

# ***AGENDA***

## **ORGANIZATIONAL MEETING**

**January 5, 2016**

**9:30 a.m.**

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Call to Order – Clerk of the Legislature

Pledge to the Flag

Invocation – Nadine P. Hanlon, Clerk of the Legislature

Roll Call

Nominations: Temporary Chairman followed by Permanent Chairman and Vice-Chairman

Recess for Oaths of Office – Hon. Karen Lake-Maynard, Orleans County Clerk presiding

Presentation of Resolutions:

1. Appointment of Clerk of Legislature (Johnson)
2. Appointment of County Attorney (Johnson)
3. Fixing Compensation of Legislators (Johnson)
4. Designating Newspapers (Johnson)
5. Designating Majority and Minority Leaders (Johnson)
6. Setting Legislature Meeting Schedule for 2016 (Johnson)
7. Re-Affirming Appointments to the Orleans County Industrial Development Agency (DeRoller)
8. Authorizing the Chairman of the Legislature to Enter into an Agreement with the County of Orleans Industrial Development Agency for the Year 2016 (DeRoller)
9. 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 (DeRoller)
10. Authorizing Sheriff to Set Salary for Undersheriff (DeRoller)
11. Authorizing Filling Vacancy in the Department of Social Services (Miller)
12. Authorizing Creating a Temporary Position in the Department of Social Services (Miller)
13. Authorizing Abolishing, Creating and Filling Position in the Job Development Agency (Miller)
14. Authorizing Payments from Capital Project Infrastructure Projects Account (Eick)
15. Authorizing Payment of Claims for January Against the County (Johnson)

Next Meeting: January 27, 2016 at 4:30 p.m.

Adjournment

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## **RESOLUTIONS**

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### **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,

### **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,

### **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,

**RESOLUTION NO. 4-116**

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,

**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,

**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,

**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

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,

### **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,

### **RESOLUTION NO. 9-116**

**AUTHORIZATION TO ENTER INTO A GRANT AGREEMENT WITH THE ORLEANS COUNTY LOCAL DEVELOPMENT CORPORATION FOR THE IMPLEMENTATION OF A COMMUNITY RENEWAL 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 #857ME37-15) 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

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,

### **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,

**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,

**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,

**RESOLUTION NO. 13-116**

**AUTHORIZING ABOLISHING, CREATING AND FILLING POSITION 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,

**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,

**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:

<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 January 27, 2016:

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

Moved, Johnson; second,