

LEGISLATURE MEETING

October 26, 2016

Chairman Callard called the meeting to order at 4:30 PM. After the pledge to the flag and invocation, led by Veteran David Kusmierczak, the Clerk called the roll. All Legislators were present.

The Clerk presented the following communications: Richard A. Ball Commissioner of New York State Agriculture and Markets has certified Orleans County Agricultural District No. C-1 and has determined that it will be up for its next review on or before December 2, 2024. Town of Somerset will be holding a Public Hearing on November 9, 2016 at 6:30 p.m. at their Town Hall on the adoption of a proposed Local Law which repeals Article XXII entitled, "Small Scale Solar Energy System" and replaces it with a new Article XXII entitled "Solar Energy Systems". Three hundred fifty-eight (358) letters were received from concerned Kendall residents and School employees who are requesting a review of the 50 mph speed limit in front of the Kendall Jr/Sr. High School and are requesting the support of their Legislators to help their mission to have the speed limit lowered for safety reasons. Hospice of Orleans County is requesting a banner be hung at Courthouse Square for National Hospice and Palliative Care Month. They wish to have this 2.5' x 10' banner hung from November 1, through November 15th. Girl Scouts of WNY are requesting that the Courthouse Cupola be lit in green for March 12, 2017 in honor of the 100th Anniversary of the Girl Scouts Cookie program and their Birthday. (Buildings and Grounds confirmed that they can accommodate this request) The Board approved both of these requests.

Legislator DeRoller commented on receiving letters from the Kendall Central School District. He stated that this board will define the next steps in the process to help support the schools request for assistance in reducing the speed limit. Legislator DeRoller stated that according to the records of the Orleans County Sheriff's Office there have been nineteen reported accidents on Rt. 18 in between Kendall and Norway Roads. He indicated that the current speed limit is 50 mph which we hope to have reduced in this school speed zone along with some lane sight issues. He requested support of all of the Legislators in honoring this request. Chairman Callard questioned if this gets referred to the Highway Superintendent, Jerry Gray, Orleans County Highway Superintendent advised that the request should go directly to New York State Department of Transportation. Chairman Callard suggested that a resolution supporting this speed reduction be composed and brought back to the November meeting.

Susan Heard, Treasurer, handed out her report and said it looked pretty good. She said the sales tax is a little sluggish and encouraged people to shop local during the holiday season. Legislator DeFilipps stated that the majority of the county is down, Treasurer Heard said we are not alone in that mix. Legislator DeRoller stated that NYSAC reported that 31 of our 62 counties are down in sales tax revenues. Chairman Callard stated that the growth is being seen in NYC.

Before Chairman Callard called for open discussion as it related to the resolutions, he wanted to speak of Niagara Legislative Chairman McNall's recent visit and after our efforts of consolidating our Ag Districts, they took it to their county who now, after requesting information from our county, are looking to pursue consolidating their Ag districts. He said the benefits of visiting our neighboring counties shows in the power of our regional alliance. Chairman Callard asked Legislator Johnson to report on the recent initiative NORA is pursuing. She explained the long term planning of regional dredging of our harbors. Back in 2014 money was given to our Planning Department to establish a regional dredging plan for our harbors. She said at that point they have not been dredged in nearly ten to fifteen years. Luckily within the past two years, our Oak Orchard River was dredged, however many of the tributaries going off of Lake Ontario have not been dredged. Along Lake Ontario there were seven counties that are interested in setting up an organization that would periodically make a circular tour and dredge our harbors. Orleans, Niagara and Wayne counties have been active in meeting with our state legislators, and were initially part of the 2014 plan. A meeting was held yesterday with NYS Department of State indicating a grant may be available to move forward with dredging. Legislator Johnson stated that we are dusting off the plan and taking it to the next level. She concluded, like Chairman Callard has always said, that working together with neighboring counties, it makes our voices louder.

