

## LEGISLATURE MEETING

June 28, 2017

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

The Clerk presented the following communications: Jack Welch, Director of Personnel and Self Insurance has provided notice that the New York State Civil Service Commission took action on one resolution amending the appendices of the Orleans County Civil Service Rules to include adding the job title of Health Assistant to Appendix B – Non-Competitive Class – School Service – In all Districts where found.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through May 2017 and the Treasurer reported that the report speaks for itself and we stand well with cash on hand.

Legislator Eick reported on the ground breaking for the New Bus garage for the RGRTA here in Orleans County. Everyone is excited about it and construction begins on a 13,000 square feet facility on July 10<sup>th</sup>. Chairman Callard added that it is a \$4 million dollar construction project that consists of eight bays for six buses and three bays for maintenance, washing and drying. Chairman Callard stated that services will be enhanced by adding additional bus routes from north to south seeing we have been going east to west. Routes will also be added to Batavia and Brockport, which will then help with connections to further locations. These services will be critical in providing transportation to make our county grow. CAO Nesbitt stated that Orleans County services their vehicles and we will also be servicing our vehicles in this facility which will help each other in sharing tools and equipment. It will also make it more efficient by moving our mechanics into one facility.

Chairman Callard announced that Legislators DeFilipps and Johnson were in Washington to request federal funds to help with our lakefront devastation. Legislator Johnson stated it is always better to travel with other counties and sit at the same table and meet with people that represent us. They sat with Congressmen Collins and Katko representing the devastation our lake front property owners is facing. Also, Dale Banker, our EMO Director was on the phone giving up to date information. Legislator Johnson stated that a ballpark figure of \$11 million is what our lake owners have lost. Governor Cuomo, by letter, must request that a major disaster declaration be declared by the President of the United States. Both FEMA and Army Corp of Engineers are all ready to step in but must await the request by our Governor. The Lakeshore Counties will be signing a letter and forwarding to the Governor to ask for this disaster declaration. Chairman Callard advised that both the Senate and Assembly passed bills to offer \$90 million for assistance which has also been held up by the Governor because of nuances in the bills and is in argumentation with the Federal government. Chairman Callard felt due to political reasons, help is being held up. We need to be equal partners and fight for our rural county needs.

Legislator DeFilipps stated that in applications for funding, money is set aside for larger municipalities and then for rural, smaller communities, which we would have available to us. He said that there are important time lines, for FEMA that the Governor needs to adhere to so that the qualification for this major disaster declaration moves forward.

Legislator Eick stated that our Emergency Management Office should be thanked greatly for all of the work they have put into this disaster. EMO Director added it has been a long sixty days. Chairman Callard said he has not heard of any criticisms and they have done a wonderful job working through this unknown territory.

Legislator DeRoller reported on the Annual Dinner of the GLOW Workforce Development. He reported on hiring a new executive director and the long projected process in restructuring. He said they are staying together in the process of restructuring and making sure they bring the right skill sets to the table to help deliver

retraining and the ability to filing jobs in our region. Chairman Callard stated that we need to offer the education opportunities to meet our specific needs in our job offerings in our County.

Legislator DeRoller also announced that the Orleans County 4-H Fair will be held July 24<sup>th</sup> through the 29<sup>th</sup> and encouraged all to attend.

Chairman Callard called for open discussion as it related to the resolutions. Allen Lofthouse, Kendall, inquired as to where the bridge is located on Monroe Orleans Countyline Road as referenced in Resolution No. 208. Highway Superintendent Gray indicated it is the bridge just north of the golf course in the Town of Murray.

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

**RESOLUTION NO. 205-617**

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

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>
\$186,148.79	Keeler Construction	Construction Platten Road Culverts – Pymnt 3 – 5/13/17-6/18/2017

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

**RESOLUTION NO. 206-617**

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS OF A FEDERAL-AID AND/OR STATE-AID TRANSPORTATION PROJECT, AND APPROPRIATING FUNDS**

WHEREAS, Sponsor will design, let and construct the “BRIDGE NY PROJECT”; and

WHEREAS, a Project for the Replacement of Portage Road Bridge over Fish Creek in the Town of Ridgeway, PIN # 4BNY.10 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Legislature of Orleans County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Replacement of Portage Road Bridge over Fish Creek; and be it

