofthouse, Kendall, inquired about Resolution

No. 168 and asked if we are still using the Nursing Home to house the Elections and Public Health Department offices. He inquired about the cost. Mr. Nesbitt indicated it is about \$100,000 per year. Mr. Lofthouse asked if this is the final Bond payment in this resolution for the Nursing Home. Mr. Nesbitt stated that it will pay off the final debt of the Nursing Home. Mr. Lofthouse then stated that the only thing we owe is for the rent of these offices, which was agreed.

Paul Lauricella, Yates, inquired if there are any other buildings within the county campuses to house the Elections office instead of paying \$30,000 for a feasibility study. Chairman Callard stated that we have no other place to move either the Board of Elections or Public Health to. Chairman Callard indicated that the study is the first step in the discussion and need to be very sure of the cost. We don't want to enter into a building project without making sure that it is cost effective. A preliminary review shows it could be possible without any impact to the tax rate. A thorough professional analysis of our needs and results in cost will just reaffirm our belief that it could be done. A necessary first step stated Chairman Callard.

Mr. Lauricella then asked about the solar feasibility study and was concerned with recent solar company bankruptcy filing. Chairman Callard felt that was not going to be an issue with this project. Mr. Nesbitt stated that we are not tied into any specific company related to this. NYSERDA is providing many incentives. We are strictly looking at the benefits at this time. We can lock in the cost of our electricity at a flat number over the next thirty years therefore we could pay off the Bond. Over this thirty year period the county would benefit to the good by 1.6 or 1.9 million dollars, Mr. Nesbitt indicating these are preliminary numbers provided.

Mr. Lauricella asked if any other municipalities have studied solar benefits. Mr. Nesbitt stated there are a number of municipalities similarly situated like us that has done this to create a long term fiscal benefit to their county. Chairman Callard stated that the technologies are improving and the incentives are at the maximum at this time to make it cost effective at this time.

Mr. Nesbitt added that Orleans County passed a resolution of intent a while back so we could continue to study this and we then were grandfathered under the current system. With getting on the books with our resolution, we can sell back to the grid at the highest rate we pay at our buildings. We need to have this in place by December 31<sup>st</sup> of 2017

and study to see if we can turn our \$10,000 into \$2 million over a thirty year period. We are looking at IDA properties at this time for this project, stated Mr. Nesbitt.

Bruce Schmidt, Gaines, shared his concern with moving the Legislature Chambers and offices due to the historical nature it has in the Courthouse square and Clerk's Building, as being proposed in Resolution No. 188-416. He felt to explore other facilities owned by taxpayers, such as our schools, to house trainings if needed. This does occur in other localities. He referenced the new build numbers for the Charlie Howard Museum. He expressed that in his opinion history is lost when people are moved to new facilities. Chairman Callard stated that his point will be well taken and is the purpose of the study. This building's historic value will not disappear expressed Chairman Callard.

The following resolutions were presented for adoption:

**RESOLUTION NO. 145-416**

**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>
1,232.00	Labella Associates	Prof. Serv. for Repl. of Waterport Carlton Bridge – Inv#69275 – 1/1/16-3/18/16
49,785.50	Labella Associates	Prof. Serv. for Repl. of Carton Road Bridge – Inv #69285 – 1/1/16-3/18/16
4,752.00	Labella Associates	Prof. Serv. for Repl. of East Scott Road Bridge – Inv #69286 – 1/1/16-3/18/16
346.50	Labella Associates	Prof. Serv. for Repl. of Oak Orchard Bridge – Inv#69287 – 1/1/16-3/18/16

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.251, Capital Project – Infrastructure Project – Culvert Improvements:

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<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
8,135.04	Labella Associates	Prof. Services for Repl. of Platten Rd. Culverts – Inv #69284 – 1/1/16-3/18/16
1,540.00	Labella Associates	Prof. Services for Repl. of Knowlesville Rd Culverts – Inv# 69274 – 1/1/16-3/18/16

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

### **RESOLUTION NO. 146-416**

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE MARCHISELLI PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a “Project” start package for the Bridge Preventative Maintenance of Six locations in Orleans County in the Towns of Albion, Carlton, Ridgeway and Yates, PIN 4760.68, BINS: 3319330, 3366350, 3318980, 3318930, 3318940, and 3318820 (the “Project”) is eligible for funding under title 23 U.S. code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary “Engineering” and “Right of Way” Incidentals; and be it

RESOLVED, that the Orleans County Legislature, hereby approves the above subject project; and be it

FURTHER RESOLVED, that the Orleans County Legislature hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary “Engineering”, and “Design” for the Project or portions thereof; and be it

FURTHER RESOLVED, that the sum of \$85,422 is hereby appropriated from the Orleans County Legislature and made available to cover the cost of participation in the above phase of the Project with a contract end date of January 29, 2026; and be it

FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Orleans County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Orleans County Legislature with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Eick; second, Miller.

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

**RESOLUTION NO. 147-416**

**APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND UNION CONCRETE AND CONSTRUCTION CORPORATION**

RESOLVED, this Legislature accepts the low bid submitted by Union Concrete and Construction Corporation, 105 Center Rd, West Seneca, NY 14224 and authorizes the Chairman to execute an agreement with Union Concrete and Construction Corp. for the Replacement of East Scott Road Bridge over Fish Creek; Job #1792.001; BIN #3318920 at a bid cost of \$724,346.50; agreement effective as soon as County gives notice to proceed;

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FURTHER RESOLVED, agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

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

**RESOLUTION NO. 148-416**

APPROVING AN AGREEMENT BETWEEN THE HIGHWAY DEPARTMENT AND CRANE-HOGAN STRUCTURAL SYSTEMS

RESOLVED, this Legislature accepts the low bid submitted by Crane-Hogan Structural Systems, 3001 Brockport Rd, Spencerport, NY 14559 and authorizes the Chairman to execute an agreement with Crane-Hogan for the Replacement of Carton Road Bridge over Sandy Creek in the Town of Kendall; BIN #3319180 at a bid cost of \$793,729.10; agreement effective as soon as County gives notice to proceed;

FURTHER RESOLVED, agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

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

**RESOLUTION NO. 149-416**

AUTHORIZING PURCHASE OF A ZERO TURN MOWER FROM BUILDINGS & GROUNDS BUDGET

RESOLVED, that this Legislature authorizes the Buildings & Grounds Department to purchases a John Deere Z997R Diesel W60" 7guage side discharge deck Zero Turn Mower from Lakeland Equipment Corp., 3237 Union St, North Chili NY 14514, (payable to Deere & Company) from the NJPA – contract #NY PC66663 at a cost of \$ 18,256.70 minus with a trade-in of the 2008 John Deere 007 mower of \$4,000 to equal a balance of \$14,256.70 (PO#57426) to be paid from the Buildings and Grounds account A1620.470 – Capital Construction Project Equipment.

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

**RESOLUTION NO. 150-416**

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND WENDEL FOR PROFESSIONAL SERVICES TO EXAMINE FEASIBILITY OF DEVELOPMENT OF A SOLAR FEASIBILITY ANALYSIS

RESOLVED, that this Legislature approves an agreement with Wendel, 375 Essjay Rd, Suite 200, Williamsville, NY 14228 in an amount not to exceed \$10,500 for professional services related to study and development of a solar array to benefit the County of Orleans; and be it

FURTHER RESOLVED , that the Treasurer is authorized to transfer funds for the purpose of payment to complete this study as follows:

<u>From:</u>		
Future Infrastructure Reserve		\$10,500
<u>To:</u>		
A1620.418	Other Contractual Expenses	\$10.500

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

**RESOLUTION NO. 151-416**

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 agencies:

Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective May 6, 2016 through May 5, 2017 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.

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Orleans County Attorney, Medina, NY for the provision of .75 part-time attorney assigned to Social Services (Child Support); to be effective January 1, 2016 through December 31, 2016 at a cost of \$54,328. County cost is \$18,472.

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

**RESOLUTION NO. 152-416**

**AUTHORIZING CREATING AND FILLING POSITIONS IN THE  
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Department of Social Services continuously reviews staffing to provide more efficient operations of County business and reorganization to more effectively utilize positions; now be it

RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Clerk position (6010.0409) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective April 28, 2016; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0402) in the Department of Social Services at Grade 13 of the CSEA Salary effective April 28, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation and filling of a part-time temporary Social Welfare Examiner position in the Department of Social Services at Grade 13 of the CSEA Salary Schedule from May 1, 2016 through August 31<sup>st</sup>, 2016 for implementation of the Home Energy Assistance Program (HEAP) to be reimbursed with 100% federal funds.

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

**RESOLUTION NO. 153-416**

**APPROVING THE 2016 YOUTH BUREAU RESOURCE  
ALLOCATION PLAN**

WHEREAS, the Orleans County Youth Bureau and Department of Social Services have developed a joint plan to be eligible for state aid from the New York State Office of Children and Family Services under the Child and Family Services Planning Guidelines; and

WHEREAS, the Orleans County Youth Board, Youth Bureau and Department of Social Services are desirous of continuing county comprehensive youth services planning efforts during 2016 which includes the allocation of resources to municipalities and community based agencies to the extent said funding is provided by NYS and with no expectation of direct Orleans County appropriation; and

WHEREAS, guidelines provided by the Office of Children and Family Services for applying for said eligibility have been satisfactorily completed by the Orleans County Youth Bureau and the Committee on Economic Assistance and Opportunity does recommend approval at this time; now be it

RESOLVED, that the Orleans County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2016 Orleans County Youth Bureau Resource Allocation Plan and the Child and Family Services Plan with the New York State Office of Children and Family Services.

Moved, Miller; second, Eick.

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

**RESOLUTION NO. 154-416**

**AMENDING RESOLUTION NO. 27-116 BETWEEN MENTAL HEALTH AND THE MENTAL HEALTH ASSOCIATION IN GENESEE AND ORLEANS COUNTIES**

WHEREAS, Resolution No. 27-116 approved an agreement between Mental Health and the Mental Health Association in Genesee and Orleans Counties providing mental health support services and Drop-In Center at a cost of \$68,945 with a County cost of 0; and

WHEREAS, additional funds, due to costs associated with the relocation of their agency, will be made available to the Mental Health Association in Genesee and Orleans Counties, in the amount of \$10,128:

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\$2,500 to be reallocated from the Suicide Coalition and \$7,628 from the NYS Office of Mental Health Article 28 reinvestment funds; now be it

RESOLVED, that this Legislature authorizes the addition of the \$10,128 increase to this agreement, now totaling \$79,073. County cost is 0.

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

**RESOLUTION NO. 155-416**

**AUTHORIZING CREATING AND FILLING POSITIONS IN THE MENTAL HEALTH DEPARTMENT**

WHEREAS, the Mental Health Department has a vacancy for a permanent part time Receptionist position; and

WHEREAS, due to the high volume of front desk calls, scheduling of clients, and the demands of walk-in appointments, a temporary part time receptionist position is needed for the successful operation of the Department until the permanent position is filled; now be it

RESOLVED, that this Legislature authorizes the creation and filling of a temporary Part Time Receptionist position in the Mental Health Department at Grade 7 of the CSEA Salary Schedule, effective May 2, 2016 through July 29, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of a permanent Part Time Receptionist position (4310.40) in the Mental Health Department at Grade 7 of the CSEA Salary Schedule effective April 28, 2016.

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

**RESOLUTION NO. 156-416**

**APPROVING RE-APPOINTMENT TO THE COMMUNITY SERVICES BOARD**

RESOLVED, that this Legislature approves the re-appointment of Donald Allport to the Community Services Board, waiver to serve a third term to begin May 29, 2016 and ending May 28, 2020.

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

**RESOLUTION NO. 157-416**

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

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

Monroe County Public Health, 111 Westfall Rd, Room 962C, Rochester, NY 14620 to provide "14" full autopsy examinations and 5 blood description autopsy exams. All autopsy's over the approved 14 full autopsy's and the approved 5 blood description autopsy's for 2016 will be charged at a rate as approved by the Monroe County Legislature in the 2016 budget as listed in the Public Health Medical Examiner Fees and Charges Schedule. If the county does not utilize all autopsy services, they may use the balance on other services. 2016 fees and charges attached Contract amount is 37,400. County cost is \$37,400.

NYS Department of Health - Center for Environmental Health, Corning Tower BLDG, Room 1629, Empire State Plaza, Albany, NY 12237 to provide funding through the Orleans County Health Department for the Lead Education Testing and Supplies and Medical Services when needed. Reimbursement through NYS Lead Grant. Contract to run October 1, 2015 through September 30, 2020 at \$43,371 per year. County cost is \$0.

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

**RESOLUTION NO. 158-416**

**APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY HEALTH DEPARTMENT AND NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS AND AUTHORIZING THE TREASURER TO SET UP NEW MONEY IN THE HEALTH DEPARTMENT BUDGET**

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WHEREAS, The Orleans County Health Department has been awarded funding as a result of housing the Medical Reserve Corps (VALOR) that is registered in good standing and undertake activities and oversee such for capacity building

RESOLVED, that this Legislature approves an agreement between the Health Department and National Association of County and City Health Officials, 1100 17th St NW, 7th Floor Washington, DC 20036-4636 to house the Medical Reserve Corps (VALOR) in Orleans County effective January 1, 2016 through July 31, 2016 Contract amount: \$15,000.00; County cost is \$0.

RESOLVED, that the County Treasurer is authorized to set up new monies in the 2016 Public Health Department budget as a result of the awards from the National Association of County and City Health Officials as follows:

Revenue:

A4489	Bioterrorism Preparedness	\$ 15,000
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Appropriations:

4010.434	Advertising	\$ 360
4010.452	Personal Service Contracts	\$ 1,900
4010.478	Health Promotion Supplies	\$ 12,740

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

**RESOLUTION NO. 159-416**

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND KANSAS HEALTH RESEARCH, INC.; AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT BUDGET AND AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH EMPLOYEE

RESOLVED, that this Legislature approves an agreement between Orleans County Health Department and Kansas Health Institute (KHI), 212 SW Eighth Ave, Suite 300 Topeka, KS 66603-3936 for participation in a Shared Services Learning Community program administered by The Center which is funded by the Robert Wood Johnson Foundation through

periodic follow-up activities, Contract period is April 1, 2016 through October 30, 2017 and contract amount is \$10,000 – payments to be divided over two years (\$7,000 in 2016; \$3,000 in 2017). County cost is \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health Department budget as a result of the contract with Kansas Health Institute (KHI) as follows:

Revenue:

A1608	Robert Wood Johnson Foundation	\$ 7,000
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Appropriations:

4010.100	Personal Services	\$ 1,922
4010.463	Travel other than Mileage	143
4010.478	Health Promotional Supplies	4,100
4010.810	NYS Retirement	298
4010.820	Medicare	28
4010.830	FICA	119
4010.840	Workman's Comp	23
4010.860	Health Insurance	367

and be it

FURTHER RESOLVED, that this legislature does hereby approve Paul Pettit, Public Health Director, to travel out of state as part of this agreement to the 2016 National Meeting in St. Louis, Missouri, September 7, 2016 – September 9, 2016. All expenses covered by the Kansas Health Institute. County cost \$0

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

**RESOLUTION NO. 160-416**

**AUTHORIZING PURCHASE FROM THE PUBLIC HEALTH DEPARTMENT AND EMERGENCY MANAGEMENT OFFICES BUDGETS; AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE EMERGENCY MANAGEMENT BUDGET**

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department and the Orleans County Emergency Management Office to purchase an EOC Ready App License with Spanish

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translation from Quick Series Publishing, Inc in the amount of \$10,845 to be purchased from Health Department Budget account A4010.487 – Environmental Health Supplies in the amount of \$5,970; and Emergency Management Budget account A3640.486-2015 – Special Grants - Homeland Security FY 2015 in the amount of \$4,875. County cost is \$0 due to being funded by grants awarded from Health Research Inc., Office of Homeland Security, and State Aid.

