

# LEGISLATURE MEETING

April 22, 2015

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag, Chairman Callard called for a moment of silence to recognize the death of John J. McCarthy II who was a past Orleans County Legislator from 1990-1993. He also served as Orleans County Civil Defense Coordinator for six years. Veteran David Kusmierczak lead the invocation and then the Clerk called the roll. All Legislators were present. Chief Administrative Officer Charles Nesbitt was absent.

The Clerk presented the following communications:

## Orleans County Town/Village Resolution Submissions

Town/Village	Resolution Title
T/Shelby	Supporting Reform of the AID and Incentive for Municipalities (AIM) Formula in Order to Distribute the New Aid to Local Governments.
T/Shelby	Supporting Legislation to Repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013

Orleans County Department of Social Services is requesting use of the Courthouse lawn to place a banner from May 1, 2015 to May 15, 2015 for Foster Parent Month which the Board approved. Drug Take Back Day is scheduled for Saturday, April 25, 2015 from 10 a.m. – 2 p.m. at three Orleans County drop off locations. Holley Fire Department; Medina Fire Department and Orleans County Public Safety Building. Susan Heard, Orleans County Treasurer, has forwarded a listing of Real Property Tax Refunds, in the amount of \$395.48, that has been reviewed and authorized by her office. Reminder that the 33<sup>rd</sup> Annual Youth Recognition Banquet is Thursday, May 14<sup>th</sup> at Hickory Ridge Golf and Country Club.

Legislators DeRoller and Johnson presented special recognitions to Orleans County Sheriff Deputy James DeFilipps, Orleans County Sheriff Deputy Kevin Colonna, Orleans County Sheriff Deputy Brian Larkin, NYS Trooper Scott Gregson, NYS Trooper Kevin Bentley, Holley Village Police Officer Guy Burke, Albion Police Sergeant William Scribner, Orleans County Dispatcher Julie Vendetti, Orleans County Dispatcher Michael Schultz, and Clarendon Fire Department. (Orleans County Sheriff Deputy Joshua Narburgh was absent.) Certificates were presented to these individuals for their assistance in the early morning incident that occurred on March 21<sup>st</sup>, 2015 which they all were quick to react to what could have been a very serious incident for our County. They all were shown appreciation by a standing ovation and applause.

Chairman Callard called upon Niagara County Legislative Chairman William Ross, Niagara County Legislator David Godfrey, Legislator Lynne Johnson and Legislator DeRoller. Chairman Callard recognized Chairman William “Coach” Ross as he will be retiring as a Niagara County Legislator. He was thanked for the relationship he developed with Chairman Callard in the development of NORA and the long lasting relationship had with our neighboring county. Chairman Ross stated that we are lucky to have a great partnership in working together for the benefit of our taxpayer. He shared many of the projects both counties are involved in and that these common goals show how in working together we may be able to make a better life for our communities. Chairman Callard thanked Chairman Ross for the personal and professional friendships held with all of us.

Legislators DeRoller and Johnson presented a proclamation designating April 19<sup>th</sup> through April 25<sup>th</sup>, 2015 as Crime Victim’s Week in Orleans County to Terrissa Drennan, Orleans County Crime Victim’s Services Coordinator and to Christi Waldron from Restore-Sexual Assault Services.

Legislators Eick and Miller presented a proclamation to Melissa Blonar, Orleans County Director of the Office for the Aging, to honor Older Americans Month in Orleans County in the month of May.

Legislators Eick and Miller presented a proclamation to Jeannine Larkin, Orleans County Foster Care Supervisor and to Holli Nenni, Deputy Commissioner of the Orleans County Department of Social Services, to celebrate in May Orleans County Foster Care Month.

Chairman Callard called upon Legislators Eick and Miller, who presented a proclamation to David Kusmierczak, an Orleans County Veteran, honoring the 55<sup>th</sup> Anniversary of Western New York Armed Forces Week; to be celebrated May 3 – 9, 2015. This special recognition is given this year in honor of the Gold Star Mothers of the Eight Western New York Counties.

Legislators DeRoller and Johnson presented a proclamation for Motorcycle Awareness and Safety Month held in the month of May in Orleans County. Chuck Persons, President of the Orleans County Chapter of ABATE of New York, Inc. accepted this and announced that they will be holding their annual Motorcycle Rally on Sunday, May 3<sup>rd</sup> at the Orleans County Courthouse at 2 p.m.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through March of 2015. Treasurer Heard stated that finances look better this month over last month.

Chairman Callard called for open discussion as it related to the resolutions. Legislator Godfrey, Niagara County Legislator, spoke briefly of the two resolutions that NORA is advancing on the agenda today. One is in support of Congressman Collins in fighting back the IJC Plan 2014; and more specifically the E-waste resolution on today's agenda. Legislator Godfrey explained that Senator Ortt's office reached out to them asking for NORA's involvement with this due to the recent complaints called in to his office and also the costs to our taxpayers and to our townships. He thanked Chairman Callard and Chairman Ross for seeing the importance of this and in taking on this initiative. It is a two part thing, thanks to Dawn Tim, from Niagara County and her Council, will work with NYS DEC to change the regulations. It is a fight that hopefully NORA can step into and persuade Albany to change these regulations. The second part of this is saving taxpayers money by working together with the tonnage to drive that cost to zero. We want to make sure this recycling is available to all of our taxpayers across our two counties at all times.