RESOLVED, that the Orleans County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Orleans County Legislature hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of the Replacement of Portage Road Bridge or portions thereof; and it is further

RESOLVED, that the Orleans County Legislature hereby agrees that the County of Orleans shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans; and it is further

RESOLVED, that the sum of \$165,000.00 is hereby appropriated from Orleans County and made available to cover the cost of Preliminary “Engineering” and “ROW Incidentals” in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification from the New York State Department of Transportation thereof, and it is further

RESOLVED, that Orleans County Legislature hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and it is further

RESOLVED, that the Chairman of the Legislature of the County of Orleans be and is hereby authorized to execute all necessary Agreements, Certification or reimbursement requests for Federal Aid and/or State-aid on behalf of the County of Orleans with the NYS Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commission of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 207-617**

#### **AWARDING AND APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Professional Services for Preliminary Engineering and ROW Incidentals for the Replacement of Portage Road Bridge over Fish Creek in the Town of Ridgeway. Bin #3318910, Contract #D035537, Pin 4BNY.101; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$169,400 and is 95% reimbursable through the “Bridge NY” Funding; county cost \$8,470 to be paid out of the Bridge Capital Projects account D5120.470.2279; and be it

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

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 208-617**

**AUTHORIZING AND APPROVING AN AGREEMENT WITH ORLEANS COUNTY AND THE NYS DEPARTMENT OF TRANSPORTATION FOR A BRIDGE NY LOCALLY ADMINISTERED PROJECT**

Authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State-aid eligible costs, of a federal-aid and/or state-aid transportation project, and appropriating funds therefore.

Whereas, Sponsor will design, let and construct the “project”.

WHEREAS, a Project for the Monroe-Orleans County Line Road Bridge over East Branch of Sandy Creek P.I.N. 4BNY.11(the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Monroe-Orleans County Line Road Bridge over East Branch of Sandy Creek.

NOW, THEREFORE, the Legislative Board, duly convened does hereby

RESOLVE, that the Orleans County Legislative Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of Monroe-Orleans County Line Road Bridge over East Branch of Sandy Creek work for the Project or portions thereof; and it is further

RESOLVED, that the Orleans County Legislative BOARD hereby agrees that the County of Orleans shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans.

RESOLVED, that the sum of \$165,000.00 is hereby appropriated from Orleans County [or, appropriated pursuant to Orleans County] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof, and it is further

RESOLVED, that Orleans County hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

RESOLVED, that the Chairman of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State-Aid on behalf of the County of Orleans with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 209-617**

#### **AWARDING AND APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND LABELLA ASSOCIATES**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Labella Associates DPC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Professional Services for Preliminary Engineering and ROW Incidentals for the Replacement of Monroe-Orleans County Line Bridge over East Branch of Sandy Creek in the Town of Murray. Bin #3319420, Contract #D035538, Pin 4BNY.11; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$174,100 and is 95% reimbursable through the "Bridge NY" Funding; county cost \$8,705.00 to be paid out of the Bridge Capital Projects account D5120.470.2279; and be it

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

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 210-617**

#### **RESCINDING RESOLUTION NO. 170-517 REGARDING BRIDGE NY PROGRAM FOR REPLACEMENT OF SOUTH HOLLEY ROAD CULVERT**

RESOLVED, that this Legislature rescinds Resolution No. 170-517 adopted on May 25, 2017 due to the wording was not acceptable by the State and will be replaced by Resolution No. 211-617.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

### **RESOLUTION NO. 211-617**

#### **AUTHORIZING AND APPROVING AN AGREEMENT WITH ORLEANS COUNTY AND THE NYS DEPARTMENT OF TRANSPORTATION FOR A BRIDGE NY LOCALLY ADMINISTERED PROJECT**

Authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State-aid eligible costs, of a federal-aid and/or state-aid transportation project, and appropriating funds therefore.

Whereas, Sponsor will design, let and construct the "project".

WHEREAS, a Project for the South Holley Road Culvert over Unknown Branch of Sandy Creek P.I.N.

4BNY17 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of South Holley Road Culvert over Unknown Branch of Sandy Creek.