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up FY 2015 Homeland Security Grant Funds in the Emergency Management Budget to cover the cost of the EOC Ready App as follows:

Revenue:

A4309.2015	State Homeland Security Grant Program	\$4,875
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Appropriation:

3640.486.2015	Special Grants- SHSP FY15	\$4,875
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Moved DeRoller; second, Johnson.  
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

**RESOLUTION NO. 161-416**

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

RESOLVED, that this Legislature authorizes Out of State Travel for Brenden Bedard, Director of Community Health Services in the Public Health Department to attend the HPV Advisory Cohort I & II in Atlanta, Georgia from June 8<sup>th</sup> through June 10<sup>th</sup>, 2016. All costs covered by NACCHO. County cost \$0.

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

Legislator DeRoller moved to accept a donation from OONA for a playground donation and to set up the money appropriately in the Marine Park Budget. He commended the organization for the contribution. Legislator Johnson seconded the motion. Chairman Callard asked when this project will be completed. Due to Spring rains, they are waiting for

the ground to firm up and our Highway Department will need to bring in fill to even up the ground. Legislator DeRoller added that the Marine Park upgrade project nears \$22,000 and will be ready for the concert series at the Marine Park. The following resolution was adopted:

**RESOLUTION NO. 162-416**

ACCEPTING PLAYGROUND DONATION FROM OAK ORCHARD NEIGHBORHOOD ASSOCIATION AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MARINE PARK BUDGET

WHEREAS, Orleans County endeavors to replace the aging and obsolete playground at the County Marine Park; and

WHEREAS, the Oak Orchard Neighborhood Association has graciously and unhesitatingly provided a donation for the cost of the swing set so that the project can be completed in a single phase; and

RESOLVED, that this Legislature hereby accepts this generous gift and authorizes the Treasurer to set up new money in the Marine Park Budget as follows:

<u>From:</u>		
A2705	Donations	\$3,248.87
<u>To:</u>		
A7180.470	Capital Projects	\$3,248.87

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

**RESOLUTION NO. 163-416**

AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE PLANNING DEPARTMENT BUDGET TO PAY WENDEL FOR NORA BROADBAND EXPANSION PROJECT

WHEREAS, Resolution 194-515, dated May 27, 2015 authorized said transfer, but invoice wasn't received until 2016, so funds now need to be set up in 2016 budget to pay invoice; therefore be it

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RESOLVED, that the Treasurer is authorized to transfer funds into the Planning budget for the NORA Broadband Expansion Project.

From:

A1990.435 Contingency \$3,750

To:

A8020.418 Other Contractual Expenses-NORA Broadband Expansion Project \$3,750

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

**RESOLUTION NO. 164-416**

APPROVING AGREEMENT BETWEEN TOURISM DEPARTMENT  
AND WIGHT-OX ENTERPRISES, LLC

RESOLVED, that this Legislature approves the agreement between the Tourism Department and Wight Ox Enterprises, LLC, 949 Streeter Brook Rd., Little Genesee, NY 14754 to provide:

- 13 total national airings on the Hunt Channel during the 2<sup>nd</sup> quarter of 2016 (Season 4) at a cost of \$6,500
  - 624 total airings of 30 second video ads on 9 regional cable stations airing Rush Outdoors Television Show, October 2016 through September 2017 (Season 5) at a cost of \$4,500
  - Additional digital media ads provided throughout the contract
- all to be paid from Tourism Account 6410.468 – I Love NY Matching funds.

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

Legislator Johnson moved to support an increase in the share of revenue counties retain for providing State DMV services by passing bill 4964 it would raise the current 12.7% county share up to a 25% share and this legislative body supports this; seconded by Legislator DeFilipps. Chairman Callard felt this was disproportionate and knowing the quality of work our DMV does, we deserve 100%. The following resolution was adopted:

**RESOLUTION NO. 165-416**

**SUPPORTING AN INCREASE IN THE SHARE OF REVENUE  
COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES**

WHEREAS, in New York State 51 of 62 counties are mandated to operate a local Department of Motor Vehicles (DMV) office; and

WHEREAS, local DMV Offices provide customer service and process many no-fee transactions on behalf of New York State; and

WHEREAS, under current law the State of New York takes 87.3% of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by local DMV offices has increased in the same time period; and

WHEREAS, the Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, increasing the county DMV revenue sharing rate with the state will not result in any increased cost or fees to local residents or taxpayers and will provide counties with the needed revenue to continue to provide necessary local government services; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services including overhead and staffing to fulfill these DMV needs for state residents, yet the State takes 87.3% of the revenue generated from providing said services; and

WHEREAS, the New York State Association of County Clerks strongly supports S4964A, which would increase the DMV revenue to counties and provide a more equitable share in order to run DMV offices and help offset county property taxes; and

WHEREAS, the State Senate recognized this inequity placed on counties and attempted to reduce the burden of local taxpayers by

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overwhelmingly passing bill 4964 which would raise the 12.7% county share up to a 25% share; now be it

RESOLVED, that the Orleans County Legislature, calls upon Governor Andrew M. Cuomo and members of the State Legislature to require an increase of the county DMV revenue share with the State; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Robert G. Ort, Assemblyman Steve Hawley, Assemblywoman Jane L. Corwin, New York State Association of Counties (NYSAC), New York State Association of County Clerks (NYSACC), and all others deemed necessary and proper.

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

#### **RESOLUTION NO. 166-416**

#### **APPROVING EXTENSION OF THE DEFERRED COMPENSATION PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS**

WHEREAS, Resolution #149-411 approved the Renewal of the Deferred Compensation plan with Nationwide Retirement Solutions for a period of five years, with the option to renew for two one-year extensions; and

WHEREAS, the Deferred Compensation Trustee (County Treasurer) desires to extend the existing Agreement currently in place; adding a Roth 457 option and an Investment Advisors (ProAccount) option for the Administration of the County of Orleans 457 Deferred Compensation Plan, administered by Nationwide Retirement Solutions, for a period of one year commencing May 1, 2016 through May 1, 2017, at no cost to the County; now be it

RESOLVED, that the Chairman of the Legislature, is hereby authorized and directed to sign said one year renewal contract with Nationwide Retirement Solutions.

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

**RESOLUTION NO. 167-416**

**AUTHORIZING SETTING UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT**

WHEREAS, the energy savings realized in 2015 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the Treasurer has made the Lease payment and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

RESOLVED, that the County Treasurer is authorized to set up the funds as follows:

<u>From:</u>		
Reserve for Debt		\$46,449
<u>To:</u>		
A9901.556	Transfer to Debt Service	\$46,449

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies in the Debt Service Fund, as follows:

<u>From:</u>		
V5031	Revenue	\$46,449
<u>To:</u>		
V9710.610	Principal	\$25,000
V9710.701	Interest	\$21,449

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

**RESOLUTION NO. 168-416**

**AUTHORIZING SETTING UP RESERVE MONIES FOR THE 2007 NURSING HOME BOND PAYMENT**

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WHEREAS, the final Debt Service payment for the Village of Orleans Nursing Home is now due; and

WHEREAS, the Treasurer reserved the funds at year end, and now needs to set up the funds to balance the Debt service fund for this payment; now, be it

RESOLVED, that the County Treasurer is authorized to set up the funds as follows:

<u>From:</u>		
Reserve for Debt		\$859,759.38

<u>To:</u>		
A9901.556	Transfer to Debt Service	\$859,759.38

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies in the Debt Service Fund, as follows:

<u>From:</u>		
V5031	Revenue	\$859,759.38

<u>To:</u>		
V9710.610	Principal	\$680,000.00
V9710.701	Interest	\$179,759.38

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

#### **RESOLUTION NO. 169-416**

#### **APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve agreements between the Orleans County Sheriff's Office and the following agencies:

Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, NY, for the pre-purchase of gasoline in the amount of \$10,000, for use by the marine navigation patrol for the 2016 season. Reimbursement through Stonegarden grant funding.

Genesee Valley Farm and Crematory, 3520 South Main Street Road, P.O. Box 1604, Batavia, NY 14021, for the disposal of animals in the amount of \$18 per dog and \$9 per cat or small animal, effective January 1, 2016 through December 31, 2020, with termination of this agreement by either party upon thirty (30) days written notice to the other.

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

**RESOLUTION NO. 170-416**

**AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND THE SHERIFF'S OFFICE**

WHEREAS, the Orleans County Sheriff's Office continues to participate in the available Operation Stonegarden grants awarded annually by New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that the Orleans County Sheriff is authorized to participate in and accept the grant agreement between the NYS Division of Homeland Security and Emergency Services and the Sheriff's Office for Operation Stonegarden FY2016 in the amount of \$76,220; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SG16-\_\_\_\_\_-D00; contract #C-\_\_\_\_\_ in the amount of \$76,220 for the Sheriff's Office to enhance cooperation and coordination between Federal, State, local and tribal law enforcement agencies in joint operations along the Canadian border effective September 1, 2016 through August 31, 2019.

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

**RESOLUTION NO. 171-416**

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET AND TO APPROVE PURCHASES**

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WHEREAS, Resolution No. 357-1015 approved an agreement between the Orleans County Sheriff's Office/Jail and the Bureau of Justice Assistance for the State Criminal Alien Assistance Program (SCAAP) FY2015 grant; now be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Sheriff/Jail Budget, for State Criminal Alien Assistance Program (SCAAP) Funding, as follows:

Revenue:

A3351	SCAAP	\$14,900
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Appropriation:

A3150.250	Other Equipment	\$14,900
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and be it

FURTHER RESOLVED, that this Legislature authorizes the purchases of Guard 1 Plus Professional Edition Software from SI Technologies, Inc. d/b/a Security Integrations- NYS Contract #PT63302 in the amount of \$6,696.55 (PO#57349) [**See Resolution No. 242-616 – purchase cancelled**] and the purchase of a non contact visitation table from Moduform Library Bureau- NYS Contract #PC66306 in the amount of \$5,404 (PO# 57350) to be paid from Sheriff/Jail Budget Account A3150.250-Other Equipment.

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

**RESOLUTION NO. 172-416**

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND BRITE COMPUTERS**

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and Brite Computers, 7647 Main Street Fishers, Victor, NY 14564 for two years of NetMotion Mobility XE Premium Maintenance for 25 device licenses of Mobility with the Analytics Module and Policy Module, retroactive for period beginning October 7, 2015 through October 6, 2017 at a cost of \$3,245.

Moved, DeFilipps; second, Johnson.

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

**RESOLUTION NO. 173-416**

**AUTHORIZING CONTINUATION OF THE ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING APPOINTMENTS TO THE ALTERNATIVES TO INCARCERATION BOARD**

RESOLVED, that this Legislature authorizes the continuance of the Alternatives to Incarceration Program, at a reimbursable cost of \$5,531 to the county, leaving a county cost of \$7,580.72, effective July 1, 2016 through June 30, 2017; and be it

FURTHER RESOLVED, that the Chairman is hereby authorized to execute grant agreement CL11-1015-D06; contract #T523462 and all related documents associated with this grant, subject to review by the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the Alternatives to Incarceration Board, term expiring June 30, 2017:

<u>NAME</u>	<u>REPRESENTATION</u>
James P. Punch	County & Supreme Court Judge
Joseph Cardone	District Attorney
Sanford Church	Public Defender
Dawn Keppler	Magistrates
Lucille A. Taylor-Welch	Probation Director
Charles Nesbitt, Jr.	Chief Administrative Officer
Randall Bower	County Sheriff
Lynne Johnson	County Legislator/Public Safety Committee
John DeFilipps	Public Safety Committee Chairman
Mike Mele	Chief Deputy/ATI Coordinator
Bonnie Ruhlen	Crime Victim
Mark O'Brien	Director of Community Services
Kathy Hodgins	GCASA

Moved, DeFilipps; second, Johnson.

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

**RESOLUTION NO. 174-416**

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**AUTHORIZING FILLING OF VACANCIES IN THE SHERIFF'S OFFICE/JAIL**

RESOLVED, that this Legislature authorizes the filling of the following vacant four (4) Part-time Correction Officer positions (3150.28; 3150.35; 3150.36; 3150.41) at the Orleans County Jail at an hourly rate of \$13.92 effective April 28, 2016.

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

**RESOLUTION NO. 175-416**

**AUTHORIZING SALARY ADJUSTMENT BASED ON SHORT NOTICE STAFFING REQUIREMENTS AT THE ORLEANS COUNTY JAIL**

WHEREAS, staffing deficiencies occur in the Orleans County Jail due to shift vacancies; and

WHEREAS, short notice staff call ins of part-time Correctional Officers are necessary for the safe operations of the Orleans County Jail; and

WHEREAS, staffing deficiencies occur in the Orleans County Jail due to shift vacancies during designated holidays; now be it

RESOLVED, that this Legislature authorizes a salary adjustment in the form of a second rate to part-time Correctional Officers that are called in not more than 8 hours before a shift change and shall be compensated \$19.22 per hour effective May 1, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes a salary adjustment in the form of a second rate to part-time Correctional Officers that are scheduled to work the following holidays, New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Labor Day, Memorial Day, Independence Day, Columbus Day, Election Day, Veteran's Day, Thanksgiving Day and Christmas Day and shall be compensated \$19.22 per hour effective May 1, 2016.

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

**RESOLUTION NO. 176-416**

**AUTHORIZING SETTING UP NEW MONEY IN AND PURCHASE FROM THE SHERIFF'S OFFICE BUDGET**

RESOLVED, that this County Treasurer is authorized to set up new money in the Sheriff's Office budget, as follows:

Revenue:

A2701	Refund Prior Years	\$7,576.20
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Appropriation:

A3110.418	Other Contractual Expenses	\$7,576.20
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FURTHER RESOLVED, that this Legislature approves the purchase of Patrol Rifle Optic Pro Sights from AmChar Wholesale, Inc, 100 Airpark Drive, Rochester, NY 14624, in the amount of \$7,576.20 and to be paid from Sheriff's Budget account A3110.418-Other Contractual Expenses.

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

**RESOLUTION NO. 177-416**

**APPROVING AGREEMENT WITH ORLEANS COUNTY SHERIFF'S EMPLOYEES ASSOCIATION**

RESOLVED, that this Legislature approves an agreement with the Orleans County Sheriff's Employees Association (OCSEA) covering the years 2016 through 2018; said agreement includes a 2% increase for 2016, 2017, and 2018, the addition of a new title, re-organization of the salary scale and positions within the scale, and a residency requirement for any new employees hired following ratification of this agreement.