Chairman Callard stated that he has spoke with Chairman McNall from Niagara County today and will be meeting soon to go over our next steps. Wendel Engineering will be assisting us with a grant application. He indicated that we have never had a systemization and we were always at the mercy of the Army Corp of Engineers. With our Regional Alliance, we have the capability to get a systemized plan moving forward.

Legislator Eick announced the ribbon cutting opening of the East Scott Road Bridge this morning in the Town of Ridgeway. Chairman Callard stated that this completes our projects for this year. Highway Superintendent Gray indicated that we completed two bridges and two culverts. Chairman Callard announced that in 2017 our own employees will be building our own culverts, which is one of the benefits of the new build at our Highway Department to house that operation.

Paul Lauricella, Yates, questioned the approval of the annual inspection of the emergency management towers (Res No. 277). He asked with it being a fixed structure why does it have to be done on a yearly basis because of the expense of \$11,900. Chairman Callard credited him for the idea he shared about annual maintenance checks. Chairman Callard stated his idea has saved the county thousands of dollars because of these yearly maintenance checks. CAO Nesbitt indicated that there is a lot of expensive equipment on these structures and we need to make sure the structures can continue to support the equipment. The cost is higher this year because we have more towers to inspect.

Dale Banker, Director of EMO, added that our tallest 485 foot tower needs to be physically climbed and is re-lamped based on FAA regulations which is our biggest cost. This is our first cycle of inspections since the new system went on line two years ago therefore we have three new towers. Checking the bolts and cables is well worth the cost.

Kevin Doherty stated that one of the microwave dishes on the tower in Medina was loose and an inspection was not done because we were still under warranty. The cost of that one visit could have been just under \$5,000. We only have one tower that has lights (The Bo Jackson Tower) and if these lights go out we are under the gun by FAA to have them replaced. It is really expensive to climb this tower in bad weather and the fine is \$10,000 per day after the grace period runs out. We want to keep those costs under our control by spending them up front by doing the inspections rather than having the cost out of our control for not being proactive. We also do not want to put our emergency services communications network at risk, it all works together explained Mr. Doherty.

The following resolutions were presented for adoption:

RESOLUTION NO. 353-1016

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>
\$169,898.17	Union Concrete & Construction Corp.	Work Performed - East Scott Road Bridge Replacement 9/12/16-10/16/16 – Payment #3

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

RESOLUTION NO. 354-1016

AUTHORIZING PURCHASES FROM THE HIGHWAY DEPARTMENT BUDGET

RESOLVED, that this Legislature authorizes the Highway Department to purchase (1) Coates Tire Machine changer from Advanced Auto Parts, AAP Financial Services, P.O. Box 742063, Atlanta, Georgia 30374-2063 for a total of \$7,595 to be purchased off of US Communities, Contract #1101149; to be paid from the Road Machinery Fund-Machine Maintenance account #DM5130.270 – Capital Equipment and #DM5130.414 – Tires and Batteries; and be it.

FURTHER RESOLVED, that this Legislature authorizes the Highway Department to purchase guardrail parts for multiple bridge locations from Elderlee, Inc., 729 Cross Road, Oaks Corners, NY 14518 for a total of \$21,446.17 to be purchased off of NYS OGS Contract #PC66722; to be paid from Bridges Road Fund account #D5120.470 – Capital Construction Projects.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved for the Highway Department to purchase hydraulic power system power pack tools. Highway Superintendent Gray was asked to explain the need for this purchase. Mr. Gray stated that it does multiple things. It will help with our post pounder for our sign truck because the current pounder has failed. Mr. Gray further explained that it will come into play when they are building their concrete culverts in the fall and also use it down below when they need to fasten panels and forms to our old culverts, or by drilling concrete and core. The following resolution was adopted:

RESOLUTION NO. 355-1016

**AWARDING AND AUTHORIZING THE HIGHWAY DEPARTMENT TO ACCEPT
BID PROPOSAL FOR PURCHASE OF RHINO HYDRAULIC POWER SYSTEM
POWER PACK TOOLS**

WHEREAS, on October 18, 2016 the Highway Department requested bid proposals for Rhino Hydraulic Power System Power Pack Tools, and be it