NOW, THEREFORE, the Legislative Board, duly convened does hereby

RESOLVE, that the Orleans County Legislative Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of South Holley Road Culvert over Unknown Branch of Sandy Creek work for the Project or portions thereof; and it is further

RESOLVED, that the Orleans County Legislative BOARD hereby agrees that the County of Orleans shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the County of Orleans.

RESOLVED, that the sum of \$630,000.00 is hereby appropriated from Orleans County [or, appropriated pursuant to Orleans County] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof, and it is further

RESOLVED, that Orleans County hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

RESOLVED, that the Chairman of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State-Aid on behalf of the County of Orleans with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 212-617**

**APPROVING AGREEMENT WITH THE HIGHWAY DEPARTMENT AND ERDMAN ANTHONY**

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Erdman Anthony, 145 Culver Road, Suite 200, Rochester, New York 14620 to perform Professional Services for the design and construction phase of the South Holley Road Culvert over Unknown Branch of Sandy Creek in the Town of Ridgeway.

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$209,610.00 and is 100% reimbursable through the state through Bridge NY Funding; county cost \$0.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 213-617**

**AWARDING AND APPROVING AGREEMENT WITH KEELER CONSTRUCTION FOR CULVERT ROAD BRIDGE OVER FISH CREEK**

WHEREAS, after the bid opening held on May 16, 2017, the Legislature accepts and awards the lowest bidder and approves an agreement with Keeler Construction, 13519 West Lee Road, Albion, New York 14411, for the Replacement of Culvert Road Bridge over Fish Creek in the Town of Ridgeway, Bin #3318900 at a bid cost of \$466,030.70 to be paid out of the Capital Infrastructure Project account #H5120.250; and be it

FURTHER RESOLVED, that this Legislature authorizes to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the Chairman of the Legislature, County Attorney and Chief Administrative Officer approval.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 214-617**

**AWARDING AND APPROVING AGREEMENT WITH KEELER CONSTRUCTION FOR MARSHALL ROAD BRIDGE OVER JOHNSON CREEK**

WHEREAS, after the bid opening held on May 16, 2017, the Legislature accepts and awards the lowest bidder and approves an agreement with Keeler Construction, 13519 West Lee Road, Albion, New York 14411, for the Replacement of Marshall Road Bridge over Johnson Creek in the Town of Yates, Bin #3318840 at a bid cost of \$947,335.60 to be paid out of the Capital Infrastructure Project account #H5120.250; and be it

FURTHER RESOLVED, that this Legislature authorizes to execute said agreement which will be effective as soon as County gives notice to proceed and is subject to review and approval of the Chairman of the Legislature, County Attorney and Chief Administrative Officer approval.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 215-617**

**AUTHORIZING JOINT SERVICE AGREEMENT AND GROUND LEASE WITH ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY ON BEHALF OF ITS OPERATING SUBSIDIARY, ORLEANS TRANSIT SERVICE, INC., D/B/A RTS ORLEANS**

WHEREAS, the County of Orleans (hereinafter the “County”) and the Rochester-Genesee Regional Transportation Authority, a New York Public benefit corporation, on behalf of its operating subsidiary, Orleans Transit Service, Inc., d/b/a RTS Orleans, (collectively the “Authority”) continue to share the mutual goal of providing Orleans County residents with dependable and efficient public transportation; and

WHEREAS, the Authority, through its operating subsidiary, RTS Orleans, provides public transportation services within Orleans County; and

WHEREAS, the Authority is authorized by Section 1299-hh (1) of the New York Public Authorities Law (the “Public Authorities Law”) to enter into joint services agreements as defined in Section 1299-bb of the Public Authorities Law; and

WHEREAS, the Authority maintains the same service requirements as outlined, amended and ratified in a previous Joint Service Agreement between the County and the Authority dated June 9, 2003, as amended, and the Parties intend that their obligations regarding the operations of RTS Orleans shall remain the same except as specified in a new Joint Service Agreement and Ground Lease; and

WHEREAS, the County owns real property at 225 West Academy Street, Albion, New York (the “County Property”) and the Authority desires to lease a portion (the “Leased Portion”) of the County Property for the purpose of designing, constructing and using an operational facility for RTS Orleans (“the RTS Operational Facility”); and

WHEREAS, the Authority and the County both are desirous of entering into a new Joint Service Agreement and a Ground Lease regarding the Authority’s operations in Orleans County, including the design, construction and use of the RTS Operational Facility; and