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

**RESOLUTION NO. 178-416**

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REQUESTING ENACTMENT OF HOME RULE LEGISLATION TO AMEND THE NEW YORK STATE CORRECTIONS LAW TO AUTHORIZE THE ORLEANS COUNTY JAIL TO HOLD PERSONS UNDER ARREST FOR ARRAIGNMENT IN ANY COURT LOCATED IN THE COUNTY OF ORLEANS.

WHEREAS, Pursuant to New York State Corrections Law 500-c and interpretation of the New York State Commission of Corrections, a County Sheriff operating a Correctional Facility may not house persons arrested and detained prior to arraignment; and

WHEREAS, the Orleans County Jail is designed with several holding areas intended for reception and holding of arrested persons awaiting transportation to court arraignment; and

WHEREAS, the design of the secure automobile entrance, booking and receiving stations and the proximate holding cells at the Orleans County Jail provide a highly safe and secure setting for arrested persons, law enforcement personnel and the general public, and this Board desires to ensure that said facilities are able to be lawfully utilized, and

WHEREAS, Article IX of State Constitution and Section 40 of the New York State Municipal Home Rule Law requires a home rule request be made to the State Legislature; and

WHEREAS, The Chairman of this board has determined to make a home rule request for the enactment of Bills into law; now be it

RESOLVED, that the Orleans County Legislature does hereby concur in the home rule request of the Chairman of the Legislature to amend the New York State Corrections Law to allow the Orleans County Jail to be used for the detention of persons under arrest being detained for arraignment in any court located in the County of Orleans; and be it

FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to file this home rule request resolution with Assemblyman Hawley of the New York State Assembly and Senator Ort of the New York State Senate.

Moved, DeFilippis; second, Johnson.  
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

**RESOLUTION NO. 179-416**

APPROVING PROBATION DIRECTOR TO ACCEPT GRANT FUNDING THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to accept monies (\$149,616) from the NYS Division of Criminal Justice Services for the block grant funding effective July 1, 2016 through June 30, 2017 for the following:

Regular State Aid (RSA) to reimburse the county for probation services.

Probation Eligible Diversion (PED) to provide supervision and treatment to high risk offenders (Drug Court) eligible for services that are in jeopardy of incarceration.

Intensive Supervision Program (ISP) to provide Intensive Supervision to eligible felons who would otherwise be sentenced to incarceration in our local jail or with the New York State Department of Corrections.

Enhanced Sex Offender Supervision (ESSO) of level 2 and level 3 SORA Registerable Sex Offenders.

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

**RESOLUTION NO. 180-416**

APPROVING PROBATION TO CONTINUE PARTICIPATION FOR GRANT FUNDING THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION (ATI) FUNDING

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to continue in the participation in the grant opportunity in the amount of \$5,531 from the NYS Division of Criminal Justice Services for the Article 13-A Classification Alternatives to Incarceration ATI award for the delivery of Pre-Trial Services with grant period effective July 1, 2016 through June 30, 2017; and be it

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FURTHER RESOLVED, that the Chairman is hereby authorized to execute the grant agreement CL11-1112-D07; contract #T523463 and all related documents associated with this grant, subject to review by the County Attorney.

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

**RESOLUTION NO. 181-416**

**AUTHORIZING DISTRICT ATTORNEY TO ACCEPT THE LEGISLATIVE INITIATIVES GRANT WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES**

WHEREAS, the Orleans County District Attorney's Office was awarded a Legislative Initiatives Grant with the Division of Criminal Justice Services; and

WHEREAS, said Legislative Initiatives Grant provides for a budget of ten thousand dollars (\$10,000) to be used toward the purchase of equipment to enhance Grand Jury evidence display; be it

RESOLVED, that the District Attorney is authorized to accept the Legislative Initiatives Grant in the amount of \$10,000, with the Division of Criminal Justice Services and execute agreement to use said funds for the purchase of equipment for the enhancement of evidence display in the Grand Jury room at the Public Safety Building; and be it

FURTHER RESOLVED, that the Orleans County Treasurer is hereby authorized to set up this new money in the District Attorney's budget as follows:

<u>Revenue:</u>		
A3031	DA Initiatives Grant	\$10,000
<u>Appropriation:</u>		
A1165.486	Special Grants	\$10,000

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

Legislator DeFilipps moved a resolution to call upon New York State to fully reimburse counties for the increase of the District Attorney's Salary which is going to be set by the State; seconded by Legislator Johnson. Chairman Callard indicated that this is another example of another unfunded mandate. Legislator DeRoller added that he spoke with Assemblyman Hawley who is currently working diligently on a new resolution that will be presented in the assembly for the state to pay for the DA salary increase and stop this unfunded mandate. The following resolution was adopted:

**RESOLUTION NO. 182-416**

**CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE**

WHEREAS, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, this salary increase recommendation occurred well after all counties set their 2016 budgets in law; and

WHEREAS, the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000.00 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

WHEREAS, on April 1st the state approved the Commission's recommendation; and

WHEREAS, State Judicial Law 183-a links judicial salaries with county district attorneys' (DA's) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on full time or part time status; and

WHEREAS, for over 50 years, the state has funded all salary increases that they imposed on the counties; and

WHEREAS, DA's are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law; and

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WHEREAS, on April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries; and

WHEREAS, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

WHEREAS, for many counties this salary increase represents approximately 1/3 of their total allowable property tax growth for all government operation in 2016; now be it

RESOLVED, that the County of Orleans calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Robert G. Ort, Assemblyman Steve Hawley, Assemblywoman Jane L. Corwin, New York State Association of Counties, and all others deemed necessary and proper.

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

#### **RESOLUTION NO. 183-416**

#### **AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT**

WHEREAS, new funding opportunities have become available in the amount of \$21,063 to continue participation in the Emergency Management Planning Grant cycle (EMPG) FY2016; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant EM16-1041-D00, contract #T838765 in the amount of \$21,063 for the Emergency Management Office to use for replacement dispatch work stations and off-road vehicle according to grant guidance, effective October 1, 2015 through September 30, 2017.

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

**RESOLUTION NO. 184-416**

SUPPORTING STATE LEGISLATION S 1000-B FUNKE/A 5133-A MORELLE RELATING TO PERMANENT TOTAL DISABILITY BENEFITS RECEIVED BY DISABLED VOLUNTEER FIREFIGHTERS

WHEREAS, volunteer firefighters in Orleans County and across New York State put themselves in life-threatening situations without reservations at a moment's notice to protect our communities; and

WHEREAS, sometimes, while answering the call of duty, these brave men and women fall victim to serious injuries that leave them disabled and unable to provide for their families; and

WHEREAS, as of March 2015, New York State had 38 total/permanently disabled volunteer firefighters that are dependent on volunteer firefighter disability benefits that has no cost of living adjustment provision from the Workers Compensation Board of New York State; and

WHEREAS, New York State Senator Richard Funke and Assemblyman Joseph Morelle have introduced companion bills in the state legislature to adjust the benefits received by disabled volunteer firefighters on February first of each year based on the consumer price index; now be it

RESOLVED, with the brave men and women who protect our communities in mind, the Orleans County Legislature adds its support to S 1000-B Funke/A 5133-A Morelle; and be it

FURTHER RESOLVED, this honorable body calls on its fellow county governments across New York State to add their support; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Robert G. Ort, Assemblyman Steve Hawley, Assemblywoman Jane L. Corwin, New

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York State Association of Counties, and all others deemed necessary and proper.

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

**RESOLUTION NO. 185-416**

**AUTHORIZING TREASURER TO SET UP GRANT MONEY IN THE EMERGENCY MANAGEMENT BUDGET**

WHEREAS, Resolution No. 363-1015 authorized the Director of Emergency Management to enter into an agreement with Tim Warth, dba Radio Technologies at 15 Pamda Drive, Rochester, New York, 14617 for professional communication consultant services at a cost not to exceed \$60,000; be it

RESOLVED, that this Legislature authorizes the Treasurer to set up new monies FY12 State Interop Communications Grant Funds as follows:

<u>Revenue:</u>		
A4309.0012	FY12 Statewide Interoperable Communications Grant	\$60,000
 <u>Appropriation:</u>		
3640.486.0012	Special Grants/FY12 Interop Communications	\$60,000

and be it

FURTHER RESOLVED, that this Legislature authorizes payment milestones of April, May and August, 2016, upon substantial completion of the work contemplated.

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

**RESOLUTION NO. 186-416**

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 for Panic Buttons from Delcom Products, Port Chester, NY at a cost of \$2,890.20 and a 3 year License Subscription at a cost of \$6,750, from E-Panic, Birmingham, Alabama, in accordance to DHSES grant guidelines; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up FY 2015 Homeland Security Grant Funds in the Emergency Management Budget as follows:

Revenue:

A4309.2015	State Homeland Security Grant Program	\$9,641
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Appropriation:

3640.486.2015	Special Grants- SHSP FY15	\$9,641
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Moved, Johnson; second, DeFilipps.  
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

**RESOLUTION NO. 187-416**

AUTHORIZING EXECUTION OF CHANGE NOTICE NO. CN-006 RELATIVE TO ORLEANS COUNTY – MULTI-NET REBANDING AGREEMENT DATED SEPTEMBER 12, 2008

WHEREAS, the EF Johnson rebanding activity has now been finalized and the County is prepared to formally acknowledge final acceptance of EF Johnson's work under the Rebanding Agreement and that EF Johnson has completed its obligation, now therefore, be it

RESOLVED, that the Chairman is authorized to execute Change Notice No. CN-006.

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

**RESOLUTION NO. 188-416**

*April 27, 2016*  
*Resolutions 145-190*

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS  
AND WENDEL FOR PROFESSIONAL SERVICES TO EXAMINE  
FEASIBILITY OF AN ADDITION TO THE COUNTY OFFICE  
BUILDING

RESOLVED, that this Legislature approves an agreement with Wendel, 375 Essjay Rd, Suite 200, Williamsville, NY 14228 in an amount not to exceed \$30,000 for professional services related to study and development of a concept for an addition to the County Office Building to house Elections, Public Health, IT, Legislative Chambers and administrative office and large multipurpose rooms to accommodate training for large groups, conference rooms, and offices.

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

**RESOLUTION NO. 189-416**

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN  
ORLEANS COUNTY, NIAGARA COUNTY, SENECA  
TELECOMMUNICATIONS LLC AND RESOLUTE PARTNERS LLC  
FOR THE NORA RURAL BROADBAND INITIATIVE

WHEREAS, through the NIAGARA-ORLEANS REGIONAL ALLIANCE (hereinafter "NORA");, an intermunicipal collaboration between the Counties of Niagara and Orleans, an initiative has been undertaken to deliver broadband Internet services to the unserved areas of each county; and

WHEREAS, Seneca Telecommunications, LLC, d/b/a Seneca Solutions is a tribally owned, Native American 8a Small Disadvantaged Business located on the Cattaraugus Territory of the Seneca Nation of Indians outside of Buffalo New York. Seneca is an experienced government contractor with strong credentials and past performance in broadband construction, Information Technology and Construction Management with the management expertise and resources to oversee large programs; and

WHEREAS, Resolute Partners, LLC, is a Delaware based information technology company and is one of the largest wireless Internet Service Providers (WISP) in the US military. Resolute brings extensive

knowledge, experience and insight in the rural broadband, network construction and network operations and management, including specific expertise with regards to the Seneca Nation's rural broadband project located on its Cattaraugus Territory; and

WHEREAS, Seneca Solutions and Resolute together have the ability to engineer, install, maintain and service an Internet solution as demonstrated by its efforts on the Cattaraugus rural WiFi project; and

WHEREAS, as part of the effort to bring high-speed broadband service to the region, NORA embarked on a multi-year effort to quantify the extent of its needs and position itself to receive funding from the New York State Broadband Office; and

WHEREAS, these efforts have ranked Niagara and Orleans Counties as several of the highest scoring counties out of the entire State; and

WHEREAS, since the NORA alliance sits in two different Regional Economic Development Councils, both Councils have made this effort a priority; Niagara and Orleans Counties have indicated that their grant writing teams are available to assist Seneca and Resolute in acquiring broadband funding; and

WHEREAS, the NYS Broadband office has been allocated \$500M in funding from the State of New York in an effort to ensure every New Yorker has access to affordable, high-speed broadband services in urban and rural communities; and

WHEREAS, pursuant to Orleans County Resolution 270-715, representatives of Seneca Solutions, Niagara and Orleans Counties, entered into an agreement to work together to obtain funding for, design, install, operate and maintain a Rural Broadband network for both Niagara and Orleans Counties; and

WHEREAS, it is necessary to extend the duration of the Memorandum of Understanding [MOU] that was entered into pursuant to Resolution 270-715 to enable each party to complement the unique capabilities of the other and provide Niagara, Orleans and NORA (sometimes hereinafter collectively the "Client") with the best combination of expertise to achieve the Client's objective; now, be it

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RESOLVED, that this Legislature approves an extension of the Memorandum of Understanding between Orleans County, Niagara County, Seneca Telecommunications LLC, d/b/a Seneca Solutions, Salamanca, New York and Resolute Partners, LLC, Southington, Connecticut as a NORA Broadband Initiative to work together to obtain funding for, design, install and operate and maintain a Rural Broadband network for both Niagara and Orleans Counties with the term of this Memorandum to be effective for 365 days of signed agreement by all parties and all parties may extend the relationship upon mutual consent as more particularly provided in the MOU.

Moved, Johnson; second, DeFilippis.  
Adopted. 6 ayes; 0 nays, 1 absent, Allport.

**RESOLUTION NO. 190-416**

**AUTHORIZING PAYMENT OF CLAIMS FOR MAY 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 May 11, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	3719-3888	\$292,974.77
Highway	721-728; 1767-1788	\$51,783.48
Job Development	2060-2068	\$3,251.70
Self Insurance	1112-56823-56824	\$20,739.86

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 May 25, 2016:

Fund/Department	Check Number (s):	Amount:
General	3902-4042	\$359,952.19
Highway	729-735; 1789-1805	\$27,699.79
Job Development	2071-2081	\$9,650.52
Self Insurance	1113, 56825-56829	\$5,183.07

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

Chairman Callard called for old business, with there being none, he opened the floor for public comment.

Ben Yazman, Apex Clean Energy, followed up on mailed correspondence which introduced exploratory research into a project in the Town of Barre. He said he is available to meet and speak with them concerning this project.

Paul Lauricella, Yates, expressed he would like to see the DMV revenue resolution go through because our DMV department does very well for our County.

Legislator Miller added that when registrations come in your mail, if you return them in the envelope provided, they will be returned to Utica, New York which we receive no revenue returns to Orleans County. He encouraged people to re-address those to our local DMV office in Albion so that revenue will stay in our County. Legislator Johnson announced that our Deputy County Clerk Susan Rustay who oversees the DMV office is here and was asked to speak on behalf of the hard work occurring at our local DMV. Mrs. Rustay shared her appreciation to the constituents who help keep the revenue in our county. She appreciates the walk-ins and patience of those that have to wait in the longer lines at times to keep revenue in our county. She shared her appreciation to the Legislative Board for being fully staffed which allows better customer service to our residents. She feels that the increased revenue will also help with the tax burden that is placed on our taxpayers. Chairman Callard thanked Mrs. Rustay for a very well managed DMV office.