RESOLVED, that this Legislature authorizes the Highway Department to purchase Rhino Hydraulic Power System Power Pack Tools from JC Smith Inc, 965 Buffalo Rd, Rochester, NY 14624 at a total cost of \$27,794 (PO 53686); to be paid from Bridges – Road Fund account #D5120.470 – Capital Construction Projects.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 356-1016

**APPROVING AGREEMENT BETWEEN OFFICE FOR THE AGING AND HOME
LEASING LLC**

WHEREAS, the Office for the Aging in support of the Holley Gardens Project in the old Holley High School, must enter into a Housing/Services Agreement to acknowledge a partnership to occur for this project to fulfill the requirements of the HTFC Funding Commitment; now be it

RESOLVED, that this Legislature authorizes the Office for the Aging to enter into a Housing/Services Agreement between Orleans County Office for the Aging and Home Leasing, LLC/Save Holley High LLC, which shall commence on August 1, 2018, or the scheduled completion of construction date to work to provide support services to residents of the project with special needs through Office of the Aging programming.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 357-1016

APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following renewal agreement between the Orleans County Department of Social Services and Kendall Central School, Kendall, NY for the provision of preventive services to children and families through the assignment of one(1) Social Services Caseworker to the School District; to be effective August 30, 2016 through August 29, 2017. Said services are to be funded 50% Federal, 31% State, and 19% School; and be it,

FURTHER RESOLVED, that this Legislature does hereby approve the following new agreement between the Orleans County Department of Social Services and Homeless Alliance of Western New York, for the provision of entering information into a secure data base to alleviate homelessness; to be effective November 1, 2016 through October 31, 2017.

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

RESOLUTION NO. 358-1016

AUTHORIZING FILLING VACANCY IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a Clinic Therapist position (Position No. 4310.10) in the Mental Health Department at Grade 22 of the CSEA Salary Schedule, effective October 27, 2016.

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

RESOLUTION NO. 359-1016

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET

RESOLVED, that this Legislature authorizes the Treasurer to set up new money into the Mental Health Budget for Kids HIT Funding:

Revenue:		
A3490	Mental Health	\$49,850
Appropriation:		
A4310.220	Office Equipment	\$49,850

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

RESOLUTION NO. 360-1016

AUTHORIZING PURCHASE FOR MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the purchase of five (5) Dell Latitude E7470 Laptops, five (5) Dell E-Port Replicators, five (5) Microsoft Desktop 400 Wired Keyboard/Mouse sets, and five (5) Dell E1916H 19" Monitors at a cost of \$6,358.90, from CDWG, 75 Remittance Dr, Suite 1515, Chicago, IL 60675-1515 all to be paid from Health Information Technology grant monies issued by the New York State Department of Mental Health. County Cost \$0.

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

Legislator Allport moved to approve cellular phone use agreements for Mental Health; second by Legislator DeRoller. Chairman Callard stated an implication maybe realized that everybody gets cell phones in respective departments, which is not true. Mark O'Brien, Director of Mental Health, indicated that these will be carried by the therapists that are assigned to the school satellite locations. The following resolution was adopted:

RESOLUTION NO. 361-1016

APPROVING CELLULAR PHONE USE AGREEMENTS FOR MENTAL HEALTH DEPARTMENT

WHEREAS, certain Mental Health Clinic Therapists are now at school satellite locations for certain days of the week, and

WHEREAS, the approved forms of agreement for cellular phone use have been prepared, and have been reviewed by the appropriate Legislative Committee, be it

RESOLVED, that this Legislature approves the Cellular Phone Use Agreements for the following Clinic Therapist positions (4310.14 and 4310.47) covering use of cellular phones in accordance with the Cellular Phone Use Policy.

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

RESOLUTION NO. 362-1016

APPROVING AGREEMENT BETWEEN THE HEALTH DEPARTMENT AND CANTALICIAN CENTER FOR LEARNING

RESOLVED, that this Legislature approves an agreement between the Health Department and Cantalician Center for Learning at 2019 George Urban Blvd, Depew, NY 14043 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. 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. Contract to run from September 1, 2016 through June 30, 2019.