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. 121-415**

**APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND NYS DOT CONCERNING THE HULBERTON ROAD BRIDGE OVER WEST BRANCH OF SANDY CREEK IN THE TOWN OF MURRAY**

RESOLVED, that this Legislature approves a Supplemental Agreement #3 Contract #D033855 with the Orleans County Highway Department and NYS DOT, 1530 Jefferson Road, Rochester, NY 14623-3161. This supplemental agreement amends the previous Resolution No. 236-714 to add additional funding for the Hulberton Road Bridge over West Branch of Sandy Creek Bridge Replacement – PIN 475542; BIN: 3319220; and be it

FURTHER RESOLVED, the Chairman of the Legislature is authorized to sign the Supplemental #3 Agreement for Hulberton Road Bridge over West Branch of Sandy Creek Bridge Replacement; total cost of \$1,338,900; reimbursement \$1,271,955 and County cost \$66,945; effective through February 3, 2022.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 122-415**

## 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 2015-2016; 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. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 123-415**

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

RESOLVED, that this Legislature does hereby approve an agreement between the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Engineering Services for the design of Waterport Carlton Road Bridge over Beardsly Creek in the Town of Carlton; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives Labella Associates authorization to proceed, Labella Project #2150154, Bin #3319100, at a cost not to exceed \$80,000 to be paid out of the Capital Project Infrastructure Project for Bridges account #H-5120.250.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 124-415**

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

RESOLVED, that this Legislature does hereby approve an agreement between the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Engineering Services for the design of Oak Orchard Road Bridge over Manning Muckland Creek in the Town of Barre; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives Labella Associates authorization to proceed, Labella Project #2150155, Bin #3319270, at a cost not to exceed \$96,000 to be paid out of the Capital Project Infrastructure Project for Bridges account #H-5120.250.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 125-415**

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

RESOLVED, that this Legislature does hereby approve an agreement between the Highway Department and Labella Associates, P.C., 300 State St, Ste 201, Rochester, NY 14614 to perform Professional Services for the design of two (2) Knowlesville Road Culverts over Oak Orchard Creek Tributary in the Town of Ridgeway; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed, Labella Project #2150153, at a cost not to exceed \$40,000 and to be paid out of the Capital Project Infrastructure Project for Culvert Improvements Account #H-5120.251.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard noted that these last three adopted resolutions represent this year's first step in improving our infrastructure which includes two bridges and two culverts over three towns.

**RESOLUTION NO. 126-415**

APPROVING AGREEMENT WITH BUILDINGS AND GROUNDS AND GARLAND/DBS, INC

RESOLVED, that this Legislature does hereby approve an agreement with the Buildings and Grounds Department and Gardland/DBS, Inc., 3800 East 91<sup>st</sup> St, Cleveland, OH 44105 to reroof the County Public Safety Building in 2015; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives Garland/DBS, Inc. authorization to proceed, Proposal #25-NY-150150, MICPA #14-5903, at a cost not to exceed \$476,820 to be paid out of the Capital Project Infrastructure Project for Roof Replacement account #H-5120.253.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 127-415**

AUTHORIZING PURCHASE FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS FOR THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes Buildings and Grounds to purchase an Outdoor Olympian Model G80 Natural Gas Emergency Packaged Generator Set from Southworth-Milton CAT Inc., PO Box 3851, Boston, MA 02241-3851 under NJPA Contract #092409 for the Mental Health Building, \$48,814 to be paid from the Capital Project Infrastructure Project Account H1520.254; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Milton CAT Purchase Proposal to accept the price and installation terms in quote #ENPRO1448.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard noted that these last two adopted resolutions represent our first stage of improving our buildings infrastructure which covers two departments. Legislator Eick stated that the Public Safety Building

roof has been leaking and it has come to the point that it needs to be repaired. The following resolution was adopted to begin payments toward our infrastructure projects:

**RESOLUTION NO. 128-415**

**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>
\$ 15,396.00	LaBella Associates, P.C.	Waterport Carlton Road Bridge – Project #2150154: Invoice #62456– Professional Services 12/20/14-2/20/15
\$ 11,269.00	LaBella Associates, P.C.	Oak Orchard Road Bridge – Project #2150155; Invoice #62455 – Professional Services 12/20/14-2/20/15
\$ 1,045.00	Source Media	Bond buyer legal ad
\$ 54.80	Northern NY Newspapers Corp.	Legal Notice
\$ 13,000.00	Moody’s Investor Service	Bond Rating
\$ 7,800.00	Fiscal Advisors & Marketing, Inc.	Professional Services
\$ 11,125.00	Orrick, Harrington & Sutcliffe	Bond Counsel
\$ 1,985.69	Premier Printing Inc	Official Statements

and be it

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>
\$ 21,161.50	LaBella Associates, P.C	Knowlesville Culvert – Project #2150153 – Invoice No. 62457 - Professional Services 12/20/14-2/20/15