WHEREAS, the Authority and the County intend that the new Joint Service Agreement and the Ground Lease shall supersede all previous agreements between the parties regarding the Authority’s operation at 225 West Academy Street; now therefore be it

RESOLVED that a new Joint Service Agreement and a Ground Lease with the Rochester-Genesee Regional Transportation Authority be and the same hereby are approved and execution of same is authorized.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 216-617**

#### **AUTHORIZING REIMBURSEMENT TO HIGHWAY EMPLOYEES FOR CELL PHONE USAGE**

RESOLVED, that this Legislature authorizes payment from the Highway Department’s budget, respectively, to the Highway Superintendent, Deputy Highway Superintendent, and (2) two Lead Motor Equipment Operators as a partial reimbursement for cell phone charges, incurred in conducting daily business and for being accessible for emergency situations on a 24-hour basis, in the amount of \$50.00 per month effective July 1, 2017.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 217-617**



**AUTHORIZING EXECUTION OF OUTSIDE USER ARRANGEMENT WITH THE TOWN OF ALBION SEWER DISTRICT NO. 1**

WHEREAS, the County of Orleans is the owner of a sewer lateral which serves the Veterans Service Agency and Mental Health, and

WHEREAS, the County of Orleans is now desirous of connecting its sewer lateral to the sanitary sewer line on NYS Route 31W owned and maintained by the Town of Albion Sewer District No. 1, now therefore be it

RESOLVED that the Terms and Conditions of the Outside User Arrangement with the Town of Albion Sewer District No. 1 are hereby approved and execution of an outside user agreement is hereby authorized.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to pay Sergi Construction for emergency sewer repairs; second by Legislator Miller. CAO Nesbitt stated as a point of order that these will be broken up to two sections. One section services the Public Safety Building and another section that services our Campus and the Nursing Home. We share both of these: we hold an agreement with the Stacey's who will pay 50% of the development of this and the other one is held through our reciprocal easement agreement with our Nursing Home based on a square footage basis which then apportions it as 35% ours and 65% the Nursing Home. The bill will be paid by us and the Treasurer will anticipate revenue as described above. The following resolution was adopted:

**RESOLUTION NO. 218-617**

**AUTHORIZING PAYMENT FOR EMERGENCY SEWER REPAIRS AT PUBLIC SAFETY AND COUNTY OFFICE BUILDINGS**

RESOLVED, that this Legislature approves an emergency payment to Sergi Construction, Inc, 775 Jewett Holmwood Road, East Aurora, NY 14052 for emergency sewer repairs for the Public Safety Building and County Office Building at a cost of \$42,841.50 to be paid from Buildings and Grounds Account 1620.403.

Moved, Eick; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 219-617**

**AMENDING RESOLUTION NO. 203-517 REGARDING OUT OF STATE TRAVEL FOR JOB DEVELOPMENT EMPLOYEE**

RESOLVED, that this Legislature does hereby amend Resolution No. 203-517 to add additional travel dates for out of state travel for Kelly Kiebala, to attend the Association of Leadership Programs National Conference in Phoenix, Arizona from June 21, 2017 to June 26, 2017 to be paid from account Job Development Account 6293.418- Special Grant Fund.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 220-617**

**MODIFYING RESOLUTION NO. 177-517 TO AUTHORIZE CREATING AND FILLING POSITIONS IN OFFICE FOR THE AGING**

WHEREAS, RESOLUTION No 177-517 approved creating and filling and part time Housekeeper Aide due to a retirement effective June 27, 2017; now be it

RESOLVED, to help continue services to older adults without interruption, it is requested that a temporary Housekeeper Aide position be created until such time the part-time position is filled; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a Temporary Part- time Housekeeper Aide at grade 2 of the CSEA Salary Schedule, effective June 29, 2017.