Moved, Allport; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 363-1016

AUTHORIZING HEALTH DEPARTMENT TO APPLY FOR GRANT OPPORTUNITIES

RESOLVED, that this Legislature authorized the Director of the Orleans/Genesee Public Health Department to apply for the following grant opportunities.

Association of Food and Drug Officials at 2550 Kingston Road, Suite 311, York, PA 17402 requesting permission to apply for funding opportunity from the Food and Drug Association & Association of Food and Drug Officials for completion of a project, and training to enhance conformance with the Voluntary National Retail Food Regulatory Program Standards. Funding is awarded through a grant of up to \$6,000 for the 2017 Year. County cost \$0.

NACCHO at 1100 17th St, NW, 7th Floor Washington DC 20036-4636, requesting permission to apply for a funding opportunity for the MRC challenge award to be used for the purpose of community preparedness, and resiliency. Funding is awarded through a grant up to \$15,000 for the 2017 year. County cost \$0.

Moved, Allport; second, DeRoller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 364-1016

ACCEPTING PERFORMANCE INCENTIVE AWARD FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND SETTING UP NEW MONEY IN THE PUBLIC HEALTH DEPARTMENT BUDGET

WHEREAS the Orleans County Health Department increased the number of inspections submitted by eForms electronically and the adequacy of gonorrhea treatment and completeness of syphilis serology; now be it

RESOLVED the Orleans County Health Department has been awarded \$32,000 to support costs associated with Article 6 programs and authorizes the Chairman to accept such funding through the New York State Department of Health and execute all necessary paperwork to fulfill this award; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Public Health Department as a result of the award from the New York State Department of Health:

<u>Revenue</u>		
A3401	State Aid	\$32,000
 <u>Appropriations</u>		
A4010.250	Other Equipment	\$30,000
A4010.478	Health Promotional Supplies	\$2,000

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

RESOLUTION NO. 365-1016

AUTHORIZING FILLING VACANCY IN THE HEALTH DEPARTMENT

WHEREAS a Public Health Nurse has submitted a letter of intent to retire effective November 25, 2016; now be it

RESOLVED, that this Legislature does hereby authorize the filling of the vacant full-time Public Health Nurse (4010.08) in the Public Health Department at Grade 21, of the CSEA Salary Schedule effective November 28, 2016.

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

RESOLUTION NO. 366-1016

DESIGNATING THE TOURISM PROMOTION AGENCY AND AUTHORIZING APPLICATION FOR THE 2017 STATE TOURISM MATCHING FUNDS GRANT

RESOLVED, that this Legislature does hereby designate the Orleans County Tourism Office as the official Orleans County Tourism Promotion Agency (TPA) to represent the county in tourism promotion efforts and for purposes of the 2017 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for the 2017 State Matching Funds and to receive such funds to the extent that local matching funds are available.

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

RESOLUTION NO. 367-1016

APPROVING AGREEMENT BETWEEN COMPUTER SERVICES AND TIME WARNER CABLE BUSINESS CLASS

RESOLVED, that this Legislature approves an agreement between Computer Services and Time Warner Cable Business Class, 2620 West Henrietta Rd, Rochester, NY 14623, Project #7948900/SIP, for the initiation of Session Initiation Protocol (SIP) trunks to transition Orleans County phone services from current PBX to a VOIP technology, which will allow for a seamless transition from older technology to newer technology without the loss of ringtone at the desktop level at a cost of \$93 per month, along with a onetime SIP Install cost of \$150, effective November 1, 2016 through October 31, 2019. County cost 100%.