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 129-415**

**APPROVING APPOINTMENTS TO THE OFFICE FOR 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, 2015 through March 31, 2018. (\* denotes final term)

Bill Newsome	13356 Ridge Road, Albion, NY 14411
*Florence Surdi	13919 Allen Road, Albion, NY 14411
*Abraham Rozman	115 Knapp Street, Albion, NY 14411

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 130-415**

**AUTHORIZING ABOLISHING, CREATING, AND FILLING POSITIONS IN OFFICE FOR THE AGING**

WHEREAS, a part-time Community Service Worker is retiring in the Office for the Aging; and

WHEREAS, the following position creation presented herewith will be contingent upon the availability of receiving additional Office for the Aging funding; now be it

RESOLVED, that this Legislature authorizes abolishing a part-time Community Service Worker position in the Office for the Aging due to a retirement and reorganization, effective May 29, 2015; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full- time Aging Services Specialist position at grade 15 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishing of the part-time Aging Service Specialist position in the Office for the Aging effective upon the filling of the newly created full time Aging Services Specialist position; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position, effective May 4, 2015.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 131-415**

**APPROVING AGREEMENTS BETWEEN OFFICE FOR THE AGING AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following agreements between the Office for the Aging and various agencies:

Independent Living Services (ILS)-iCircle, 521 Fifth Avenue, 3rd Floor, New York, NY 10175 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2015 to April 30, 2016 to clients needing services, iCircle 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 2020. County cost \$0 – Revenue Source.

Fidelis Care, 95-25 Queens Boulevard, Rego Park, NY 11374 - OFA subcontractor to provide Meals on Wheels and/or Personal Emergency Response System from May 1, 2015 to April 30, 2016 to clients needing services, Fidelis 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 2020. County cost \$0 – Revenue Source.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 132-415**

**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 \$10,209 (first year allotment) 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, 2014 through September 29, 2017; County cost \$0; and be it

FURTHER RESOLVED, that the County 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. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 133-415**

**APPROVING ADDENDUM WITH ORLEANS COUNTY OFFICE WITH THE AGING AND ARC OF ORLEANS COUNTY**

WHEREAS, Resolution No. 23-114 approved an agreement with ARC of Orleans County, 122 Caroline St, Albion, NY 14411 to provide a renewal contract for the Nutrition Program; Contract effective January 1, 2014 through December 31, 2016.

RESOLVED, that this Legislature approves an addendum to this contract adding that the contractor will not enter into any agreement with any Managed Long Term Care entity for the provision of home delivered meals or congregate services without prior referral by Office for the Aging. Any request initially received by the Contractor for such services will be first referred to OFA which will then make referrals to Contractor for the requested services.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

It was noted by Legislator Allport that the ARC of Orleans County is doing an outstanding job with the Nutrition Program since they have taken it over and it has actually expanded under their leadership.

**RESOLUTION NO. 134-415**

**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:

Angels in Your Home, Hilton, NY for the provision of Consumer Directed Personal Assistance Program (CDPAP); to be effective January 1, 2015 through December 31, 2015 at rates set by NYS Department of Health. County cost is \$0.

Angels in Your Home, Hilton, NY for the provision of Personal Care Aide services to eligible Medicaid clients; to be effective January 1, 2015 through December 31, 2015 at rates set by NYS Department of Health. County cost is \$0.

LabCorp Corporation, Burlington, NC for the provision of conducting blood tests to determine paternity for Child Support Unit, to be effective April 1, 2013 through March 31, 2018.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 135-415**

**APPROVING THE 2015 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 2015 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, therefore be it

RESOLVED, that the Orleans County Legislature does hereby authorize the Chair to execute such documents as are deemed necessary to effect the 2015 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. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 136-415**

**AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET**

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

<u>Revenue:</u>		
A4490	Mental Health Federal	\$4,000
<u>Appropriation:</u>		
A4310.411	Office Supplies	\$4,000

Moved, Allport; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 137-415**

**AUTHORIZING FILLING OF VACANCY IN THE MENTAL HEALTH DEPARTMENT**

RESOLVED, that this Legislature authorizes the filling of a full-time Supportive Case Manager position (4310.21) in the Mental Health Department at Grade 18 of the CSEA Salary Schedule, effective April 23, 2015.

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

**RESOLUTION NO. 138-415**

APPROVING AGREEMENT EXTENSION BETWEEN MENTAL HEALTH DEPARTMENT AND NEW YORK CARE COORDINATION PROGRAM, INC (NYCCP)

RESOLVED, that this Legislature approves an agreement extension between Mental Health and New York Care Coordination Program, Inc. (NYCCP), 1099 Jay Street, Bldg. J, Rochester, NY 14611 providing non-clinical consulting, management, and data analysis services to support the effort of behavioral health providers, consumers, and local governments to improve care and service outcomes for individuals diagnosed with serious mental illness, addictions, and co-occurring medical disorders. Health Homes of Upstate New York (HHUNY), on behalf of Huther Doyle Memorial Institute, Inc. will pay Orleans County Mental Health 94% of the monthly rate paid by the Department of Health with the extension of this agreement effective through December 31, 2019. County cost \$0.