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Miller moved to approve the Fee Schedule for the Office for the Aging; second by Legislator Eick. Legislator DeRoller invited Melissa Blonar, Director of the Office for the Aging to explain the fee schedule. Mrs. Blonar explained that they offer Personal Emergency Response System Units. She expressed that technology has changed and many do not have home phones anymore so there are units that connect to cellular towers in our area. There are a lot more options offered at this time. They have basic units that go to the land line phone, a fall detection button that will call in should a person not be able to. There are so many features that can build off the basic machine. There is also a mediation reminder and also a tracker should someone fall family can locate the person. Mrs. Blonar stated that we have about 250 people using this service now. The following resolution was adopted:

### RESOLUTION NO. 221-617

#### APPROVING FEE SCHEDULE FOR THE ORLEANS COUNTY OFFICE FOR THE AGING

RESOLVED, that this Legislature approves the following fee schedule for Personal Emergency Response System Units(PERS) provided by the Office for the Aging, effective May 1, 2017:

<b>Product</b>	<b>Description</b>	<b>Cost</b>
HomeSafe	Basic Machine-Connected to Landline Phone	\$30/month, \$20 install \$5/month additional button \$110-replacement button
HomeSafe w/ AutoAlert Button	Basic Machine-Connected to Landline Phone with a fall detection button	\$40/month, \$20/install \$10/month additional button \$120-replacement button
Homesafe Wireless	Homesafe Machine-No landline needed Connected to Cell Tower	\$35/month, \$25 install \$110-replacement button
Homesafe Wireless w/ Auto Alert Button	Homesafe Machine-No landline needed Connected to Cell Tower, with a fall detection button	\$45/month, \$25 install \$10/month additional button \$120-replacement button

Homesafe Wireless w/ Go Safe Button	Homesafe Machine-No landline needed Connected to Cell Tower, with a GoSafe button	\$45/month, \$25 install \$15/month additional button \$149-replacement button
Medminder	Medication dispenser-connected to cellular connectivity No PRN dosing, No landline phone, More mobile lifestyle	\$50/month, \$30 install \$275-lost, stolen, or damaged
PMD	Medication dispenser-landline phone, Up to 20 pills, 6x a day PRN dosing	\$50/month, \$30 install \$600-lost, stolen, or damaged

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

**RESOLUTION NO. 222-617**

**APPROVING AGREEMENTS WITH 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 the following agencies:

Orleans County Job Development Agency, Albion, NY for funding of summer employment for TANF eligible youth, ages 16-21; to be effective June 1, 2017 through September 30, 2017 at a cost of \$73,785. County cost \$0.

Orleans County Office for the Aging, Albion, NY for the provision of outreach activities for Low Income Home Energy Assistance Program (HEAP) recipients; to be effective August 28, 2017 through August 27, 2018 at a cost of \$17,500. County cost is \$0.

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

**RESOLUTION NO. 223-617**

**APPROVING ADDENDA TO AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES**

WHEREAS, this Legislature previously approved renewal agreements between the Orleans County Department of Social Services and the agencies hereinafter set forth for the provision of residential foster care services at per diem rates established by the State, maximum cost not to exceed \$165,000, with the County cost to be at a percentage determined by both the program category and the financial eligibility of each child so placed, and

WHEREAS, it now appears that the cost of such residential foster care services at all or nearby all of the agencies will exceed the maximum threshold amount, and

WHEREAS, it is necessary for the County Department of Social Services to enter into an addendum for each renewal agreement, such addendum to provide for a maximum threshold cost of \$500,000, now therefore be it

RESOLVED that this Legislature hereby authorizes and approves addenda to the renewal agreements with the following named agencies each containing an upward modification in the threshold amount of \$500,000:

Baker Victory Services, 780 Ridge Road Lackawanna, NY 14218

Berkshire Farm Center, 13640 State Route 22, Canaan, NY 12029

Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, NY 13901

Elmcrest, 960 Salt Springs Road, Syracuse, NY 13224

Gateway-Longview, 10 Symphony Circle, Buffalo, NY 14201

Gustavus Adolphus G&GS, 200 Gustavus Avenue, Jamestown, NY 14701

Hillside Children's Center, 1183 Monroe Avenue, Rochester, NY 14620

Kidspace National Centers of North America, 4085 Independence Drive, Schnecksville, PA 18078

New Directions Youth and Family Services, 356 Main Street, Randolph, NY 14772

Snell Farm Children's Center, 7320 Snell Hill Road, Bath, NY 14810

Villa of Hope Youth and Family Services, 3300 Dewey Avenue, Rochester, NY 14616-3795