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

RESOLUTION NO. 368-1016

AUTHORIZING PURCHASE FROM THE COMPUTER SERVICES BUDGET AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE COMPUTER SERVICES DEPARTMENT BUDGET

WHEREAS, a new server needs to be purchased to provide functionality to our Virtual Hosts which includes the Computer Aided Dispatch (CAD) server; now be it

RESOLVED, that this Legislature approves the purchase of a DELL Powervault MD3800i 10G iSCSI Server in the amount of \$9,836.20 from Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547 to be paid from Computer Services Account A1680.220 – Office Equipment; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Computer Services budget for the purchase of this server as follows:

<u>From:</u>		
A1990.435	Contingency	\$9,836.20
<u>To:</u>		
A1680.220	Office Equipment	\$9,836.20

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

RESOLUTION NO. 369-1016

APPROVING SALARY REVIEW COMMITTEE'S RECOMMENDATIONS AND AUTHORIZING POSITION UPGRADES/CHANGES IN THE PROBATION, COMPUTER SERVICES, SHERIFF, AND VETERANS DEPARTMENTS

WHEREAS, the Salary Review Committee met several times to review the requests for upgrades. The review was performed in accordance with the guidelines contained in the salary review policy. Under this policy, a recommendation to upgrade must be based on the following: a change in job responsibilities or change in the qualifications or the position appearing to be underpaid when compared with comparable positions involving similar responsibilities; and

WHEREAS, the Salary Review Committee also looked at the implications and costs of the newly revised Fair Labor Standards Act regulations for exempt employees which become effective December 1, 2016; and

WHEREAS, the Salary Review Committee has reviewed requests for upgrades and has presented their recommendations to the Legislature on July 27, 2016; therefore be it

RESOLVED, that this Legislature approves the recommendations of the Salary Review Committee, and

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2017, Probation Supervisor, Grade 22, Step 8 of the CSEA salary schedule; and

FURTHER RESOLVED, that this Legislature approves the abolishing of the Email and Internet Services Manager, effective January 1, 2017, Grade 20, of the CSEA salary schedule; and

FURTHER RESOLVED , that this Legislature approves the creating of the Senior Email and Internet Services Manager, effective January 1, 2017, Grade 24, of the CSEA salary schedule; and

FURTHER RESOLVED, that this Legislature approves the filling of the vacant Senior Email and Internet Services Manager, effective January 1, 2017; and

FURTHER RESOLVED, that this Legislature approves the change for the following two positions in the Management Compensation Plan, Confidential Secretary to the Sheriff and Director of Veterans Services, from a 35 hours per work week to a 40 hours per work week effective December 1, 2016.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 370-1016

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2016-2017 SCHOOL TAXES TO THE 2017 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid school taxes, adding a 7% penalty, to be added to the 2017 tax rolls, for the respective towns as of November 1, 2016.

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

RESOLUTION NO. 371-1016

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2016 SOLID WASTE/RECYCLING FEES TO THE 2017 COUNTY/TOWN TAX BILLS

RESOLVED, that pursuant to the request from the County Treasurer, she is hereby authorized to relevy the unpaid 2016 Solid Waste/Recycling fees, to be added to the 2017 tax rolls for the respective towns as of November 1, 2016.

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

RESOLUTION NO. 372-1016

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID 2016-2017 VILLAGE TAXES TO THE 2017 COUNTY/TOWN TAX BILLS

WHEREAS, Local Law No. 4 of 1997 provides for the collection of certain delinquent Village taxes by the County of Orleans in accordance with Section 1442 of the Real Property Tax Law of the State of New York, be it

RESOLVED, that the County Treasurer is authorized to relevy the unpaid 2016-2017 village taxes, adding a 5% penalty, to be added to the 2017 tax rolls for the respective towns as of November 1, 2016.

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

RESOLUTION NO. 373-1016

AUTHORIZING GRANT ACCEPTANCE FROM THE NEW YORK STATE STOP-DWI FOUNDATION, INC. FOR THE ORLEANS COUNTY SHERIFF'S OFFICE

WHEREAS, the NYS STOP-DWI Foundation, Inc., as participant in New York State Governor's Traffic Safety Committee's Highway Safety Program, has informed the Orleans County Sheriff's Office that it has been awarded grant money, in the amount of \$9,113.64, for use in their 2016-2017 Crackdown Enforcement Program; now be it

RESOLVED, that this Legislature accepts this grant award and authorizes the Chairman to execute the appropriate grant award documents with the New York State Governor's Traffic Safety Committee, which will provide reimbursement to the Sheriff's Office and local law enforcement agencies for increased STOP-DWI patrols during peak holiday times of the year, to be conducted during the period October 1, 2016 through September 30, 2017.