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

**RESOLUTION NO. 139-415**

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 for the following:

To attend NACCHO Preparedness Summit at the Peach Tree Center in Atlanta, Georgia from April 14<sup>th</sup> through April 15<sup>th</sup>, 2015. All costs covered by NACCHO. County cost \$0.

To attend NACCHO Epidemiology/ID Workshop in Person Meeting at Peach Tree Center, Atlanta, Georgia from May 18<sup>th</sup> through May 20<sup>th</sup>, 2015. All costs covered by NACCHO. County cost \$0.

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

**RESOLUTION NO. 140-415**

AUTHORIZING FILLING OF VACANCY IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of a vacant part-time Registered Nurse (4010.47) in the Public Health Department at Grade 19, of the CSEA Salary Schedule effective April 23, 2015.

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

**RESOLUTION NO. 141-415**

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND HEALTH RESEARCH, INC AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT BUDGET

RESOLVED, that this Legislature approves an agreement between Orleans County Health Department and Health Research, Inc. (HRI), 150 Broadway, Ste 560, Menands, NY 12204 to accelerate state and local public health preparedness planning and operational readiness for responding to Ebola Virus effective April 1, 2015 through September 30, 2016 contract cost is \$38,000. County cost \$0; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the 2015 Public Health Department budget as a result of the contract with Health Research, Inc. as follows:

<u>Revenue:</u>		
A4489	Bioterrorism Preparedness	\$ 38,000
 <u>Appropriations:</u>		
4010.220	Office Equipment	\$ 5,164
4010.250	Other Equipment	\$ 14,716
4010.411	Office Supplies	\$ 3,710
4010.460	Training & Education	\$ 2,040
4010.462	Travel - Mileage	\$ 400
4010.463	Travel – Other than Miles	\$ 200
4010.487	Environmental Health Supplies	\$ 5,991
4010.489	Nursing Supplies	\$ 5,779

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

**RESOLUTION NO. 142-415**

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:

Orleans Community Health (MMH)-Lead Education 200 Ohio St, Medina, NY 14103 to provide lead poisoning education, information, sampling, and testing for the residents of Orleans County effective October 1, 2014 through September 30, 2015 at a contract amount of \$10,000. County cost \$0.

Oak Orchard Health a/k/a Oak Orchard Community Health-(Migrant Services) 300 West Ave, Brockport, NY 14420 to provide translation services and liaison between the Orleans County Health Department and the migrant population. Contract funded through NYS Migrant Grant and contract to run concurrent with the NYS contract from October 1, 2014 through September 30, 2015 at a contract amount of \$16,000. County cost \$0.

3D Delivery/dba Genesee Delivery, 58 Kingsbury Ave, Batavia, NY 14020 to provide delivery services for the Orleans County Health Department to the Erie County Public Health Lab for water and medical samples effective January 1, 2015 through December 31, 2015 at a contract rate of one dollar and sixty cents (\$1.60) per mile with reimbursement from State. County cost \$0.

NYS Department of Health, Children with Special Health Care Needs: ESP Corning Tower —Rm 859, Albany, NY 12237 to provide funding for the operation of program services. The Health Department provides

personnel, licenses, and facilities to provide the required services. This is to be disbursed at \$17,380 per year payable in 2015, 2016, and 2017 at a total three contract cost of \$52,140. County cost \$0.

NYS Department of Health/Migrant Health to provide funding for migrant health services, supplies, education & training effective October 1, 2014 through December 31, 2019 (in order to align with the start of the other state contracts) in the amount of \$60,204 per year at a total five year contract cost of \$301,024. County cost \$0.

Medical Group, 300 Meridian Centre Blvd, Rochester to allow for billing of public health nursing clinics effective for an initial term of three years effective May 1, 2015 through April 30, 2018 with the option to renew automatically for two additional one year terms through April 30, 2020. County cost \$0.

AMENDMENT – TERM OF CONTRACT Eric Harty, 6 Tanglewood Drive, Lancaster, NY 14086 for the provision of software creation and development for a graphic interface for already existing databases effective November 24, 2014 through December 31, 2015 at a cost not to exceed \$4,000 or more than 100 hours. Reimbursement from NYS Dept of Health Water and ATUPA Grants. County cost \$0.

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

### **RESOLUTION NO. 143-415**

#### **APPROVING PROPOSAL FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION**

RESOLVED, that this Legislature hereby approves the proposal for household hazardous waste collection by Environmental Enterprises, Inc., 4650 Spring Grove Ave., Cincinnati, OH at the following waste unit costs, payment to be made from the Solid Waste Fund:

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

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

### **RESOLUTION NO. 144-415**

#### **APPROVING HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENT**

WHEREAS, this Legislature desires to conduct a Household Hazardous Waste Collection on June 20, 2015 to provide County residents safe and convenient disposal of household hazardous wastes; and

WHEREAS, this Legislature approved a proposal for household hazardous waste collection at unit costs stipulated in Resolution No. 142-415; be it

RESOLVED, that upon the approval of the County Attorney, this Legislature approves an agreement with Environmental Enterprises, Inc., 4650 Spring Grove Ave, Cincinnati, OH for the 2015 Orleans County Household Hazardous Waste Collection Program.