With no further business, Legislator Johnson moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:32 p.m.

## **LEGISLATURE MEETING**

May 25, 2016

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Chairman Callard called the meeting to order at 4:31 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Annual Financial Report Update Document for the County of Orleans for the Fiscal Year ending December 31, 2015 has been filed by the Orleans County Treasurer. Land Use Training for Municipal Officials will be presented by Orleans County Department of Planning and Development and Niagara County Department of Economic Development on Thursday, June 2, 2016 at the Hoag Library from 5 p.m. – 9:30 p.m. In-service credit will be given. Special letter of appreciation was received by James Maier on behalf of Earl Schmidt and his dedication to the veterans in the Veterans Service Agency, which was read by Clerk Hanlon. Director Schmidt was applauded for his efforts.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through April, 2016. It was not as exceptional as last month. She received the Tobacco money which added approximately half million dollars for a prior year disputed payment. School and Village relievis were paid, along with sales tax for first quarter, reported Treasurer Heard.

Chairman Callard called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired about Resolution No. 205-516, by asking if the county has a comprehensive plan. Mr. Nesbitt indicated that the County does have one but it is outdated. Legislator DeRoller stated it is thirty years old. Mr. Bensley added that it is not considered an active plan because of its age. Mr. Lofthouse asked if someone is pushing to get this done. Legislator DeRoller indicated that he is pushing to revisit this, to have a comprehensive plan with an agricultural focus. He stated that the Industrial Development Agency/Orleans County Economic Development Agency has changed their brand a bit and have tailored it to an Ag focus. A Resolution is on the agenda today to move that forward by hiring another person to help with this task.

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

**RESOLUTION NO. 191-516**

**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>
\$3,019.54	Barton & Loguidice	Prof. Services through 3/26/16 for East Scott Road Bridge-Inv#82508

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.251, Capital Project – Infrastructure Project – Culvert Improvements:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$13,237.29	National Grid	Additional utility work for Platten Road Culverts – Inv #500013020

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

**RESOLUTION NO. 192-516**

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

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform Project Engineering and Design for Preventative Maintenance repairs to Orleans County Bridges at six different locations. The project locations are in the Towns of Albion, Carlton, Ridgeway and Yates; BINS: 3319330, 3366350, 3318980, 3318930, 3318940 and 3318820.

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FURTHER RESOLVED, this agreement is effective April 1, 2016 through December 31, 2018, NYS Contract #D035278, Pin 4760.68, at a maximum cost of \$85,422 with an 80% federal funded reimbursement at \$81,151 and a final County cost of \$4,271; to be paid out of the D5120.470.2277 Capital Plan TIP Bridge account.

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

**RESOLUTION NO. 193-516**

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 Carton Road over Sandy Creek Bridge in the Town of Kendall 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 BIN #3319180 and to be paid out of the Capital Infrastructure Project Account #H-5120.250.

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

**RESOLUTION NO. 194-516**

APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT  
AND LABELLA ASSOCIATES, D.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, 300 State Street, Suite 201, Rochester, New York 14614 for the East Scott Road over Fish Creek Bridge in the Town of Ridgeway 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 County gives notice to proceed through December 31, 2016. Bin #3318920, at a cost not to exceed \$27,500; to be paid from Capital Infrastructure Project Account H-5120.250.

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

**RESOLUTION NO. 195-516**

**AUTHORIZING REPAIR SERVICE FROM THE HIGHWAY DEPARTMENT BUDGET**

RESOLVED, that this Legislature approves a service repair bill from Southworth-Milton, Inc., P.O. Box 3851, Boston, MA 02241-3851 for the repair of the 2013 CAT Paver at a total cost of \$5,731.38 to be paid from the Highway Budget Machine Maintenance Account #DM5130.444 – Repairs to Equipment & Property.

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

Legislator Eick moved to approve an agreement to rent a road roller from Vantage Equipment for the Highway Department. Legislator Eick added that one month rental will be paid by Orleans County and the other two months will be paid by our Towns that use it complete their road projects. Legislator Miller second the motion and the following resolution was adopted:

**RESOLUTION NO. 196-516**

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND VANTAGE EQUIPMENT**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Vantage Equipment, 5985 Court Street Road, Syracuse, New York 13206 for a Roller Rental for the months June, July and August 2016 at \$3,300 a month; and be it

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FURTHER RESOLVED, there will be a partial reimbursement through the Consolidated Highway Improvement funds and town payments.

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

**RESOLUTION NO. 197-516**

**AWARDING BID FOR PLATTEN ROAD CULVERTS OVER OAK ORCHARD CREEK TRIBUTARIES**

WHEREAS, in June 2016, the Highway Department will be requesting bids for Construction for the Replacement of the Platten Road Culverts over Oak Orchard Creek Tributaries in the Town of Yates, Project #215370; and

WHEREAS, due to construction time constraints, once bids have been publicly opened and reviewed to determine the lowest bidder, the County needs to award the bid by a pre-approve resolution; therefore be it

RESOLVED, that this award preapproves the lowest bidder; subject to the Chairman of the Legislature, County Attorney and Chief Administrative Officer approval.

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

**RESOLUTION NO. 198-516**

**AUTHORIZING SETTING UP NEW MONEY IN THE FUEL FARM BUDGET**

RESOLVED, that the County Treasurer is authorized to set up new money in the Fuel Farm budget due to additional environmental liability insurance, as follows:

Revenue:

Fuel Farm Capital Reserve	\$2,053
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Appropriation:

DM5140.431	Fuel Farm Insurance	\$2,053
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Moved, Eick; second, Miller.  
Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 199-516**

**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:

Ontario County Department of Social Services, Canandaigua, NY for the provision of Youth Care Facility for detention of PINS and JD youth; to be effective January 1, 2016 through December 31, 2016. County Cost 51%.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2016 through June 30, 2017 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.

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

Legislator Allport moved to create and fill positions in the Mental Health Department. He added that a Clinical Therapist position is being created to cover the expanded work of ten hours in the Jail, which will be a good program that our Mental Health Department and Sheriff's Office is working together on. This position will also cover fourteen hours in the Albion Central School District, which now places our Mental Health Services in all five of our school districts. We will also have 1.5 days at Medina Hospital which is a service that is desperately needed there. Legislator Allport commended the Mental Health Department for their dedication in placing needed services in our County. Legislator DeRoller seconded the motion and the following resolution was adopted:

**RESOLUTION NO. 200-516**

**AUTHORIZING CREATING AND FILLING OF POSITIONS IN THE MENTAL HEALTH DEPARTMENT**

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RESOLVED, that this Legislature authorizes the creation of a Clinic Therapist position in the Mental Health Department at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position, effective May 26, 2016; and be it

FURTHER RESOLVED, as a result of a resignation, that this Legislature authorizes the filling of a vacant Supportive Case Manager position (4310.22) in the Mental Health Department at Grade 18 of the CSEA Salary Schedule, effective May 26, 2016.

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

**RESOLUTION NO. 201-516**

**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 for DSRIP goals as follows:

<u>Revenue:</u>		
A1625	Misc. Revenue	\$26,840.31
<u>Appropriation:</u>		
A4310.418	Other Contractual	\$26,840.31

and be it,

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for pass through money received for Suicide Coalition as follows:

<u>Revenue:</u>		
A1625	Misc. Revenue	\$3,500
<u>Appropriation:</u>		
A4310.418	Other Contractual	\$3,500

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

**RESOLUTION NO 202-516**

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

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

Albion Water Treatment at 961 Wilson Road, Waterport, NY 14571 to provide water sampling for the environmental division. Reimbursement from New York State Water Grant, State Aide and Private pay. County Cost \$0.

University Of Albany at 1400 Washington Ave, UNH 212, Albany NY 12222 to provide an association with University of Albany Masters of Public Health Program. Internship will allow for the ability of an Intern to fulfill requirements for a Masters Degree and allow the Public Health Department to utilize their service. Contract to run from June 1, 2016 through December 31, 2021. County Cost \$0.

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

**RESOLUTION NO. 203-516**

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

RESOLVED, that this Legislature does hereby authorize the abolishing of a vacant part-time Case Manager in the Public Health Department at Grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Case Manager in the Public Health Department at Grade 15 of the CSEA Salary Schedule; and be it

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FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant full-time Case Manager, effective May 26, 2016.

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

**RESOLUTION NO. 204-516**

**AUTHORIZING SETTING UP MONEY FROM MISCELLANEOUS RESERVE INTO THE HEALTH DEPARTMENT BUDGET**

RESOLVED, that the County Treasurer is authorized to set up money from the miscellaneous reserve, into the following appropriations in the Public Health 4010 Budget:

Revenue:

Miscellaneous Reserve	\$22,205.46
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Appropriation:

A4010.250	Other Equipment	\$3,700.00
A4010.411	Office Supplies	181.00
A4010.434	Advertising	1,114.46
A4010.452	Personal Service Contracts	560.00
A4010.460	Training & Education	1,650.00
A4010.478	Health Promotional Supplies	1,800.00
A4010.487	Environmental Health Supplies	12,300.00
A4010.489	Nursing Supplies	900.00

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

**RESOLUTION NO. 205-516**

**AUTHORIZING CREATING AND FILLING POSITION OF PLANNER IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

WHEREAS, the Department of Planning and Development has been tasked with an expanded work program including but not limited to the preparation of a County comprehensive plan and local waterfront revitalization plans, increased technical support to municipalities, engagement in community economic development efforts, additional

writing and administration of grants, enhancement of its geographic information system, and organizing County household hazardous waste collection events on an annual basis; be it

RESOLVED, that this Legislature authorizes the creation of a full-time Planner position in the Department of Planning and Development, at grade 20 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position in the Department of Planning and Development effective July 1, 2016.

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

**RESOLUTION NO. 206-516**

**AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE TOURISM BUDGET**

RESOLVED, that the County Treasurer is authorized to Transfer Funds within the Tourism Budget to migrate contract position to part-time status for Senior Account Clerk as follows:

<u>From:</u>		
A6410.466	Consultant Fees	10,499
<u>To:</u>		
A6410.100	Personal	\$9,753
A6410.820	Medicare	141
A6410.830	Social Security	605

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

**RESOLUTION NO. 207-516**

**AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE TOURISM BUDGET**

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RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for funds received from advertisement revenue from the Travel Guide from the Town of Yates as follows:

<u>Revenue:</u>		
A2000	Ad Revenue	\$275
<u>Appropriation:</u>		
A6410.411	Supplies	\$275

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for additional funds received above budget from I Love NY award (budgeted \$57,000/received \$58,626) – increase I Love NY expense to correspond to award as follows:

<u>Revenue:</u>		
A3715	I Love NY	\$1,626
<u>Appropriation:</u>		
A6410.468	I Love NY Expense	\$1,626

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

**RESOLUTION NO. 208-516**

**AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS**

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2016; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment  
October 1, 2015 through March 31, 2016**

Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
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Albion	210,216,635	420,433,270	116,197,027	27.64%	17,126.40	4,733.30	12,393.10
Barre	96,733,087				5,903.71		5,903.71
Carlton	192,067,292				17,966.16		17,966.16
Clarendon	154,831,527				9,223.75		9,223.75
Gaines	116,551,683	233,103,366	22,294,919	9.56%	10,425.56	997.14	9,428.42
Kendall	150,529,707				14,455.62		14,455.62
Murray	177,340,639	354,681,278	52,875,440	14.91%	15,903.48	2,370.87	13,532.61
Ridgeway	220,369,844	440,739,688	91,126,630	20.68%	15,430.61	3,190.41	12,240.20
Shelby	182,173,553	364,347,106	73,313,450	20.12%	11,611.85	2,336.52	9,275.33
Yates	151,946,656	303,893,312	28,321,731	9.32%	12,327.32	1,148.86	11,178.46
Total	1,652,760,623				130,374.46	14,777.10	115,597.36

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

Legislator Johnson moved a resolution calling on the State of New York to fully reimburse municipal Self Insured Workers' Compensation Plans. She requested Jack Welch, Director of Personnel and Self-Insurance to provide an explanation on this matter. Director Welch expressed that the State Legislature had decided that there are certain cancer conditions, the Legislators in their wisdom, say occurs as a result of fighting fires for volunteers but not for paid firemen. Director Welch indicated that this is going to create an enormous problem with volunteer firemen because insurance companies will question if this risk should be insured with an arbitrary decision because of no medical cause or relationship with this disease. If this expense is going to be placed on our towns, we are asking the state to reimburse self insurance plans of the state to cover those insured cancer cases that are now automatically going to be insured under the workers' comp board. Legislator Johnson added that Director Welch brought this back from his association. Legislator Johnson moved this resolution; second by Legislator DeFilipps. The following resolution was adopted:

**RESOLUTION NO. 209-516**

**CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE MUNICIPAL SELF INSURED WORKERS' COMPENSATION PLANS**

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC) has become aware of Senate Bill S03891 and Assembly Bill A05518; and

WHEREAS, NYSASIC, as the professional organization representing the majority of self insured counties and many other municipalities in the State of New York, strongly oppose this legislation; and

WHEREAS, the proposed legislation states the following:

“Provides that any (i) melanoma; or (ii) condition of cancer affecting lymphatic, digestive, hematological, urinary, prostate, neurological, breast and reproductive systems, resulting in total or partial disability or death to a volunteer firefighter, who successfully passed a physical examination on entry into firefighter service, which examination failed to reveal any evidence of such melanoma or condition, shall be presumptive evidence that it was incurred in the performance and discharge of duty unless the contrary be proven by competent evidence.” ; and

WHEREAS, the proposed legislation provides that in the event that an individual passes his or her physical examination on entry into firefighter service that any melanoma or other cancer condition that is subsequently diagnosed is presumed to arise in the performance and discharge of that individual’s duties as a volunteer firefighter; and

WHEREAS, this legislation is problematic for several reasons: First, the physical examination required for entry into a volunteer fire department is quite limited in scope. Such physical examinations do not include the detail or the diagnostic testing typically associated with diagnosing cancer or ruling out the presence of cancer. For example, such physical examinations do not include comprehensive blood testing, PET scans, CT scans, MRI’s, colonoscopies, mammograms, pap smears, prostate examinations, etc. To the contrary, such physical examinations are typically quite limited and are quite cursory in nature; and

WHEREAS, many of the conditions covered by the proposed legislation may be present and remain undiagnosed even though an individual may still pass the physical examination associated for entry into firefighter service; and

WHEREAS, many of the conditions identified in the proposed legislation often develop with age and/or are either genetic or hereditary in nature. Thus, even if a comprehensive physical examination with diagnostic testing is performed when an individual first enters firefighter service, it would be both disingenuous and unwise to presume that in the event that such an individual eventually is diagnosed with cancer, such as prostate cancer or breast cancer many years later, that the development or cause of that cancer is in any way connected to the individual's firefighter service; and

WHEREAS, such legislation would essentially place counties in the position of insuring that in the event that a volunteer firefighter contracts cancer of any kind that they will need to provide indemnity, medical and, potentially death benefits, unless they can prove that such cancer condition is unrelated with competent evidence. Providing such a presumption and placing the cost of rebutting such a presumption on county taxpayers would pose an undue financial burden and hardship. In addition, such a presumption would likely force counties and volunteer fire departments to change their procedures relating to physical examinations for volunteer firefighters in order to ensure that applicants are cancer free. Such comprehensive physical examinations would prove costly and could have a chilling effect on recruitment and the membership of volunteer fire departments; and

WHEREAS, the proposed legislation is unnecessary as the Volunteer Firefighters' Benefits Law already provides such benefits in the event that a volunteer firefighter (or his or her dependents in connection with a death claim) can prove that the cancer condition arose in the line of duty. Shifting the burden of proof based upon a flawed presumption that has no medical basis would be ill advised; now be it

RESOLVED, that the Orleans County Legislature urges the State of New York not to pass Senate Bill S03891 and Assembly Bill A05518 in its current language; and be it

FURTHER RESOLVED, that in the event that there is a desire that the aforementioned legislation be passed, the Orleans County Legislature urges Senate Bill S03891 and Assembly Bill A05518 to be modified so that municipal self-insured workers' compensation plans shall be reimbursed the costs of claims which are associated with Senate Bill S03891 and Assembly Bill A05518 by the State of New York. This will facilitate the continued operation and existence of the very volunteer fire

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departments and volunteer fire companies whose members would be assisted by the bills, since the taxing authorities which support these volunteer fire departments and volunteer fire companies will otherwise be financially stressed by the claims precipitated by these bills; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York Andrew Cuomo, Senator Robert Ort, Speaker of the New York State Assembly Carl Heastie, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, NYSAC, NYSASIC, and all others deemed necessary and proper.