The William George Agency, 380 Freeville Road, Freeville, NY 13068

Moved, Miller; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

#### **RESOLUTION NO. 224-617**

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

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

RESOLVED, that this Legislature does hereby authorize filling a full time Caseworker position (6010.0226) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective July 3, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Sr. Keyboard Specialist position (6010.0205) upon the position being vacated; and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Youth Care Worker position (6010.0231) effective immediately; and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a full-time Account Clerk Typist (6010.1602) position effective June 30, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Account Clerk position at Grade 9 of the CSEA Salary Schedule effective June 30, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a part-time Youth Care Worker position at Grade 8 of the CSEA Salary Schedule effective June 29, 2017; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Social Services Program Assistant position at Grade 13 of the CSEA Salary Schedule effective July 2, 2017.

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

**RESOLUTION NO. 225-617**

AMENDING RESOLUTION NO. 388-1116 BETWEEN MENTAL HEALTH AND DOCUTRAC, INC.

WHEREAS, Resolution No. 388-1116 approved an Agreement between Mental Health and DocuTrac, Inc. providing software support maintenance and support for the QuicDoc Enterprise Edition, which is computer software utilized for the client electronic health record at a cost of \$53,717; and

WHEREAS, DocuTrac, Inc. has lowered its pricing for the QuicDoc Enterprise Edition by \$7,064; be it

RESOLVED, that this Legislature authorizes the decrease of \$7,064 to this agreement, now totaling \$46,653. County cost is lowered to \$3,266.

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

**RESOLUTION NO. 226-617**

AUTHORIZING SETTING UP NEW MONIES IN THE MENTAL HEALTH DEPARTMENT BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget for the purchase of vehicles as follows:

<u>Revenue:</u>		
A1625	Misc. Revenue	\$82,293
<u>Appropriation:</u>		
A4310.270	Capital Equipment	\$82,293

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

**RESOLUTION NO. 227-617**

AUTHORIZING FILLING VACANCY IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the filling of a vacant Public Health Sanitarian (4010.04) in the Public Health Department at Grade 18, of the CSEA Salary Schedule effective June 29, 2017.

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

Legislator DeRoller moved to set date of Public Heraing for additions to our Agricultural District; second by Legisaltor Allport. Legislator DeRoller explained that this is the time to add your land into the district when we do this annual review. To take land out of the district is only during an eight year review. The following resolution was adopted:

**RESOLUTION NO. 228-617**

SETTING DATE FOR PUBLIC HEARING FOR ADDITIONS TO CERTIFIED COUNTY AGRICULTURAL DISTRICT

RESOLVED, that a public hearing will be held by this Legislature to consider requests for inclusion of additional agricultural lands in certified County Agricultural District on the 26<sup>th</sup> day of July at 4:20 PM at the Legislative Chambers, 3 South Main Street, Albion, New York; and be it

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

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

**RESOLUTION NO. 229-617**

APPROVING AGREEMENT WITH LYNNE MENZ DESIGNS FOR DESIGN SERVICES FOR THE I LOVE NY MATCHING FUNDS PROGRAM & SOFTWARE REIMBURSEMENT

RESOLVED, that this Legislature hereby approves an Independent Agreement with Lynne Menz Designs DBA/OCI Partners LLC of Kent, NY to provide design services and software reimbursements to Orleans County in 2017 at a cost not to exceed \$11,000; said agreement to be in effect from January 1, 2017 to December 31, 2017. This agreement includes costs associated with advertising design, publication design, social media, photography and video production to be paid on a project basis from Tourism Account A6410.468 as well as reimbursement for an Adobe Creative Cloud software license to be paid monthly from Tourism Account A6410.418.

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

**RESOLUTION NO. 230-617**

AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE TOURISM BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the Tourism Budget for additional funds received above budget from I Love NY award (budgeted \$49,000/received \$54,050) – increase I Love NY expense to correspond to award as follows:

<u>Revenue:</u>		
A3715	I Love NY	\$5,050
<u>Appropriation:</u>		
A6410.468	I Love NY Expense	\$5,050

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

**RESOLUTION NO. 231-617**

AUTHORIZING GRANT APPLICATION BY THE ORLEANS COUNTY ECONOMIC DEVELOPMENT AGENCY AND NYS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COMMUNITY PLANNING PROGRAM