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

### **RESOLUTION NO. 145-415**

#### **APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD**

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

<u>NAME &amp; MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
William Camann 14829 W Brighton Cliffe Dr. Kent, New York 14477	Town of Carlton (Alternate)	12-31-17

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

### **RESOLUTION NO. 146-415**

#### **APPROVING RENEWAL LEASE AGREEMENT BETWEEN ORLEANS COUNTY AND ROY W. AND SCOTT A. SALMON**

WHEREAS, Resolution No. 158-410 approved a five year lease agreement with Roy W. and Scott A. Salmon to provide public access to Oak Orchard Creek; now be it

RESOLVED, that this Legislature approves the lease renewal agreement between Orleans County and Roy W. and Scott A. Salmon of 1701 Park Avenue, Waterport, NY 14571, for the County of Orleans to lease from the Salmons 15.8 acres along the Oak Orchard Creek to provide public access to Oak Orchard Creek and its banks for recreational fishing and boating, to preserve vegetative cover in a riparian buffer so as to protect water quality and riparian habitat and to provide sites for fishery and habitat management, research and educational programs effective August 22, 2015 through August 21, 2020 at a cost of \$60,000, to be paid in yearly installments of \$12,000; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Lease Agreement and any other documents in order to effectuate the terms of the Lease.

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

**RESOLUTION NO. 147-415**

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

WHEREAS, Resolution No. 368-1014 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 \$42,040 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 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

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

**RESOLUTION NO. 148-415**

**AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL MASTER LEASE**

WHEREAS, this Legislature approved a Dell Master Lease # 810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 49 desktop computers and 2 laptops to be added to the Dell Master Lease as # 810-6457612-\_\_\_ throughout the County effective May 9, 2015 through May 8, 2019, four (4) annual payments of \$8,708.09 with a \$1 buyout option at the end; and be it

FURTHER RESOLVED, that the Chairman authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

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

**RESOLUTION NO. 149-415**

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY SELF INSURANCE PLAN AND COVENTRY HEALTH CARE WORKERS COMPENSATION, INC**

WHEREAS, the Orleans County Self Insurance Plan continuously reviews procedures to improve the quality of care to injured workers of the Plan's members; and

WHEREAS, the Orleans County Self Insurance Plan has determined that providing injured workers with a 24 hours a day, 7 days a week on-call registered nurse to respond to a claimant's telephone call to assist claimants in the decision making process regarding appropriate timing for receipt of a particular level of medical care appropriate to the injury or illness experienced by the claimant; now be it

RESOLVED, that this Legislature authorizes the agreement with Coventry Health Care Workers Compensation, Inc. for on-call registered nurse response for the Orleans County Self Insurance Plan claimants, effective June 1, 2015 through May 31, 2016 at a cost of \$85 per call with an option to an annual extension to a maximum of four (4) Renewal Terms which would end May 31, 2020 with an annual fee adjustment equal to the CPI (Consumer Price Index), to be billed monthly, which will be a direct expense to the Orleans County Self Insurance Plan.

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

Legislator Johnson moved to fill vacancy of the Deputy Clerk of the Legislator. She announced that Onnalee took a position of growth within the County and she will be missed; seconded by Legislator DeRoller. The following resolution was adopted:

#### **RESOLUTION NO. 150-415**

##### **AUTHORIZING FILLING VACANCY IN THE OFFICE OF THE CLERK OF THE LEGISLATURE**

WHEREAS, the Deputy Clerk of the Legislature will be taking another position within the County in the Department of Social Services; now, therefore be it

RESOLVED, that this Legislature authorizes the filling of the vacant full-time Deputy Clerk of the Legislature position (1040.3) in the office of the Clerk of the Legislature at a Grade 3 of the Management Compensation Plan effective upon the filling of the said vacant position in the Department of Social Services.

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

#### **RESOLUTION NO. 151-415**

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

WHEREAS, funds in the amount of \$29,395.28 from the 2014 Central Repair Account 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 \$20,164.08 to Central Repair Account A1615.443 – Central Repairs to Office Equipment, and \$9,231.20 to Account A1615.453 – Central Repair Telephone & Communications.

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

#### **RESOLUTION NO. 152-415**

##### **DESIGNATING DEPOSITORIES AND AMOUNTS ALLOWED**

RESOLVED, that pursuant to Section 212 Subdivision 3 of the County Law, the following institutions be, and hereby are, designated as depositories of all monies received by the County Treasurer, and be it further

RESOLVED, that the maximum amount which may be on deposit at any time in each depository shall not exceed that listed below:

Five Star Bank	\$ 30,000,000
Bank of America	\$ 5,000,000
M & T Bank	\$ 10,000,000
JPMorgan Chase	\$ 5,000,000
First Niagara Bank	\$ 5,000,000
Bank of Castile	\$ 15,000,000
Citizens Bank	\$ 5,000,000

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 153-415**

#### **APPROVING CLOSING-OUT OF NURSING HOME CAPITAL PROJECT**

WHEREAS, all capital project work for the County Nursing Home has been completed, and the Nursing Home has been sold; and

WHEREAS, the Capital Project Nursing Home has an unspent balance of \$128,077.06, which is due to the Debt Service Fund per NY State Comptroller; now be it

RESOLVED, that this Legislature authorizes the County Treasurer to close out this Capital Project and transfer the unspent balance of \$128,077.06 to the Debt Service Fund.