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

Legislator Johnson moved to approve the restructuring of the County Treasurer's Office due to the Deputy County Treasurer retiring. She explained the positions that were being approved today and Orleans County Treasurer Susan Heard indicated she will see a savings of \$36,000. Legislator DeFilipps seconded the motion and the following resolution was adopted:

**RESOLUTION NO. 210-516**

**AUTHORIZING ABOLISHING, CREATING, AND FILLING  
POSITIONS IN THE TREASURER'S OFFICE**

WHEREAS, that due to the retirement of the Deputy County Treasurer, the Treasurer's office will be restructuring; now be it

RESOLVED, that this Legislature does hereby abolish a part time Principal Account Clerk position ( 1325.08) in the Treasurer's Office at Grade 15 of the CSEA Salary Schedule effective May 26, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a part time Senior Account Clerk Typist in the Treasurer's Office at Grade 10 of the CSEA Salary Schedule effective May 26, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant part time position effective May 26, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full time Accountant (position 1325.0X) in the Treasurer's Office at Grade 17 of the CSEA Salary Schedule effective June 13, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant full time position effective June 13, 2016.

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

**RESOLUTION NO. 211-516**

**APPROVING AGREEMENTS BETWEEN THE SHERIFF'S OFFICE  
AND VARIOUS AGENCIES**

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

Barre Animal Hospital, 15445 East Lee Road, Holley, NY 14470 for emergency veterinary services effective January 1, 2016 through December 31, 2016, as per contracted cost schedule.

Orleans County Animal Control Officer Kathleen Smith for compensation for collection and preparation of rabies specimens at a rate of \$25.00 per specimen for contract period January 1, 2016 through December 31, 2017

and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute these agreements subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

**RESOLUTION NO. 212-516**

**APPROVING AGREEMENTS BETWEEN SHERIFF'S OFFICE/JAIL  
AND VARIOUS AGENCIES**

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

Stericycle, 4010 Commercial Avenue, Northbrook, IL 60062, for disposal of hazardous medical waste for the Jail at a cost of \$99.22 per month for the contract period May 1, 2016 through April 30, 2021.

Genesee County Sheriff's Office for the mutual housing of Orleans County inmates in the Genesee County Jail and the housing of Genesee County inmates in the Orleans County Jail at a cost of \$75 per inmate/per day, effective January 1, 2016 through December 31, 2017.

Wayne County Sheriff's Office, 7376 Route 31, Suite 1000, Lyons, NY 14489, for the housing of Orleans County inmates in the Wayne County Jail when needed, at a cost of \$85 per inmate/per day, to be billed on a thirty-day basis, effective January 1, 2016 through December 31, 2018, subject to annual renewal by consent of the parties.

and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute these agreements subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

Legislator DeFilipps moved to approve an agreement with New York State Canal Corporation and the Sheriff's Office; second by Legislator Johnson. Legislator DeRoller invited Sheriff Bower to comment on this grant. Sheriff Bower indicated that this grant was applied for this year, but has been offered for years. There is a county cost of \$2,000 however the way the grant was written, our existing boat will be considered an in-kind contribution towards the \$2,000 so it will end up with no county cost. The following resolution was adopted:

**RESOLUTION NO. 213-516**

**APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE  
AND NEW YORK STATE CANAL CORPORATION**

WHEREAS, in prior Resolution #129-316, the Orleans County Sheriff's Office has applied for available funds to provide marine patrol services along the Canals and Canalway Trail; now be it

RESOLVED, that the Orleans County Sheriff is authorized to participate in and accept the grant agreement between the NYS Canal Corporation and the Sheriff's Office for FY2016/2017 funding in the amount of \$8,000 and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an agreement between the New York State Canal Corporation , 200 Sothern Boulevard P O Box 189 Albany, NY 12209 and the Sheriff's Office in the amount of \$8,000 for the Sheriff's Office to establish regular patrols to enforce NYS Marine Laws and to monitor traffic activity along the canal effective April 1, 2016 through March 31, 2017; subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

#### **RESOLUTION NO. 214-516**

#### **AUTHORIZING SHERIFF TO APPLY FOR GOVERNOR'S TRAFFIC SAFETY GRANTS**

RESOLVED, that the Sheriff is authorized to apply for the New York State Governor's Traffic Safety Child Passenger Safety Grant in the amount of \$6,100 for funding period of October 1, 2016 through September 30, 2017 to support child passenger activities which include fitting stations, training and education along with child passenger safety check events and care seat distribution programs for families in need; and be it

FURTHER RESOLVED, that the Sheriff is authorized to apply for the New York State Governor's Traffic Safety Police Traffic Services Grant (PTS) in the amount of \$10,600 for funding period of October 1, 2016 through September 30, 2017 to be used to conduct traffic enforcement, including participation in the Click it or Ticket seat belt enforcement mobilization, in an effort to improve traffic safety within local communities.

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

**RESOLUTION NO. 215-516**

**AUTHORIZING ABOLISHING, CREATING, AND FILLING  
POSITIONS IN THE SHERIFF'S OFFICE/JAIL**

WHEREAS, that due to the ratification of the Orleans County Sheriff Employees (OCSEA) Contract; and

WHEREAS, the Supervisory requirements of the Commission of Corrections, there is a need for an increase in supervision of staff; now be it

RESOLVED, that this Legislature does hereby authorize the creation of three full-time Correction Sergeant First Class positions in the Sheriff's Office/Jail at Grade 7 of the OCSEA Salary Schedule effective April 28, 2016; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant positions effective April 28, 2016; and be it

FURTHER RESOLVED, that his Legislature does hereby authorize the filling of the three vacated Correction Sergeant positions effective May 26, 2016; and be it

FURTHER RESOLVED, that his Legislature does hereby authorize the abolishment of three (Positions #'s \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_) full-time Correction Officers positions upon the promotions of Correction Sergeant positions.

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

**RESOLUTION NO. 216-516**

**AUTHORIZING CREATION AND FILLING OF POSITIONS IN THE  
SHERIFF'S OFFICE/MARINE PATROL**

RESOLVED, that this Legislature does hereby authorize the creation of two part-time seasonal Deputy Sheriffs' positions in the

Marine Patrol Division of the Sheriff's Office, at \$13.41 per hour; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created, vacant positions, effective May 26, 2016.

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

**RESOLUTION NO. 217-516**

**AUTHORIZING REIMBURSEMENT TO OFFICERS OF THE SHERIFF'S OFFICE AND JAIL FOR CELL PHONE USAGE**

RESOLVED, that this Legislature authorizes payment from the Sheriff's Office and Jail budgets, respectively, to the Sheriff, Undersheriff, Chief Deputy, and Jail Superintendent as partial reimbursement for cell phone charges, incurred in conducting daily business, in the amount of \$50.00 per officer per month effective April 1, 2016.

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

**RESOLUTION NO. 218-516**

**AUTHORIZING SETTING UP NEW MONEY IN AND PURCHASE FROM THE SHERIFF'S OFFICE BUDGET**

WHEREAS, the Orleans County Sheriff's Office was awarded a Legislative Initiatives Grant with the New York State Division of Criminal Justice Services; and

WHEREAS, this Legislature approved the agreement and acceptance of funding in the amount of \$10,000 for the enhancement of Anti-Crime Initiatives in Resolution No. 293-815; now be it

RESOLVED, that the Sheriff's Office use said funds for the purchase of radar and traffic management equipment for aiding law enforcement and public safety initiatives throughout the county; and be it

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FURTHER RESOLVED, that the Orleans County Treasurer is hereby authorized to set up new money in the Sheriff's Office budget, as follows:

<u>Revenue:</u>		
A3032	Sheriff Initiative Grant	\$10,000
 <u>Appropriation:</u>		
A3110.486	Special Grants	\$10,000

AND FURTHER RESOLVED, that this Legislature approves the purchase of a SMART Traffic Trailer from Kustom Signals, Inc., 9652 Loiret Blvd., Lenexa, KS in the amount of \$10,000 to be paid from budget line 3110.486.

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

#### **RESOLUTION NO. 219-516**

**AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES**

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for funding through the New York State Department of Homeland Security and Emergency Services, 1220 Washington Avenue, Albany, NY 12242 for the CTZ10 Red Team Program for reimbursement of wages for two deputies for the period June 6-9, 2016.

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

#### **RESOLUTION NO. 220-516**

**MODIFYING RESOLUTION NO. 273-814 TO ACCEPT ADDITIONAL FUNDING WITH THE NEW YORK STATE OFFICE OF VICTIM SERVICES**

WHEREAS, Resolution No. 273-814 approved an agreement with the New York State Office of Victim Services for the 2016-2017 contract year in the amount of \$64,496.67; now be it

RESOLVED, that this Legislature authorizes modification of Resolution No. 273-814 to accept a 15% increase for the 2016-2017 contract year award in the amount of \$11,381.77 which provides for our new annual award for this 2016-2017 funding period of \$75,878.44; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute necessary paperwork to accept this grant award subject to the review of the County Attorney and Chief Administrative Officer.

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

**RESOLUTION NO. 221-516**

APPROVING AMMENDMENT TO RESOLUTION NO. 70-209 FOR  
RADIO SYSTEM ADVISORY BOARD

WHEREAS, Resolution No.70-209 approved 12 members to the Radio System Advisory Board; now be it

RESOLVED, that this Legislature amends Resolution No. 70-209 to add the Medina Police Chief, Chad Kenward, as a member and representative respectively on the Radio Advisory Board; bringing the Radio Advisory Board to 13 members.

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

**RESOLUTION NO. 222-516**

AUTHORIZING PAYMENT OF CLAIMS FOR JUNE 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

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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 June 8, 2016:

Fund/Department	Check Number (s):	Amount:
General	4051-4192	\$249,364.48
Highway	736-753; 1806-1810	\$1,183,322.68
Job Development	2084-2093	\$23,741.79
Self Insurance	1114, 56874	\$136.15

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 June 22, 2016:

Fund/Department	Check Number (s):	Amount:
General	4200-4344	\$217,471.78
Highway	754-766;1811-1839	\$429,224.43
Job Development	2096-2106	\$11,342.90
Self Insurance	1115; 56967-56968	\$42,045.13

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

The following add on resolutions were presented for adoption:

**RESOLUTION NO. 223-516**

**APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND INTERPRETEK**

RESOLVED, that this Legislature approves the agreement between the Mental Health Department and Interpretex, 75 Highpower Road, Rochester, NY 14623 to provide sign language interpreting services from June 1, 2016 through December 31, 2106 at a cost per the fee schedule identified in the Community Interpreting Service Agreement. County cost \$0.

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

**RESOLUTION NO. 224-516**

**APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND HEALTH CENTER NETWORK OF NEW YORK (HCNNY)**

WHEREAS, HCNNY is serving as a contractor to Health Research, Inc. (HRI), representing NYS Department of Health, in their grant project funded by Center for Disease Control and Prevention; now be it

RESOLVED, that this Legislature approves an agreement with Health Center Network of New York (HCNNY), 103 Woerner Avenue, Liverpool, NY 13088 for Orleans County Public Health to work collaboratively with Oak Orchard Health at improving prevention and control of hypertension and diabetes. Contract term is March 1, 2016 through June 29, 2018 at \$3,200 per year for a total of \$9,600. County cost \$0.; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the 2016 Public Health budget as a result of the agreement as follows:

Revenue:

A4404	Health Systems Learning Collaborative	\$4,200
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Appropriations:

4010.250	Other Equipment	\$ 700
4010.463	Travel other than mileage	\$ 500
4010.478	Health Promotional Supplies	\$3,000

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

**RESOLUTION NO. 225-516**

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**ALLOWING ACCESS TO GROUP BENEFITS VIA PAYROLL DEDUCTION FOR CERTAIN EMPLOYEES ON AN EMPLOYEE PAID BASIS**

RESOLVED, that this Legislature appoints Crown Benefits Group Inc. as our Broker of Record concerning all aspects of our Health, Life, Short Term Disability, and Long Term Disability insurance programs; and be it

FURTHER RESOLVED, that Crown Benefits Group Inc. may begin offering employee paid Life, Short Term Disability, and Long Term Disability insurance programs to the management group as described in the Management Compensation Plan via payroll deduction effective July 1, 2016. No county cost.

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

**RESOLUTION NO. 226-516**

**APPROVING ACQUISITION OF A CHEVY TAHOE FOR THE SHERIFF'S OFFICE/PATROL WITH JOE BASIL CHEVROLET AND AUTHORIZING LEASE AGREEMENT WITH FIRST NIAGARA LEASING, INC.**

RESOLVED, that this Legislature authorizes the acquisition of a 2016 Chevrolet Tahoe 4WD, 4-door in the amount of \$50,912.30 from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY 14043, to be used for patrol and to be paid from Sheriff's budget A3110.270 Capital Equipment; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute a Lease Agreement between the Sheriff's Office and First Niagara Leasing, Inc., 726 Exchange Street, Ste 900, Buffalo, NY 14210; authorizing three annual lease payments, commencing in 2016, of \$17,399.84 at an interest rate of 2.55% subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

Chairman Callard called for old business, with there being none; he asked if the Legislators or public wished to comment.

