

SPECIAL LEGISLATURE MEETING

January 6, 2017

Chairman Callard called the meeting to order at 10:02 a.m. After the pledge to the flag, the Clerk called the roll. All Legislators were present with the exception of Legislators Allport and Johnson.

The following resolutions were presented for adoption:

RESOLUTION NO. 1-117

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$7,620.61	Crane-Hogan Structural Systems	Work Performed - Carton Road Bridge Repl. 9/14/16-10/13/16 – Pymnt 5-Final
\$14,681.60	Labella Associates, PC	Prof. Services for Carton Road Bridge Repl; Inv #75201 – 9/24/16-12/9/16
\$62,155.48	Labella Associates, PC	Prof. Services for East Scott Road Bridge Repl; Inv #75206 – 9/24/16-12/9/16

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 2-117

AUTHORIZING EMERGENCY REPAIR TO THE 2012 PETERBILT DUMP TRUCK AT THE HIGHWAY DEPARTMENT

RESOLVED, that this Legislature authorizes the emergency repair to the 2012 Peterbilt Dump Truck (Truck #12) at the Highway Department (PO# 57313) payment in the amount of \$13,097.05 to Penn Power Group, 350 Bailey Ave, Buffalo, NY 14210 from Highway/Road Machinery Fund DM5130.414 – Machine Maintenance Tires and Batteries.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 3-117

APPOINTING COMMISSIONER OF ELECTIONS

WHEREAS, a recommendation has been received from the Orleans County Democratic Committee recommending that Janice Grabowski be appointed as Commissioner of the Board of Elections; and

WHEREAS, a recommendation has been received from the Orleans County Republican Committee recommending that Kathleen Case be appointed as Commissioner of the Board of Elections; and

WHEREAS, Ms. Case is receiving a health insurance retirement benefit as a retired county employee; therefore be it

RESOLVED, that this Legislature affirms the appointment of Janice Grabowski as Democratic Commissioner of Elections and appoints Kathleen Case as Republican Commissioner of Elections effective January 2017 through December 31, 2018; and be it

FURTHER RESOLVED, that this Legislature authorizes the suspension of the health insurance retirement benefit for Kathleen Case during her time of service as the Commissioner of Elections; and be it

FURTHER RESOLVED, that this Legislature authorizes the resumption of the health insurance retirement benefit for Kathleen Case once her service as the Commissioner of Elections concludes.

Moved, Eick; second, Miller.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 4-117

AUTHORIZING ABOLISHING, CREATING AND FILLING A POSITION IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Clerk (4010.41) in the Public Health Department at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a part-time Clerk in the Public Health Department at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant part-time Clerk, effective January 9, 2017.

Moved, DeRoller; second, DeFilipps.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 5-117

AUTHORIZING PAYMENT FOR REAL PROPERTY SERVICES ANNUAL LICENSING FEE

RESOLVED, that this Legislature authorizes payment to the Office of Real Property Tax Services NYS Department of Taxation and Finance, W.A. Harriman State Campus, Albany, NY 1227 in the amount of \$10,200 (PO 57966) to be paid from budget account A1970.432 for the Annual Real Property System Licensing Fee (RPS) which will be charged back to the Towns in 2017.

Moved, DeFilipps; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

RESOLUTION NO. 6-117

AUTHORIZING THE TREASURER TO APPROVE REAL PROPERTY TAX REFUNDS

WHEREAS, the New York State Real Property Tax Law, Section 554 and 556, provide an administrative correction of error process to assist the property owner in obtaining real property tax refunds and corrections caused by certain clerical errors, unlawful entries and errors in essential fact; and

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

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

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 554 and 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a correction or a refund and said correction/refund is two-thousand five hundred dollars or less; and be it

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

Moved, DeFilipps; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

Legislator DeFilipps moved to authorize purchase of a linear amplifier for the radio system; second, by Legislator DeRoller. EMO Director Banker explained, upon Legislator DeRoller's request, that we needed to replace a piece that has become defective but needed to make sure enough money was available at year end. Director Banker explained that the defective piece will be sent out for reconditioning and will then provide a backup for us. Kevin Doherty explained it is a power amplifier, which we have twenty one of them in the system. Due to us only using 12% of what we have, this did not impact the end users at all. Rather than buy spares, we would rather address them as they needed repair to keep up on the current software needs and not have outdated spares. The following resolution was adopted:

RESOLUTION NO. 7-117

AUTHORIZING PURCHASE FROM EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes purchase of a HPA MDI Linear Amplifier through NYS OGS State Contract #67050 - Group #77200, purchased from Harris PSPC, 1280 University Ave, Rochester, NY 14618 in the amount of \$8,551.69 (PO #58268) to be paid out of the Emergency Management budget account A3640.418 – Other Contractual expenses.

Moved, DeFilipps; second, DeRoller.

Adopted. 5 ayes; 0 nays; 2 absent: Allport, Johnson.

The Legislature applauded and welcomed Kathy Case as our newly appointed Election Commissioner.

Chairman Callard highlighted the new windows that were installed in the Chambers. Shades will arrive soon.

Legislator Eick moved to adjourn; second by Legislator Miller. Meeting adjourned at 10:11 a.m.