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

RESOLUTION NO. 374-1016

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF'S OFFICE'S K-9 FUND AND SETTING UP NEW MONEY IN SHERIFF'S OFFICE BUDGET

WHEREAS, the Orleans County Sheriff's Office wishes to extend its sincere thank you to those who have generously donated to our department's K-9 Unit, may it be

RESOLVED, that this Legislature accepts these donations received from community members and local businesses to assist the Orleans County Sheriff's Office K-9 Unit, and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Sheriff's Office budget, as follows:

<u>Revenue:</u>		
A2705	Gifts & Donations	\$987.34
<u>Appropriation:</u>		
A3110.499	K-9 Unit	\$987.34

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

Note: \$12,405 in total donations has been received to date for the K-9 unit.

RESOLUTION NO. 375-1016

APPROVING EXTENSION OF AGREEMENTS BETWEEN PUBLIC DEFENDER AND NYS OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS Resolutions 65-215 and 434-1214 approved agreements between the Orleans County Public Defender and NYS Office of Indigent Legal Services, State Capitol Rm. 128, Albany, NY 12224 to provide funds to assist the County in improving the quality of indigent legal services initially effective January 1, 2014 through December 31, 2016; now be it

RESOLVED, that this Legislature approves extending an agreement, as approved by Resolution No. 65-215, between the Orleans County Public Defender and NYS Office of Indigent Legal Services to continue to provide funds in the amount of \$211,428 through December 31, 2017; and be it

FURTHER RESOLVED, that this Legislature approves extending an agreement, as approved by Resolution No. 434-1214 between the Orleans County Public Defender and NYS Office of Indigent Legal Services to continue to provide funds in the amount of \$78,219 through June 30, 2017.

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

RESOLUTION NO. 376-1016

AUTHORIZING EXPENDING GRANT FUNDS IN EMERGENCY MANAGEMENT

WHEREAS, Resolution No. 259-713/322-913 and Resolution No. 323-913 authorized the Emergency Management to establish a 3 year subscription of *I Am Responding* with Emergency Services Marketing Corp, Inc. for a County wide emergency text notification; and

WHEREAS, the subscription is currently due for renewal; now be it

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend SHSP FY2016 Grant Funds to continue with *I Am Responding* for the period September 1, 2016 through December 31, 2017, for emergency text notifications for EMO Staff and County Legislators in accordance to DHSES grant guidelines at a cost of \$819.07; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new money in the Emergency Management budget to accept FY 2016 Homeland Security Grant Funds as follows:

<u>Revenue:</u>		
A4309.2016	State Homeland Security Grant Program	\$819.07
 <u>Appropriation:</u>		
3640.486.2016	Special Grants- SHSP FY16	\$819.07

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

RESOLUTION NO. 377-1016

APPROVING ANNUAL INSPECTION FOR THE EMERGENCY MANAGEMENT TOWERS

RESOLVED, that this Legislature approves the Annual Inspection and maintenance of two (2) large guyed towers and one (1) self supporting tower at Emergency Management and two (2) smaller radio towers in Clarendon and Medina to be performed by Nudd Towers, 1743 Route 104, PO BOX 577, Ontario NY 14519 at a total amount of \$11,900 (PO 57896) to be paid from Emergency Management Budget account #3640.418 – Other Contractual Expenses.