RESOLVED, that this Legislature authorizes the Orleans County Economic Development Agency to apply for the NYS Community Development Block Grant (CDBG) Community Planning Program in the amount of \$50,000 to fund the preparation of a plan to expand Medina Business Park; and be it

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

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

**RESOLUTION NO. 232-617**

**AUTHORIZING CREATING AND FILLING POSITION IN THE COUNTY CLERK'S OFFICE**

WHEREAS, upon the retirement of the Orleans County Judge at the end of July, the pistol permit office will no longer be a function of the County of Orleans Chambers of the County Judge as per the Office of Court Administration; and

WHEREAS, this function has been maintained by the County Court Judge for over 30 years even though it is a County Clerk function; now be it

RESOLVED, that this Legislature does hereby authorize the creation of a full-time Pistol Permit Clerk position in the County Clerk's Office at Grade 9 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant full-time Pistol Permit Clerk position, effective June 28, 2017.

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

**RESOLUTION NO. 233-617**

**AUTHORIZING CREATING, FILLING, AND ABOLISHING A TEMPORARY PART-TIME POSITION IN THE REAL PROPERTY TAX SERVICE AGENCY**

WHEREAS, there is a part time Clerk out on medical leave; now be it

RESOLVED, that this Legislature authorizes the creation of one part-time temporary Clerk in the Real Property Tax Service Agency at Grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position in the Real Property Tax Service Agency effective June 30, 2017; and be it

FURTHER RESOLVED, that this temporary position will be abolished upon the return to employment of the part time Clerk from medical leave.

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

**RESOLUTION NO. 234-617**

AUTHORIZING CONVEYANCE OF 11610 SANDERSON ROAD, TAX MAP NO. 91.-1-7.2 TO COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY AND/OR ORLEANS LAND HOLDINGS, LLC.

WHEREAS, the real property commonly known as 11610 Sanderson Road in the Town of Shelby, tax map parcel no. 91.-1-7.2 was subject to the Foreclosure of Tax Liens by Proceeding In Rem pursuant to Article Eleven of the Real Property Tax Law by the County of Orleans, Index No. 16-43558; and

WHEREAS, County Resolution No. 393-1113 provides that foreclosed parcels may be conveyed by the County to a municipality, EDA, or not-for-profit organization; now therefore be it

RESOLVED, that this Legislature hereby authorizes transfer of all of the County's right, title and interest in and to said parcel known as 11610 Sanderson Road, Tax Map No. 91.-1-7.2, in the Town of Shelby to the County of Orleans Industrial Development Agency and/or Orleans Land Holdings, LLC; and be it further

RESOLVED, that the Orleans County Treasurer is authorized to execute a deed and other related documents in order to convey all of the County's right, title and interest.

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

**RESOLUTION NO. 235-617**

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT

RESOLVED, that this Legislature approves the Orleans County Probation Director to accept aid in the amount of \$16,000 effective January 1, 2017 to December 31, 2017 to offset cost of providing Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant.

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

**RESOLUTION NO. 236-617**

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY SHERIFF'S OFFICE/JAIL AND WYOMING COUNTY SHERIFF/JAIL

RESOLVED, that this Legislature approves a cooperative agreement between the Orleans County Sheriff's Office/Jail and Wyoming County Sheriff/Jail, Warsaw, NY, for the housing of Orleans County inmates in the Wyoming County Jail at a cost of \$90 per inmate per day, effective the date of execution by such parties through December 31, 2017, and agreement is subject to annual renewal with consent of parties.

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

**RESOLUTION NO. 237-617**



**AUTHORIZATION TO CONTINUE PARTICIPATION AND ACCEPT GRANT FROM NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES WITH ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT AND ORLEANS COUNTY SHERIFF'S OFFICE**

WHEREAS, new funding opportunities have become available in the amount of \$104,970 to continue participation in the State Homeland Security Program grant cycle (SHSP/SLETPP) for FY2017; now be it

RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SH17-\_\_\_\_\_, Contract #\_\_\_\_\_, in the amount of \$78,727 for the Emergency Management Office to use for regional preparedness efforts to address homeland security needs in the County based on the County Emergency Preparedness Assessment (CEPA) as allowed under FY2017 SHSP allocation, effective September 1, 2017 through August 31, 2020; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant LE17-\_\_\_\_\_, Contract #\_\_\_\_\_, in the amount of \$26,243 for the Sheriff's Office to use towards law enforcement terrorism prevention activities under FY17 SLETPP allocation, effective September 1, 2017 through August 31, 2020.