Owen Toale, Village of Medina Trustee, thanked Kelly Kiebala and her staff of the Job Development Agency for their hard work and doing an amazing job on the Job Fair held in Medina. There were 15 businesses represented looking for employees with nearly 350 people attending. He stated that all of the area businesses were ecstatic with the results they received from this Job Fair. Pride Pak, the new business coming into Medina, has forty to forty-five job openings and received 130 applications. He thanked many other organizations including Chamber of Commerce, and the United Methodist Church in Medina for the use of their facility. Medina Fire Department did blood pressure checks, and did receive applications for call men. This was tremendous for our residents and our businesses and encouraged other municipalities to host an event like this. Chairman Callard asked Mr. Toale to extend to the Village Board how pleased they were of the wonderful attendance and their effort in making the Job Fair take place.

Chairman Callard further stated that he went to the Finger Lakes Regional Planning Council and Kelly Kiebala is co-chairing a subcommittee for Tourism, along with Lynne Menz also serving as a co-chair of this Tourism subcommittee. He also stated that Lynne Johnson has also been newly appointed to serve on a subcommittee that will deal specifically with Broadband, Jim Whipple is serving on the Agricultural subcommittee and Chairman Callard indicated he is serving on the transportation subcommittee. He was proud to report that this places five of our county employees on these various subcommittees to benefit Orleans County. Chairman Callard expressed a special thank you to Kelly Kiebala for her involvement in the Job Fair.

Legislator Eick mentioned that he visited the Veterans Service Agency and stated that our Buildings and Grounds did a fabulous job in the renovations. Director Schmidt expressed his appreciation with Jerry Gray and his staff. There will be an open house at the Veterans Service Agency on June 27<sup>th</sup> from 5 to 7 p.m.

Chairman Callard also reported that Legislator Johnson returned this afternoon from Albany advocating for our local Medina Hospital.

With there being no further business, Legislator Eick moved to adjourn; second by Legislator Johnson. Meeting adjourned at 5:00 p.m.

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## **SPECIAL LEGISLATURE MEETING**

June 8, 2016

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Chairman Callard called the special meeting to order at 3:20 PM. After the pledge to the flag, the Clerk called the roll. All Legislators were present with the exception of Legislator Allport.

The following resolution was presented for adoption:

### **RESOLUTION NO. 227-616**

#### **AWARDING BID AND APPROVING AGREEMENT FOR PLATTEN ROAD CULVERTS OVER OAK ORCHARD CREEK TRIBUTARIES**

WHEREAS, Resolution No. 197-516 pre-approved the award for Platten Road Culverts to the lowest bidder and after the bid opening held on June 3, 2016, the Legislature does hereby award the bid and approves the agreement with Keeler Construction, 13519 West Lee Road, Albion, New York 14411, for the Replacement of the Platten Road Culverts over Oak Orchard Creek Tributaries in the Town of Yates at a bid cost of \$817,673.00 to be paid out of the Capital Infrastructure Project account #H5120.250; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the Chairman of the Legislature, County Attorney and Chief Administrative Officer.

Moved, Miller; second, Johnson,  
Adopted. 6 ayes; 0 nays; 1 absent, Allport.

Legislator DeFilipps moved to adjourn; second by Legislator DeRoller.  
Meeting adjourned at 3:23 p.m.

## LEGISLATURE MEETING

June 22, 2016

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

The Clerk presented the following communications: Susan Heard, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$778.09, that has been reviewed and authorized by her office.

Legislators DeFilipps and Johnson presented Special Recognition Certificates to Hayden London, Alex Plummer and Josh Tombari for being a part of saving a life at Golden Hill State Park. Also present for this presentation was Sheriff Randall Bower, who presented the boys with "Forward Thinking" t-shirts and Lt. Rindsfleisch of the Niagara County Sheriff's Office.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through May, 2016. The cash report continues to look good. She stated that the County Auction results were presented earlier for the board to review.

Chairman Callard presented the following speech, "The Answer is Change":

Every year it seems that the Empire Center for Public Policy puts out a list of the highest tax rates in the state - and every year the citizens of Orleans County are treated to a rehash of news articles highlighting certain parts of the study and scolding local officials, whether they be village, town, county, or school, for their role in achieving that dubious ranking. Most recently there was an article on village taxes within the county reporting them among the worst in the state. What is lacking in this news article, however, was the whole story.

Villages are constantly being ranked regardless of size. Given that premise - one benchmark that is always used is the Top 20 Property Tax Bills on Median-Value Homes. That list has never included an Orleans County village, but that is never mentioned. Or more significantly, included in the report, but is never mentioned in articles, is that **the county taxes paid per capita in Orleans County are the SECOND**

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**LOWEST of the 57 counties in New York State. Again - the second lowest taxes paid per person in New York State.** People tend to be negative without acknowledging all of the facts. This is something the state government does all the time when deriding the counties. The town of Ridgeway is a solid 816<sup>th</sup> out of 932 for towns in taxes per capita. The Medina School district is also very solid at 625<sup>th</sup> out of 702 for local spending per pupil among school districts. Even the Village of Medina's 238<sup>th</sup> out of 557 in taxes per capita doesn't seem so earth shattering considering the high level of services. Let's face it; casting blame without an acknowledgement of all the facts is something we get plenty of from people in Albany. We don't need to do it here as well. It would be responsible to cite those other stats as they give a fuller picture.

Orleans County pays over \$16,000,000 to the state in unfunded mandates - our entire tax levy. But articles and the critics constantly disregard that fact, and seldom if ever criticize the Governor and the New York State Legislature for the property taxes at the county level alone and even more at the school level. According to every academic study ever undertaken on the subject, the fundamental differences between New York State and the other states in the country boil down to two basic things: 1) the way New York State funds Medicaid and 2) the way New York State funds education. Sure we have lots of other over-regulation and taxation issues beyond those two. But, those are the really big ones. New York is the only state in the country to require a significant local share of Medicaid be paid by the counties and the average state funds two-thirds of public education through income taxes while New York State funds about one-third. It's really that simple.

Indeed the village governments of Orleans County face tremendous challenges, not the least of which is the high property tax rates. The dissolution efforts in the Village of Medina, though rejected by Medina residents, if nothing else, forced a conversation, a necessary conversation. In some areas of our local governments, we are doing business in the 21<sup>st</sup> century on 20<sup>th</sup> century terms. In some cases, we are holding on to old ways of doing business that could be changed for the betterment of the community at large. This isn't to say that people are wrong for feeling that they want to hold on to their village, or their town, or their school district.

What it does tell us, is that it's time for us to challenge ourselves, people on both sides of the argument, east and west, north and south. Challenge ourselves to take a hard look at what we are doing and ask ourselves "If

given a clean slate, would we build our service delivery models the way they are now, or completely different?” Inevitably, we are going to find areas where we can build a better mousetrap together. We have the ability to fix what ails us to some degree. We can work with our friends and neighbors and make changes that will raise all boats. We can realign service models, adjust cost centers, and change the landscape profoundly. If we are going to seek honesty about mandates and education funding from the state, we also need to be honest with ourselves. This is a conversation that should take place in earnest and should seek solutions that remove Orleans County and its villages, towns and school districts from such a list forever.

Apologies to those that believe the answer is to complain that the county should give away more sales tax. The answer to this challenge is not to have the taxpayers of the county surrender cash to the village governments, to throw at their existing service models, buying them time until the inflation and expense curve catches up with them again as some suggest. The answer is change. Change that we can all buy into that alters the equation. It requires compromise. It requires faith. And, it requires casting off old notions of provincialism.

Truth be told about sales tax, when examining statistics from 2013 on New York State Counties, there are fourteen counties under 50,000 in population like Orleans County and four in the Finger Lakes Region, of which we are a part. Orleans County ranks as the fourth highest for the percentage of sales tax shared. However, two of the fourteen counties have cities (Cortland and Montgomery) that are able to preempt and capture much larger shares of the overall revenue. Dropping those two counties lifts Orleans County to number two in the state among small counties without a city in terms of sharing sales tax, second to Schuyler County, the home of Watkins Glen International Speedway.

Delving further into those same statistics, it’s evident that eight of the fourteen counties do not share sales tax revenue at all, zero percent. So, the majority of small counties in New York State do not share sales tax. **Orleans County is the only county in the Finger Lakes Region under 50,000 in population that actually shares sales tax revenue.**

The local law enforcement community in Orleans County is about to embark on a comprehensive study of the way we are doing business. Orleans County and our partners, the Villages of Albion, Medina, Holley, and Lyndonville, along with the Orleans County Sheriff’s Office, and all

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the law enforcement unions in the county have agreed to undertake a process to look at new service models and explore what can be done. There are ways to change the way we do business that could guarantee that our communities are never negatively reported on the annual list put out by the Empire Center again.

This is going to be hard and it will require that we work together. This legislature is bound and determined to make positive change for all within our county. We can begin to say goodbye to the dark cloud over our heads. Those that offer only criticism and opposition absent of solutions will be forgotten. This legislature will be remembered for leading and making a difference.

Chairman Callard called for open discussion as it related to the resolutions. Paul Lauricella, Lyndonville, inquired about Resolution No. 247-616, by asking what are the energy efficiency and sustainability requirements. This word sustainability keeps coming up. Mr. Nesbitt spoke that sustainability is building a building that is easy to maintain in the long haul at the least amount of tax payer response. Paul asks if the requirements are mandated somewhere. Mr. Nesbitt stated that this sustainability means that we do not want to pay more than we can afford, even to maintain this building, looking at the impact on the future financially on the county. Paul asked what this is going to cost. Mr. Nesbitt said there is an application in the senator and assemblyman for some money available through state assistance for municipalities. Some will be existing debt service, monies that are being spent now, but the debts are being paid off. Others are energy savings that we expect to get out of this and the rent that we pay now.

Chairman Callard state that more specifically we need to complete this stage of the study to determine the final cost to see if it is feasible. We will fine tune the costs and meet that so that it will not raise taxes.

Chairman Callard, as a point of interest, Law Enforcement Study group will have their first meeting on June 29<sup>th</sup> and then on June 30<sup>th</sup>, there will be a meeting about solar energy and the cost of that.

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

**RESOLUTION NO. 228-616**

**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>
\$161,783	Crane-Hogan Structural Systems	Construction - Carton Road Bridge Replacement – 6/6/16-6/15/16 – Payment 1

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

**RESOLUTION NO. 229-616**

**AUTHORIZING PAYMENT FOR REPAIR SERVICE FROM THE  
HIGHWAY BUDGET**

RESOLVED, that this Legislature approves payment of a service repair bill from Hunter Keystone Peterbilt, LP, Dept. 101, PO Box 820849, Philadelphia, PA 19182-0849 for the repair of the 2005 Peterbilt Dump Truck at a total cost of \$18,083.27 to be paid from the Highway Budget account #DM5130.444 – Repairs to Equipment and Property.

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

**RESOLUTION NO. 230-616**

**APPROVING AGREEMENT BETWEEN BUILDINGS AND  
GROUNDS AND LABELLA ASSOCIATES AND AUTHORIZING  
TREASURER TO TRANSFER FUNDS INTO THE BUILDINGS AND  
GROUNDS BUDGET**

RESOLVED that this Legislature authorizes an agreement between Buildings & Grounds and LaBella Associates, 300 State Street #201, Rochester, NY 14614 to do a Mechanical Infrastructure study on the Orleans County Jail for \$14,500, for plans to replace or upgrade of the

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sanitary sewer lines in the jail kitchen and to improve the dehumidification and exhaust for the County Jail cell shower areas to be paid from Buildings and Grounds Account A1620.482 – Engineering Services; and be it

RESOLVED, that the Orleans County Treasurer is authorized to Transfer Funds to complete this study as follows:

FROM:

Future Infrastructure Reserve \$14,500

TO:

A1620.482 Engineering Services \$14,500

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

**RESOLUTION NO. 231-616**

APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUND AND SHRED-IT USA INC.

RESOLVED, that this Legislature approves an agreement between Buildings and Grounds and Shred-it USA Inc., 440 Lawrence Bell Dr, Williamsville, NY 14221 for the provision of secure destruction of county records effective April 1, 2016 through March 31, 2020 at a cost prescribed in the price sheet and pick up schedule attached to the agreement, with an annual cost of \$7,546.50.

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

**RESOLUTION NO. 232-616**

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 agencies:

Baker Victory Services, Lackawanna, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 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 the 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, 2016 through June 30, 2017 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.

Hillside Children's Center, Rochester, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 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.

Berkshire Farm Center, Canaan, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 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 the financial eligibility of each child so placed.

New Directions Youth & Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2016 through June 30, 2017 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 the financial eligibility of each child so placed.

Orleans County Job Development, Albion, NY for the provision of employment orientation, assessments, plans and services to Public Assistance clients; to be effective January 1, 2016 through December 31, 2016 at a cost of \$295,604. County cost is \$106,417.

Orleans County Job Development, Albion, NY for funding of summer employment for TANF eligible youth, ages 16-21; to be effective June 1, 2016 through September 30, 2016 at a cost of 58,578. County cost \$0.

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

**RESOLUTION NO. 233-616**

**APPROVING CELLULAR PHONE USE AGREEMENTS FOR THE  
DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that this Legislature approves the purchase of three (3) new cellular phones for usage during daily business at a monthly cost of approximately \$16.16 per phone for a total of \$48.18 per month for the following positions in the Department of Social Services:

- 6010.215 Child and Family Services School Case Worker Albion School Worker
- 6010.216 Child and Family Services School Case Worker Albion School Worker
- 6010.225 Child and Family Services School Case Worker Albion School Worker

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

**RESOLUTION NO. 234-616**

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

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

Orleans Community Health a/k/a Medina Memorial Hospital, 200 Ohio St., Medina, NY 14103, to provide Rabies Post Exposure Treatment to residents of Orleans County, Contract allows for first treatment to be provided at Urgent Care (Albion Butts Road Facility) or Medina Emergency Room. Contract effective August 1, 2016 through July 31, 2018. Reimbursement through rabies grant. County Cost \$0.

United Memorial Medical Center, 127 North St., Batavia, NY 14020 to provide Rabies Post Exposure Treatment to eligible residents of Orleans County. Contract to provide: post exposure treatment at the Urgent Care Center or the UMMC Emergency Department. Contract period to run from August 1, 2016 through July 31, 2018. County Cost \$0.

Marie Delobbe-Scott at 12589 Ashwood Rd, Lyndonville, NY 14098 Contract 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. 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. Contract period to run from July 1, 2016 through December 31, 2019.

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

**RESOLUTION NO. 235-616**

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

RESOLVED, that this Legislature does hereby authorize out of state travel by Nola Goodrich-Kresse, Public Health Educator, to attend Advanced Public Information Officer Health & Hospital Emergencies at the Center for Domestic Preparedness in Anniston, Alabama from July 31, 2016 to August 6, 2016. All costs are covered by FEMA. County Cost \$0.

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Mary Ellen Messmer, Supervising Public Health Nurse, to attend the 2016 Midwest Stream Forum for Agricultural Worker Health in San Antonio, Texas from October 31, 2016 to November 2, 2016. All costs covered by New York State Migrant Health Grant. County Cost \$0.

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Shannyn Sanger and Nancy Kelly-Schicker to attend the 2016 Northeast Region Annual Food Protection Seminar in Northampton, Massachusetts from August 10, 2016 to August 12, 2016. All costs covered with funds received from the Voluntary National Retail Food Regulatory Program Standards grant program. County Cost \$0.