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 154-415**

#### **APPROVING RENEWAL OF AGREEMENT BETWEEN COUNTY TREASURER AND EFP ROTENBERG, LLP FOR INDEPENDENT AUDIT**

WHEREAS, it is the recommendation of the County Treasurer to renew the auditing contract with EFP Rotenberg, LLP for three extension years; and be it

RESOLVED, that this Legislature approves a three-year agreement between the County of Orleans and EFP Rotenberg, LLP, 280 Kenneth Dr., Ste 100, Rochester, NY 14623, to provide auditing services for the fiscal years 2014, 2015, and 2016 at a cost of \$30,750 per year, including the Department of Transportation audit, Sheriff and Jail audit, and all out of pocket costs. Cost of Audit will be billed to maximize reimbursement to Treasurer, Department of Social Services, Workforce Investment Act (WIA), and the Highway Department.

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 155-415**

**DETERMINING TAX MAP PARCEL NO. 42.-1-45 IN THE TOWN OF KENDALL SHOULD BE RESTORED TO THE TAXABLE PORTION OF THE ASSESSMENT ROLL AND AUTHORIZING THE ENFORCING OFFICER TO PERMIT CANCELLATION OF INTEREST AND PENALTIES**

WHEREAS, Legislature Resolution No. 130-389 removed Tax Map Parcel No. 42.-1-45 from an In Rem Proceeding; and

WHEREAS, Legislature Resolution No. 63-201 withdrew Tax Map Parcel No. 42.-1-45 from an In Rem Proceeding pursuant to RPTL § 1138(1)(d) and directed the County Treasurer as enforcing officer to issue a certificate of prospective cancellation; and

WHEREAS, RPTL § 1138(6)(d) provides that a parcel shall remain exempt until the governing body determines that the parcel should be restored to the taxable position of the assessment roll, and the enforcing officer files a certificate of restoration; and

WHEREAS, Tax Map Parcel No. 42.-1-45, formerly known as the Kendall Landfill, is a parcel with no road frontage served by 30 foot right of way or ingress and egress which was listed on the DEC registry because there was some concern that there was hazardous waste there; and

WHEREAS, Dennis Bauer and Barbara Bauer, owners of Tax Map Parcel No. 42-1-43.1 which adjoins Tax Map Parcel No. 42.-1-45 on its northerly boundary, have conducted their independent due diligence with respect to the environmental condition of Tax Map No. 42.-1-45 and are now desirous of acquiring title to Tax Map Parcel No. 42.-1-45 from the current owners, Donald Bauch and Lynn Bauch; and

WHEREAS, Dennis Bauer and Barbara Bauer have requested the County of Orleans restore Tax Map Parcel No. 42.-1-45 to the taxable portion of the assessment roll and in consideration thereof, the Bauer's will pay the principal amount of taxes due on the said parcel; and

WHEREAS, the County of Orleans, its officers and employees, have made no representations or warranties with respect to the environmental condition of Tax Map Parcel No. 42.-1-45 and that the Bauer's have had full and ample opportunity to conduct their own independent due diligence and investigation of Tax Map Parcel No. 42.-1-45; and

WHEREAS, it appears that there is no practical method to collect the unpaid interest and penalties accrued to Tax Map Parcel No. 42.-1-45 and that it is in the best interests of the County of Orleans to cancel same upon payment in full of the principal amount of the taxes due on the said parcel; now, therefore be it

RESOLVED, upon the payment by Dennis Bauer and Barbara Bauer of the principal amount of the taxes due, pursuant to RPTL § 1138(6)(d), this Legislature hereby determines that Tax Map Parcel No. 42.-1-45 shall be restored to the taxable portion of the assessment roll upon the filing of a certificate of restoration by the County Treasurer as enforcing officer; and be it

FURTHER RESOLVED, that there being no practical method to collect the unpaid interest and penalties, and it being in the best interests of the tax district, this Legislature hereby authorizes the County Treasurer as enforcing officer to permit the cancellation in whole of any interest, penalties, or other charges imposed on Tax Map Parcel No. 42.-1-45.

Moved, Johnson; second, Allport.

Adopted. 6 ayes; 0 nays; 0 absent. Legislator DeRoller recused himself from deliberations and vote.