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

Legislator Johnson moved to adopt Local Law 2 of 2016 to amend Local Law No. 2 of 1988 and to establish the salaries of the Elected County Coroners as Chief County Coroner Schmidt spoke of earlier. Legislator DeFilipps second the motion. Legislator Johnson shared her appreciation for the respect Coroner Schmidt has shown to our county taxpayers for requesting a lesser dollar per case for phone releases. She also expressed her appreciation of the respect and honor he gives to our dead in Orleans County. The following resolution was adopted:

RESOLUTION NO. 378-1016

ADOPTING LOCAL LAW NO. 2 OF 2016, ENTITLED A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1988 AND ESTABLISHING THE SALARIES OF ELECTED COUNTY CORONERS

WHEREAS, Local Law No. 2-Intro of the year 2016 was introduced at a regular meeting of the Orleans County Legislature held on September 28, 2016 and a Public Hearing was held on October 26, 2016, at which time all interested persons wishing to speak were heard; now be it

RESOLVED, that this Legislature enacts the following Local Law No. 2 of 2016:

A Local Law Amending Local Law No. 2 of 1988 and Establishing the Salaries of Elected County Coroners

Section 1. Pursuant to the provisions of the Municipal Home Rule Law of the State of New York, the salary of each part-time coroner, as of January 1, 2017, shall be \$1,930.00. In addition to the foregoing salary a coroner shall be compensated by the

County at a rate of \$100.00 for each standard case and at a rate of \$50.00 for each phone release case.

Section 2. This local law is adopted subject to referendum on petition pursuant to Section 24, Subdivision 2-h of the Municipal Home Rule Law of the State of New York.

Section 3. This local law shall take effect 45 days after adoption thereof or after approval by the affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval, whichever event first occurs.

Moved, Johnson; second, DeFilipps.

Roll Call: Ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 379-1016

SETTING DATE OF PUBLIC HEARING FOR COUNTY BUDGET FOR THE YEAR 2017

RESOLVED, that the public hearing for the Tentative County Budget for 2017 will be held on Monday, November 28, 2016 at 7:00 p.m. at the Orleans County Courthouse, Albion, New York; and be it

FURTHER RESOLVED, that the notice for said public hearing be published in the officially designated County newspaper.

Moved, Johnson; second, DeFilipps

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 380-1016

SETTING DATE OF SPECIAL MEETING TO ADOPT THE 2017 ORLEANS COUNTY BUDGET AND VARIOUS RESOLUTIONS RELATED TO THE PREPARATION OF THE 2017 TOWN AND COUNTY TAX BILLS

RESOLVED, that this Legislature will call a special meeting on Monday, December 5, 2016 at 9:30 a.m. in the Orleans County Legislative Chambers to adopt the 2017 Orleans County Budget and have various other resolutions presented for adoption that pertain to the preparation of the 2017 Town and County tax levy.

Moved, DeFilipps; second, Johnson.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 381-1016

AUTHORIZING PAYMENT OF CLAIMS FOR NOVEMBER 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 November 9, 2016:

Fund/Department	Check Number (s):	Amount:
General	5959-6197	\$327,452.65
Highway	855-867; 1998-2024	\$154,797.68
Job Development	2233-2244	\$2,410.714
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 November 23, 2016:

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

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

Chairman Callard asked for open discussion. Legislator Johnson stated she did not provide the date of Monday, November 28th when she presented the resolution to set the date for the Public Hearing on the 2017 Budget presentation. The hearing will begin at 7 p.m. at the Orleans County Courthouse.

Paul Lauricella, Yates, indicated that Genesee County has come out twice already with details of their budget but the public has not heard from Orleans County. Budget Officer Nesbitt indicated that the law requires filing of the tentative budget by November 15th. He further stated that it is Genesee County's preference if they want to file early. Mr. Lauricella felt that the public should know what to expect is coming for the taxpayer in Orleans County.

Legislator Eick moved to enter into executive session at 5:02 p.m. per Open Meetings Law §105 (d,e,f) to discuss litigation matters, union negotiations, and a personnel item; second by Legislator Johnson. Motion Carried.

The Legislative Board wished Legislator Miller a very Happy Birthday today.

Legislator DeFilipps moved to exit out of executive session and reconvene the regular meeting at 5:58 p.m.; second by Legislator Allport. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:59 p.m.