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

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**RESOLUTION NO. 236-616**

**AUTHORIZING PURCHASE OF 2016 CHEVROLET TAHOE FROM  
PUBLIC HEALTH DEPARTMENT BUDGET**

RESOLVED, that this Legislature does hereby authorize the Orleans County Health Department to purchase a 2016 Chevrolet Tahoe, 4WD, 4 Dr from Joe Basil Chevrolet, 5111 Transit Rd, Depew, NY 14043 in the amount of \$40,784 as budgeted in Health Department Budget Account 4010.270-Capital Plan Equipment. County Cost \$0.

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

**RESOLUTION NO. 237-616**

**APPROVING APPOINTMENTS TO THE COUNTY PLANNING  
BOARD**

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

NAME	REPRESENTS	EXPIRATION DATE
Andrew Cousins 61 South Main Street Lyndonville, New York 14098	Village of Lyndonville	12-31-16
Danny Woodward, Jr. 11 Garland Street Lyndonville, New York 14098	Village of Lyndonville (Alternate)	12-31-16

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

**RESOLUTION NO. 238-616**

**APPROVING SALE OF COUNTY-OWNED PROPERTY**

WHEREAS, a public auction of various parcels of property owned by the County under the In Rem Foreclosure was held June 22, 2016; and

WHEREAS, bids for various properties were obtained by the auctioneer at such auction in accordance with the stated terms of auction; and

WHEREAS, due deliberation has been made by the Orleans County Legislature as to the propriety of each of the said bids; now, therefore be it

RESOLVED, that bids for various parcels set forth on the schedule hereto annexed be, and the same individually are accepted pursuant to the provisions of the Real Property Tax Law; and be it

FURTHER RESOLVED, that the standard form quitclaim tax deeds be prepared for the separate parcels and delivered to the County Treasurer for execution and delivery upon receipt of the balance of the purchase price set forth in the said deed.

**ORLEANS COUNTY AUCTION**  
**June 22, 2016**

		Sold To:	Amount:
<b>ALBION - VILLAGE</b>			
62.18-3-24	MCCARTHY JAMES & CHERYL	William Wittman	\$500.00
PC - 210	111 McClelland St; 50.00 x 110.00	14030 Albion Eagle Harbor Rd.	
2	Land - 6,200 Total - 15,000	Albion, NY 14411	
62.19-2-4	BASIC ASSETS CORP	Grace M. Jenks	\$300.00
PC - 210	225 Caroline St; 56.00 x 181.00	4469 Grayce Ave.	
3	Land - 8,100 Total - 18,200	Gasport, NY 14067	
73.5-4-24.2	MCNEIL LATONYA C		No Sale
PC - 311	West State St; 29.00 x 20.58		
4	Land Total - 200		
73.6-2-1	Shaw Jack	Phillip Newbould	\$300.00
PC - 210	134 West Bank St; 66.00 x 85.63	16761 Kenmore Rd.	
5	Land - 6,200 Total - 26,000	Kendall, NY 14476	
73.6-2-55	FISHER DONNA L RUSHBROOK LYNN D	James Mays	\$5,000.00
PC - 210	117 West State St; 66.00x185.75	302 E State St.	
6	Land - 8,700 Total - 72,900	Albion, NY 14411	
73.7-1-36	DEHULLER ROBERT PATRICIA HAYNES	Michael L. Walker	\$1,100.00
PC - 210	330 East Park St; 66.00x198.00	12 West St.	
9	Land - 8,900 Total - 44,700	Albion, NY 14411	
73.23-1-40	MCCARTHY JAMES	William Wittman	\$6,000.00
PC - 220	117 West Bank St; 57.75 x 176.22	14030 Albion Eagle Harbor Rd.	
13	Land - 8,100 Total - 40,200	Albion, NY 14411	
<b>ALBION</b>			
74.-2-34.2	MATHIS STEPHEN W	3549 Union Street, Inc	\$4,000.00
PC - 314	Rt 31 East; 5.80 acres	3900 Buffalo Rd.	
14	Land Total - 9,400	Rochester, NY 14624	

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74.-2-35.1	KULIS ADELE (now known as Mathis Stephen)	3549 Union Street, Inc	\$8,500.00
PC - 321	Rt 31 East; 18.20 acres	3900 Buffalo Rd.	
15	Land Total - 20,200	Rochester, NY 14624	
85.-2-21	SEVERE SCHELLA	Brian D. Forder	\$7,000.00
PC - 323	Swamp Rd; 9.80 acres	14139 Park Ave.	
16	Land Total - 4,800	Waterport, NY 14571	
85.-2-36	CORBIN LES CORBIN ANN MARIE	Angel L Perez	\$1,500.00
PC - 323	Swamp Rd; 4.20 acres	3940 Lake Rd.	
17	Land Total - 2,100	Holley, NY 14470	
	<b>BARRE</b>		
96.-1-25.1	FITZGERALD CHARLES	Brian E. Connor	\$6,500.00
PC - 312	15375 East Lee Rd; 1.24 acres	252 Oak Orchard Rd.	
19	Land - 16,500 Total - 20,000	Albion, NY 14411	
	<b>CARLTON</b>		
5.1-1-27	HESS DAWN	Sandra M. Kintz	\$7,500.00
PC - 210	12788 Roustabout Ter; 100.00 x 250.00	1298 Oak Orchard Rd	
21	Land - 13,900 Total - 71,100	Waterport, NY 14571	
5.49-2-23	MCGEE LORETTA J	Sandra M. Kintz	\$5,000.00
PC - 311	Shoreham St; 35.00 x 75.00	1298 Oak Orchard Rd	
22	Land Total - 2,100	Waterport, NY 14571	
5.49-2-24	MCGEE LORETTA J	Sandra M. Kintz	\$6,000.00
PC - 311	Shoreham St; 35.00 x 75.00	1298 Oak Orchard Rd	
23	Land Total - 2,100	Waterport, NY 14571	
8.-1-12	AMIDON RICKY	Whitney Keppler	\$50.00
PC - 314	E Shore Dr; 75.00x140.00	11808 Harrison Road	
24	Land Total - 5,000	Medina, NY 14103	
18.3-1-17	BRODA ROBERT SAHUKAR SHAUN	Grace M. Jenks	\$1,000.00
PC - 210	1544 Oak Orchard Rd; 82.50 x 132.00	4469 Grayce Avenue	
25	Land - 5,200 Total - 38,600	Gasport, NY 14067	
28.-1-59.2	County of Orleans (formerly Marcin Venture LLC)	Whitney Keppler	\$500.00
PC - 330	Waterport Rd; .35 acres	11808 Harrison Road	
27	Land Total - 7,000	Medina, NY 14103	
29.1-1-9	WILSON PAUL C	William F McNulty	\$16,500.00
PC - 210	1703 Oak Orchard Rd; 66.00 x 165.00	14819 W. Brighton Cliff Dr	
28	Land - 5,200 Total - 65,100	Kent, NY 14477	
	<b>GAINES: ALBION VILLAGE</b>		
62.19-1-46	MCCARTHY JAMES M & CHERYL A	Bradford Bokman	\$100,000.00
PC - 411	218 Linwood Ave; 150.00 x 170.00	3844 Long Bridge Rd	
29	Land - 13,600 Total - 127,100	Albion, NY 14411	
	<b>GAINES</b>		
50.2-1-13	FARO FEDERICK M	Whitney Keppler	\$600.00
PC - 210	13973 Ridge Rd; .43 acres	11808 Harrison Road	
30	Land - 6,800 Total - 15,000	Medina, NY 14103	
63.-1-4	OKEEN KAREN		No Sale
PC - 210	15129 Zig Zag Rd; .93 acres		
31	Land - 10,700 Total - 27,000		

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<b>KENDALL</b>			
32.12-1-26.11	MIKOLAICHIK THOMAS J	Christopher P. Hallifax	\$200.00
PC - 300	Kendall Rd: 78.25 x 72.50	8426 Maplewood Dr. POB 225	
32	Land Total - 4,600	Gasport, NY 14067	
<b>32.12-2-48</b>			
	MIKOLAICHIK THOMAS J	Phillip Newbould	\$400.00
PC - 411	1841 Kendall Rd: 89.10 x 49.25	16761 Kenmore Rd	
33	Land - 2,300 Total - 38,900	Kendall, NY 14476	
<b>44.-1-57.21</b>			
	BAGGERMAN CAROLINA G	Craig T. Green	\$17,000.00
PC - 323	Creek Rd: 9.92 acres	11089 Starr Road	
34	Land Total - 24,100	Wyoming, NY 14591	
<b>MURRAY - VILLAGE</b>			
88.21-1-31	LIVECCHI JAMES A MARCELLO RAFFAELE	The Eaton Agency, LLC	\$100.00
PC - 481	89 Public Sq: 40.75 x 204.60	2708 N 4 <sup>th</sup> St.	
36	Land - 13,000 Total - 65,000	Coeur d'Alene, ID 83815	
<b>88.21-1-50</b>			
	RODRIGUEZ SALVADOR JR LAVENDAR LISA L	Village of Holley	\$100.00
PC - 210	23 Thomas St: 66.58 x 98.00	72 Public Square	
37	Land - 9,000 Total - 71,900	Holley, NY 14470	
<b>RIDGEWAY-VILLAGE</b>			
79.11-3-43	BASIC ASSETS CORP	Matthew C. Mundion	\$9,000.00
PC - 220	908 W Center St: 60.00 x 130.00	536 Orient St.	
39	Land - 10,500 Total - 58,500	Medina, NY 14103	
<b>80.5-3-3</b>			
	SNIDER MARK A SNIDER SHERRY L	Geoffrey L. Whittier	\$11,500.00
PC - 210	113 Worthy Ave: 50.80 x 117.50	12900 Roosevelt Highway	
44	Land - 8,500 Total - 56,300	Waterport, NY 14571	
<b>80.9-1-26.1</b>			
	SEED AMERICA PROPERTY	William e. Grathouse III	\$100.00
PC - 449	525 East Ave: 3.80 acres	4581 Holley Byron Road	
47	Land - 25,600 Total - 80,400	Holley, NY 14470	
<b>80.37-1-8</b>			
	ROGERS JUDITH L	Demetrios Bitsas	\$200.00
PC - 481	333 Main St: 36.33 x 121.00	525 Main Street	
48	Land - 6,500 Total - 21,900	Medina, NY 14103	
<b>RIDGEWAY-OUTSIDE</b>			
68.-2-13	MOORE CHARLES JR	Whitney Keppler	\$7,000.00
PC - 210	11329 Slade Rd: 100.00 x 175.25	11808 Harrison Road	
49	Land - 9,200 Total - 61,100	Medina, NY 14103	
<b>69.-1-35</b>			
	MAISANO FRANK MAISANO BARBARA	Whitney Keppler	\$12,250.00
PC - 210	3680 Horan Rd: 57.40 x 157.00	11808 Harrison Road	
51	Land - 5,500 Total - 54,100	Medina, NY 14103	
<b>SHELBY - VILLAGE</b>			
79.16-1-38	KNIGHT LORRIE ANN	High Falls Capital, LLC.	\$17,500.00
PC - 210	406 W Oak Orchard St: 103.08 x 132.00	1900 Empire Blvd #351	
52	Land - 10,700 Total - 64,500	Webster, NY 14580	
<b>80.45-3-54</b>			
	OWEN REBECCA	Jonathan R Daniels	\$100.00
PC - 210	724 Church St: .21 acres	2100 Oak Orchard River Rd	
53	Land - 5,400 Total - 33,100	Waterport, NY 14571	
<b>SHELBY</b>			

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81.3-1-7	KOHL WALTER KOHL ANNA MARTHA K. HOWE	Patricia A Vader	\$900.00
PC - 314	4168 Dresser Rd; 198.00 x 181.50	12335 Maple Ridge Rd	
54	Land Total - 9,200	Medina, NY 14103	
89.-1-24.2	WITTKOPP WARREN M	Gasport View Dairy Farms, Inc.	\$8,000.00
PC - 314	Freeman Rd; 1.90 acres	8600 Mountain Road	
55	Land Total - 11,000	Gasport, NY 14067	
90.-1-68	BARNES DARRYL J	Whitney Keppler	\$4,500.00
PC - 210	4352 Salt Works Rd; 99.00 x 343.86	11808 Harrison Road	
56	Land - 9,100 Total - 29,000	Medina, NY 14103	
100.-1-1.111	BOYER WILLIAM C	Matthew c. Strobele	\$8,500.00
PC - 270	4591 County Line Rd; 2.00 acres	4691 Jackson Rd.	
57	Land - 11,200 Total - 30,400	Middleport, NY 14105	
100.-1-1.113	BOYER WILLIAM C	Anthony R Moule	\$30,000.00
PC - 322	County Line Rd; 63.42 acres	2635 S. Lyndonville Rd.	
58	Land Total - 64,100	Medina, NY 14103	
<b>YATES - VILLAGE</b>			
25.17-1-32.1	PENNYSAVER MARKETS OF LYNDONVILLE INC.	Jonathan R Daniels	\$1,000.00
PC - 481	29 S Main St; 111.00 x 140.00	2100 Oak Orchard River Rd	
59	Land - 32,600 Total - 166,600	Waterport, NY 14571	
<b>YATES</b>			
12.3-1-7	JOHNSTONE ROSS A	Patricia T Kerr	\$10,000.00
PC - 210	10214 Roosevelt Hwy; 1.10 acres	10214 Roosevelt Hwy	
60	Land - 10,700 Total - 38,600	Lyndonville, NY 14098	
14.3-2-20.11	COLEMAN GERALD W	Pamela S. Marciszewski	\$8,000.00
PC - 210	11394 Yates Center Rd; 5.25 acres	11398 E. Yates Center Rd	
61	Land - 19,000 Total - 50,800	Lyndonville, NY 14098	
	TOTAL:		\$324,200.00

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

**RESOLUTION NO. 239-616**

**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 the 2016/2017 software support and maintenance agreement covering CAD, AVL and Mobile Data Systems in the Dispatch Office, effective July 1, 2016 through June 30, 2017, at a cost of \$15,000.

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

**RESOLUTION NO. 240-616**

**APPROVING AGREEMENT BETWEEN SHERIFF'S OFFICE AND  
JAY SUPNICK, Ph.D, LAW ENFORCEMENT PSYCHOLOGICAL  
ASSOCIATES**

RESOLVED, that this Legislature approves an agreement between the Sheriff's Office and Jay Supnick, Ph.D of Law Enforcement Psychological Associates, 448 White Spruce Blvd, Rochester, NY 14623 for pre-employment psychological screenings and fitness for duty psychological evaluations for the Orleans County Sheriff's Office at rates set forth in the fee schedule effective January 1, 2016 through December 31, 2017; and be it

FURTHER RESOLVED, that the fee schedule attached to this agreement shall be reviewed annually by the Orleans County Sheriff and appropriate action taken to amend this agreement should rates increase during the duration of this contract.