**RESOLUTION NO. 156-415**

**AUTHORIZING CONTINUATION OF 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 \$36,537 effective July 1, 2015 through June 30, 2016; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the Alternatives to Incarceration Board, term expiring June 30, 2016

<b>NAME</b>	<b>REPRESENTATION</b>
James P. Punch	Supreme Court Judge
David B. Callard	Chairman of Legislature
Joseph Cardone	District Attorney
Sanford Church	Public Defender
Dawn Keppler	Magistrates
Lucille Welch	Probation Director
Scott D. Hess	Sheriff
Kenneth DeRoller	Legislator
Thomas Drennan	Chief Deputy/ATI Coordinator
Bonnie Ruhlen	Crime Victim
Mark O'Brien	Director of Community Services
Kathy Hodgins	GCASA
Charles Nesbitt, Jr	Chief Administrative Officer

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

**RESOLUTION NO. 157-415**

**APPROVING AGREEMENT BETWEEN PROBATION DEPARTMENT AND AUTOMON CORPORATION**

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 10450 N. 74<sup>th</sup> St, Scottsdale, AZ 85258, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2015 through June 20, 2016 at a cost of \$6,862.19.

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

**RESOLUTION NO. 158-415**

**APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DISTRICT ATTORNEY AND JOAN WEET**

RESOLVED, that this Legislature approves an agreement between the District Attorney and Joan H. Weet, 9772 Mountain Rd, Middleport, NY 14105, to provide Court Stenography services for the Orleans County for Justice Court appearances, hearings and trial effective January 1, 2014 through December 31, 2018 at a contract amount of \$100 per appearance for hearings or other special court appearances and printed

transcripts for Justice Court cases shall be provided at the request of the District Attorney's Office at a cost of \$3.50 per page. County cost 100%.

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

### **RESOLUTION NO. 159-415**

**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 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 FY2015; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH15-\_\_\_\_D00; contract #C\_\_\_\_\_ in the amount of \$78,750 for the Emergency Management Office to use towards planning, equipment purchase, training, exercises and management to support core capabilities as allowed under FY2015 SHSP allocation effective September 1, 2015 through August 31, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE15-\_\_\_D00; contract #\_\_\_\_\_ in the amount of \$26,250 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under FY2015 SLETPP allocation effective September 1, 2015 through August 31, 2018.

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

### **RESOLUTION NO. 160-415**

**AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE/JAIL**

RESOLVED, that this Legislature authorizes the filling of the following vacancies in the Sheriff's Office/Jail:

Full-time Deputy Sheriff (3110.20), grade 1 of the Orleans County Deputy Sheriff's contract (OCDSA), effective April 27, 2015

Full-time Deputy Sheriff (3110.30), grade 1 of the Orleans County Deputy Sheriff's contract (OCDSA), effective April 23, 2015

Part-time Correction Officer (3150.24) at the Jail at an hourly rate of \$13.92, effective April 23, 2015.

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

Legislator Johnson moved to urge state representatives to amend the NYS Electronic Equipment Recycling and Reuse Act. She explained that the original equipment manufacturers were to take back a percentage of what they sell in New York State. Each year that percentage is met at an earlier time in the year. She shared the example in that in 2012 they met their quota in October, in 2013 in September, and in 2014 it was in June. At that point they stopped paying for the collection and placing that cost burden on the towns. We are asking the State DEC to have these equipment manufacturers collect this electronic recycling waste year round. That is what NORA is trying to accomplish. Legislator DeRoller seconded the motion. The following resolution was adopted:

## **RESOLUTION NO. 161-415**

### **URGING STATE REPRESENTATIVES TO AMEND THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT**

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) was to assist local governments with managing the fast growing end-of-life electronics waste stream by relying on electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but unfortunately the collection infrastructure is rapidly shrinking as governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, the consequence, specifically following the January 2015 Disposal Ban, is significant as a growing number of municipalities such as Orleans County are faced with bearing more of the financial responsibility for continued e-scrap collection in their communities; and

WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

WHEREAS, once manufacturers meet their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their programs, thus shifting management costs to unsuspecting and cash strapped local governments; and

WHEREAS, the issue is exasperated by the fact that electronics currently sold today are much lighter than the obsolete CRT devices that make up about 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage. As a result, many local governments across the state have grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; now be it

RESOLVED, that the Orleans County Legislature does hereby call upon Governor Cuomo, the New York State Assembly, the New York State Senate, and the State Department of Environmental Conservation to improve the current law intended to build toward the long-term goals of creating a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure by implementing actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of the Proposed Statutory Changes to the Act to provide for year round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations—that help alleviate the immediate financial pressures faced by local governments; and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Governor Cuomo, Environmental Conservation Committee Chairman Thomas O'Mara, State Senator Robert G. Ortt, Assemblyman Hawley, Assemblywoman Corwin, NYSAC, InterCounty Association, and all others deemed necessary and proper.

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

## **RESOLUTION NO. 162-415**

AUTHORIZING PAYMENT OF CLAIMS FOR MAY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, the Highway Department, the Nursing Home, and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility/Community College bills will be audited by this Legislature; be it

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for May 13, 2015:

Fund/Department	Check Number (s):	Amount:
General		
Highway		
Nursing Home		
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 CAO on behalf of the Nursing Home, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for May 27, 2015:

Fund/Department	Check Number (s):	Amount:
General		
Highway		
Nursing Home		
Job Development		
Self Insurance		

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

Legislator Johnson tabled the resolution REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATING USE TAX due to the Assembly Bill has yet to been assigned and this resolution needs to be passed after that bill is assigned to make our resolution valid. The Clerk of the Legislature would like to move this forward as soon as we get a bill number so we can prepare Home Rule Documents and get it on the floor for approval or at least filed before they go on spring recess.