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

**RESOLUTION NO. 241-616**

**APPROVING AGREEMENTS BETWEEN THE SHERIFF'S  
OFFICE/JAIL AND VARIOUS AGENCIES**

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

CorVel Enterprise Comp, Inc., 251 Salina Meadows Parkway, Suite 150, N. Syracuse, NY 13212, an amendment to renew the Enhanced Bill Review Services Agreement which reviews Jail medical bills and renegotiates to ensure proper rates and medical codes are applied at a charge of 25% of the total savings, for a three year renewal term effective February 1, 2016 through January 31, 2019.

Wyoming County Sheriff, 151 North Main Street, Warsaw, NY 14569 for the housing of Orleans County inmates in the Wyoming County Jail at a cost of \$90 per inmate/per day, effective upon signature through December 31, 2016, subject to annual renewal, by both parties not to

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extend past December 31, 2020 without providing review and approval of a new agreement; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute said agreements upon the review and approval of the County Attorney and Chief Administrative Officer.

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

**RESOLUTION NO. 242-616**

APPROVING AMENDMENT TO RESOLUTION NO. 171-416  
REGARDING PURCHASE FOR THE JAIL

WHEREAS, Resolution No. 171-416 authorized the purchase of Guard 1 Plus Professional Edition Software from SI Technologies, Inc. d/b/a Security Integrations- NYS Contract #PT63302 in the amount of \$6,696.55 (PO#57349), now be it

RESOLVED, that Resolution No. 171-416 is hereby amended that such purchase from SI Technologies be cancelled due to increased costs.

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

Legislator DeFilipps moved to approve filling vacancies in the Sheriff's Marine Patrol; second by Legislator Johnson. Legislator DeRoller expressed how pleased he is with the Marine Patrol coming up to speed. Legislator Johnson added that they had a prominent presence during the Strawberry Festival. The following resolution was adopted:

**RESOLUTION NO. 243-616**

AUTHORIZING THE FILLING OF A VACANCY IN THE SHERIFF'S  
OFFICE FOR MARINE PATROL

RESOLVED, that this Legislature does hereby authorize the filling of a vacancy for Deputy Sheriff-Marine Patrol Officer, part-time seasonal position (3110.36) in the Marine Patrol Division of the Sheriff's Office at an hourly rate of \$13.41 effective June 23, 2016.

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

**RESOLUTION NO. 244-616**

APPROVING AGREEMENT BETWEEN PROBATION  
DEPARTMENT AND AUTOMON CORPORATION

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 6621 N. Scottsdale Rd. Scottsdale, AZ 85250, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2016 through June 20, 2017 at a cost of \$7,027.76.

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

**RESOLUTION NO. 245-616**

AUTHORIZING EXECUTION OF INVESTIGATIVE SERVICES  
CONTRACT FOR ORLEANS COUNTY PUBLIC DEFENDER OFFICE

WHEREAS, resolution 65-215 approved an agreement between the Public Defender and the NYS Office of Indigent Legal Services; and

WHEREAS, this resolution provided funds to contract for Investigative Services for the Public Defender's Office, therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of Orleans County, a contract for Investigative Services with Jose Avila for the Orleans County Public Defender, at a twelve month cost of \$20,000; and said amount to be paid in quarterly installments of \$5,000 upon submission of a county voucher at the end of each quarter and dependent on the availability of state grant funds to reimburse this cost, agreement effective from July 1, 2016 through June 30, 2017. County Cost \$0.

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

**RESOLUTION NO. 246-616**

**AUTHORIZING MEMORANDUM OF UNDERSTANDING  
BETWEEN ORLEANS COUNTY EMERGENCY MANAGEMENT  
AND THE FIVE SCHOOL DISTRICTS IN ORLEANS COUNTY**

WHEREAS, in the immediate aftermath of a major incident many communities may need to establish distribution sites in order to provide relief supplies to affected community members; and

WHEREAS, distribution sites will be needed to receive and dispense bulk emergency relief supplies quickly after an event; now be it

RESOLVED, that this Legislature authorizes the Director of Emergency Management to enter into a Memorandum of Understanding (MOU) with each of the five school districts [Albion, Holley, Kendall, Lyndonville and Medina] within Orleans County to act as a distribution site within 24 to 96 hours after a major incident.

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

Dale Banker was commended for working with all five school districts on this project of having these locations available throughout our county to be able to receive and disperse products should an emergency need arise.

**RESOLUTION NO. 247-616**

**APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS  
AND WENDEL FOR PHASE 2 OF DESIGN FOR COUNTY OFFICE  
BUILDING ANEX**

RESOLVED that this Legislature authorizes the Chairman to sign a contract with Wendel for Phase 2 of Design for construction of an addition to the County Office Building located at 14016 Route 31 West at a cost not to exceed \$70,000 including Time and Expenses, with a scope of work as follows:

**PHASE 2: Preliminary Design:**

1. Prepare a Basis of Design Document for owner's review and concurrence including space program requirements, building code and system design requirements, site access, circulation and

- parking requirements, utility service requirements, energy efficiency and sustainability requirements, etc.
2. Utilize geotechnical investigation information from the existing Administration Building to assess preliminary building addition foundation system design requirements. Detailed geotechnical investigation will be prepared prior to the start of final design.
  3. Perform a preliminary topographic survey of the site and prepare a base map for use in preliminary design. Detailed topographic and utility service survey will be prepared prior to the start of final design.
  4. Conduct preliminary discussions with utility service providers (electric, gas, water, sanitary sewer, etc.) to confirm service load requirements.
  5. Perform building and zoning code review and meet with local building officials to confirm concurrence with building and site requirements.
  6. Advance the preferred building and site plans to the approximately 10% complete, preliminary design stage and prepare the following drawings:
    - a. Site layout plan
    - b. Architectural floor plans
    - c. Two colored, computer generated building renderings
  7. Refine assessment of potential building architectural, structural, mechanical, electrical systems.
  8. Evaluate potential energy savings funding options and incentives.
  9. Prepare preliminary design level opinion of probable project costs.
  10. Meet with owner to review preliminary building and site plans, potential building system requirements and preliminary design budget costs and determine the next course of action.

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to transfer funds as follows to allow payment:

FROM:

Future Infrastructure Reserve	\$70,000
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TO:

A1620.418	Other Contractual Expenses	\$70,000
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Moved, Johnson; second, DeFilippis.  
Adopted. 7 ayes, 0 nays, 0 absent.

**RESOLUTION NO. 248-616**

**AUTHORIZING PAYMENT OF CLAIMS FOR JULY 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 July 13, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	4358-4558	\$605,442.95
Highway	767-783; 1840-1862	\$381,607.46
Job Development	2111-2124	\$12,180.63
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 July 27, 2016:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General	4570-4718	\$413,147.01
Highway	787-789; 1863-1877	\$70,859.09
Job Development	2128-2138	\$4,902.74
Self Insurance		

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

The following add on resolution was presented for adoption:

Legislator Miller moved a resolution to support ongoing federal funding for Medicare State Health Insurance Assistance known as the Health Insurance Information Counseling Assistance Program offered through our Office for the Aging; seconded by Legislator Eick. Chairman Callard asked Director Blonar how many residents that would impact. Director Blonar stated that she just learned about this on Friday. On the local level, this year we are receiving about \$33,000. In 2012 we served 568 residents, last year there were 797 residents served. That is an increase of over 200 people in a few years. We track data and calculate an estimate savings for our clients. From the first of this year to present, we estimate savings of \$595,616; while in 2015 the yearly estimate of savings was \$897,101. The savings to the clients frees up their money to spend in Orleans County. This is one of the biggest programs in our office. If we lose this funding we would have to cut our staff by 1 and ½ employees. This is a very scary time and she highly supports the resolution and appreciates that it was added on. Chairman Callard finds it really incredible that the number is nearing 1,000 people a year. What the OFA is doing is much appreciated by all of the senior citizens. Legislator Allport expressed that this ties into the unfunded mandates and takes you back to the 1960's great society when they brought forth Medicaid and Medicare for which the Federal government realized they could not afford these programs and pushed more costs down to the states, and then to a few of the counties, including New York State. The following resolution was adopted:

**RESOLUTION NO. 249-616**

RESOLUTON TO SUPPORT ONGOING FEDERAL FUNDING FOR MEDICARE STATE HEALTH INSURANCE ASSISTANCE PROGRAM (SHIP)-KNOWN AS THE HEALTH INSURANCE INFORMATION COUNSELING ASSISTANCE PROGRAM (HIICAP) PROGRAM WITH THE ORLEANS COUNTY OFFICE FOR THE AGING

WHEREAS, the U.S. Senate Appropriations Committee has approved a Fiscal Year 2017 budget appropriations bill that completely eliminates the \$52.1 million in funding for the Medicare State Health Insurance Assistance Program (SHIP). The Center for Medicare Advocacy, Medicare Rights Center, National Committee to Preserve Social Security and Medicare, National Council on Aging (NCOA) and Orleans County Office for the Aging strongly oppose this move because it

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would leave 55 million people with Medicare without the only program that provides free, personalized, unbiased counseling on the growing complexities of Medicare coverage; and

WHEREAS, today's Medicare beneficiary must choose among more than 20 prescription drug plans, an average of 19 Medicare Advantage plans, as well as various Medigap supplemental insurance policies—all with different premiums, cost sharing, provider networks, and coverage rules. For more than 24 years, SHIPs have advised, educated, and empowered individuals to navigate their state-specific Medicare choices. In addition, SHIPs help beneficiaries resolve fraud and abuse issues, billing problems, appeals, and enrollment in low-income health assistance programs. In 2015, SHIPs provided assistance to more than seven million individuals with Medicare; and

WHEREAS, eliminating SHIPs would leave millions of older Americans, people with disabilities, and families who need help comparing coverage options, appealing denials, applying for financial assistance, and navigating an evolving and increasingly complex program stranded—with nowhere to turn. With 10,000 baby boomers aging into Medicare each day, it is imperative that the U.S. House of Representatives reject this unprecedented, nonsensical cut.”

RESOLVED, the Orleans County Legislature request elected federal officials to instead increase FY2017 funding for SHIPs to \$59.4 million, to keep pace with inflation and increasing needs among a growing Medicare population. At a minimum, level funding of \$52.1 million should be provided for SHIPs; and be it

FURTHER RESOLVED, that the Clerk of the Legislature forward a certified copy of this resolution to United States Senators Charles Schumer and Kirsten Gillibrand; and United States Congressman Chris Collins and all others deemed necessary and proper.

Moved, Miller; second, Eick.

Adopted. 7 ayes, 0 nays, 0 absent.

During open discussion, CAO Nesbitt gave an update on the canal culvert that has a leak in Hulberton which is servicing an unused quarry. Engineers were brought into survey it. NYS initially scheduled the canal to be closed for three weeks in the height of the summer. This would have been problematic, not only for tourism but for farmers who use it for

irrigation. The Governors Regional Representative stated now that closure may be 5 to 7 days, doing a less comprehensive repair. They would then come back in the winter and make the full repair.

Bruce Schmidt, Gaines, reported that the Buffao News has a public service announcement going on June 28<sup>th</sup>. concerning the rate increase of National Fuel Gas. Our state is looking for a 7.9% rate increase. Mr. Schmidt stated that the last time he looked we were talking 2 % raises and tax caps for our schools and towns, 2% raises across the board for municipalities and Social Security says there is no cost of living increase. He has watched his income go down and his costs go up. He stated that here is an opportunity for our Orleans County Chairman to go to the Public Service Commission and be a leader to present to them that an increase is not favorable for our citizens. Your speech this afternoon brought out the point of unfairness. A 7.9% rate increase seems absorbanant voiced Mr. Schmit and thanked the Chairman and offered to go with Chairman Callard to this announcement.

Paul Lauricella, Yates, questioned from the last meeting, the County Comprehensive Plan and asked if Stu Brown would be composing this. Legislator DeRoller advised that the first order of business will be to team up with five municipalities who they themselves will be updating their comprehensive plans – Villages of Lyndonville and Medina; and the Towns of Yates, Shelby and Ridgeway. They will look there first and then a new planner has been authorized to be hired. A consultant will then be utilized and the County will be the lead agency in the process to facilitate this across the county to enhance the Counties Comprehensive Master Plan with an ag focus. The Towns will be asked to participate and various public meetings will be used for input.

Jim Bensley, Director of Planning and Development added that the western side of Orleans County will be assisted in seeing what they want for their future. It will not compete with what the County is doing. Much of the Zoning on the town and local levels is controlled by State regulations. Our effort in helping them is what they see for their future and make sure it is within the laws and regulations. Jim indicated that it has been since 2003 that a Comprehensive Plan has been updated for them. Mr. Lauricella asked if there will be costs. Legislator DeRoller stated yes but amount yet to be determined.

Mr. Lauricella referenced an article on the Orleans HUB pertaining to Soil and Water of which Americorp are trying to get people to stop drinking

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bottled water. He feels that bottles of water is a convenience and he does not feel that people should control the market or that people should feel shamed for having bottled water. Legislator DeRoller stated that there are two issues here. Individual self servings have taken over the consumption of milk. It is about over \$10.50 a gallon to consume single beverages and the quality of these beverages are suspect, either they are tap water or other issues with the delivery of the quality of bottled water. The containeres have a negative impact to our environment and Soil and Water is taking on a resource to help educate the community to recycle these plastic containers. In response to other discussion of Mr. Lauricella, Legislator DeRoller stated within this Legislative leadership, we are not going to have government more intrusive in peoples life. Bottled water is a product in the marketplace and we need to educate the public of its use and the disposal of the container, not to tell people to stop drinking it. We are letting free market and enterprise play into this and we are taking a softer approach to educate therefore the end result would be positivie.

Legislator Johnson announced that the Veterans Administration is having an Open House on Monday, June 27th from 5pm to 7pm. She encourages everybody to attend. Director Earl Schmidt stated that the office is now handicap compliant for veterans. He is working on getting veterans to know where to go to receive benefits for what they deserve. He thanked the Legislators for the upgrades.

Legislator Eick moved to enter into executive session at 5:23 pm per Open Meetings Law §105 (h) to discuss proposed acquisition of real property; second by Legislator Johnson. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:50; second by Legislator DeFilipps. Motion Carried.

Legislator Allport moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 5:51 p.m.

## LEGISLATURE MEETING

July 27, 2016

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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

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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. Kiebala 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. Kiebala 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

<u>Town/Village</u>	<u>Resolution Title</u>
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

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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

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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, DeFilippis.  
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, DeFilippis.  
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, DeFilippis.

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;

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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

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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:

From:

A4010.452	Personal Service Contracts	\$6,000
A4010.478	Health Promotional Supplies	\$784

To:

A4010.270	Capital Plan – Equipment	\$6,784
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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

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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

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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
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To:

A3150.0418	Jail-Other Contractual Expenses	\$4,918.42
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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

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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:

Revenue:

A4309.2015	State Homeland Security Grant Program	\$27,115
	FY2015	

Appropriation:

3640.486.2015	Special Grants (SHSP-FY15)	\$27,115
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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; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Legislature Budget to pay for these professional services as follows:

<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

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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, DeFilippis.  
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, DeFilippis; 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 Ort 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.

Sandy Lauricella, Yates, 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.

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