**RESOLUTION NO. 163-415**

**NORA INITIATIVE IN SUPPORTING CONGRESSMEN COLLINS FIGHT AGAINST IJC PLAN 2014**

WHEREAS, In June of last year, the International Joint Commission introduced Lake Ontario St. Lawrence River Plan (Plan 2014); and

WHEREAS, the U.S. Department of State is currently conducting and inter-agency review of Plan 2014, seeking information specifically from the Environmental Protection Agency, the Army Corps of Engineers and the Department of Transportation; and

WHEREAS, Plan 2014 will have a devastating impact on the communities along the Lake's southern shoreline. The Plan will increase the frequency of raising and lowering the water levels in Lake Ontario. The fluctuation in water levels will result in increased erosion damage to the shoreline, including the properties of businesses and homeowners; and

WHEREAS, Plan 2014 would also raise the current water maximum by 2.4 inches and will increase the annual cost of shoreline maintenance and protections by 13 percent. The plan offers no means of compensation to the stakeholders who will be negatively impacted by this man made property damage; and

WHEREAS, the IJC received over 5,000 letters from organizations and constituents opposing the plan, yet the IJC has done nothing to address the negative impacts that increasing frequency of water level fluctuation will have on these communities; and

WHEREAS, the Plan spans six counties in Upstate New York and would cause damage to land assessed at nearly four billion dollars; and

WHEREAS, U.S. Representatives Chris Collins (NY-27) and John Katko (NY-24) jointly sent a letter to the House Committee on Appropriations Subcommittee on State, Foreign, Operations and Related Programs requesting language be included in the House Budget preventing any use of federal funding to implement IJC Plan 2014; now be it

RESOLVED, that the Orleans County Legislature supports NORA's initiative in supporting Congressman Collins fight to eliminate the IJC's ability to implement Plan 2014 which will provide certainty to the communities who have seen repeated efforts by the IJC to disrupt the current shoreline protections; and now be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to the International Joint Commission, the New York Department of State, the New York State Department of Environmental Conservation, the New York State Environmental Facilities Corporation, U.S. Secretary of State John Kerry, U.S. Senator Charles E. Schumer, U.S. Senator Kirsten E. Gillibrand, U.S. Congressman Chris Collins, Governor Andrew M. Cuomo, Senator Robert Ort, Assemblyman John D. Ceretto, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, Senate Environmental Conservation Committee Chairman Thomas O'Mara, Assembly Environmental Conservation Committee Chairman Steven Englebright, EPA Region II Administrator Judith Enck, Orleans County Legislature Chairman David Callard, Niagara County Legislature Chairman William L. Ross, NYSAC, InterCounty of Western NY, Towns in Orleans County, and all others deemed necessary and proper.

Moved, Johnson; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Callard requested comments from the Legislators. Legislator Eick reported on attending the Peace Garden ceremony last Friday on Routes 104 and 98. Legislator Johnson and he were impressed to see nearly 250 Santa Clauses during their convention. It was a wonderful event held in Orleans County.

Chairman Callard asked from comments from the floor. Allen Lofthouse, Kendall, inquired on what Park Strategies has produced for the County and if they have been paid since approval at the last meeting. Chairman Callard reported that we have not paid anything to them to date. A strategy meeting was held with our Park Strategies representative. At that meeting a plan was outlined for action items that are intended to be presented to Department Heads in New York State and also an intent to meet with the Lieutenant Governor. Other counties have been doing this as a normal course of business. We are beginning the process now here in our county. One of the highlights would be our interaction with the Department of Transportation. A plan is being put together on our bridges and how we could collaborate together with the state. This will plant the seed with

collaboration and hopeful we can reach an accord. If the state reduces bridge weights during the winter months, it will prevent us from plowing them. This is one example to positively approach our issues of concern. Chairman Callard announced that a delegation from here will be traveling to Albany before the session ends in June. In conjunction with one of our bullet points, is our Broadband plan, Legislator Johnson and Niagara County Legislator Godfrey will also be speaking before a Broadband summit representing both of our counties in putting us in the forefront of this. We are also working on a grant pertaining to the enhancement of our radio system. In the schools we realize that we may not have coverage inside our buildings. This could also include our BOCES and our local hospital. Our lobbyists are helping in this grant opportunity. We are doing a better job in planning ahead and we need to do this face to face with our elected representatives and their peers and State Department Heads. Chairman Callard expresses that he is hopeful in seeing very positive results in this process.

Mr. Lofthouse also thanked the Legislators for the Gold Star Mothers Proclamation because his grandmother was a Gold Star Mother.

Legislator Johnson also requested that the Clerk of the Legislature also forward the E-waste resolution to our Towns in Orleans County.

With no further business, Legislator DeRoller moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:30 p.m.