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

**RESOLUTION NO. 238-617**

**AUTHORIZATION FOR THE SHERIFF'S OFFICE TO CONTINUE PARTICIPATION WITH AND SUBMIT APPLICATION FOR FUNDING THROUGH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES**

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

RESOLVED, that the Orleans County Sheriff's Office is authorized to participate in and apply for the grant between the NYS Division of Homeland Security and Emergency Services and the Orleans County Sheriff's Office for Operation Stonegarden FY2017.

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

**RESOLUTION NO. 239-617**

**AUTHORIZATION FOR THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE UNITED STATES DEPARTMENT OF JUSTICE**

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for grant funding with the United States Department of Justice's grant agency for Community Oriented Policing Services (COPS) Hiring Program Application 2017, providing funding to law enforcement agencies to hire and/or rehire entry level career law enforcement officers in an effort to increase community policing, including School Resource Officers.

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

**RESOLUTION NO. 240-617**

**AUTHORIZING THE FILLING OF VACANCIES IN THE SHERIFF'S OFFICE**

RESOLVED, as a result of a retirement, this Legislature does hereby authorize the filling of a vacant full-time Deputy Sheriff-Road Patrol position (3110.67) at Grade 1 of the OCDSA Salary Schedule effective July 11, 2017; and be it

FURTHER RESOLVED, as a result of a retirement, this Legislature does hereby authorize the filling of a vacant Court Attendant position (3110.52) at a daily rate of \$71.08, effective June 29, 2017.

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

**RESOLUTION NO. 241-617**

**AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF'S OFFICE'S K-9 FUND AND SETTING UP NEW MONEY AND DEFERRED REVENUE 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	\$225.00
	Deferred Revenue	\$2,802.66
 <u>Appropriation:</u>		
A3110.499	K-9 Unit	\$3,027.66

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

**RESOLUTION NO. 242-617**

**APPROVING AGREEMENT BETWEEN EMERGENCY MANAGEMENT AND NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES**

WHEREAS, Resolution No. 410-1116 authorized the Emergency Management to apply for the 2016 State Interoperable Communication Grant (SICG) in the amount of \$448,993.00; be it

RESOLVED, that this Legislature approves the grant acceptance agreement between the Emergency Management and New York State Division of Homeland Security and Emergency Services (DHSES) for a contract period of January 1, 2017 to December 31, 2018.

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

Legislator Johnson moved to approve an agreement with Harris Corporation for a five year service agreement and setting up the funds to pay for this year's portion of the agreement; second by Legislator DeFilipps. Legislator DeRoller questioned the funding for this five year agreement and Legislator Johnson responded that it will be paid out of the 2016 State Interoperable Communications Grant. The following resolution was adopted:

**RESOLUTION NO. 243-617**

**APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND HARRIS CORPORATION PSCP AND SETTING UP NEW MONIES**

WHEREAS, the current radio system warrantee has ended and the Legislature wants to ensure continued safety and security of the public; and

WHEREAS, the 2016 State Interoperable Communication Grant (SI16-1015-D00) was accepted by Resolution No. 242-617; now be it

RESOLVED, that this Legislature does hereby authorize a five year services agreement between Harris Corporation and Orleans County for the 800 MHz P25 Digital Radio System at a cost of \$500,003; and be it

FURTHER RESOLVED, that the year one payment of \$96,600 will be paid from said 2016 State Interoperable Grant (SI16-0015-D00) and be it,

FURTHER RESOLVED, that the remaining four years will be paid from future grant fund opportunities; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up funds as follows:

Revenue:

A4309.1674	2016 State Interoperable Communication Grant	\$96,600
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Appropriation:

A3640.486.1674	Special Grant –State Interop SI16	\$96,600
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Moved, Johnson; second, DeFilipps.  
Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 244-617**

**AUTHORIZING CREATING, FILLING AND ABOLISHING TEMPORARY POSITION AT THE ORLEANS COUNTY EMERGENCY MANAGEMENT OFFICE**

WHEREAS, a part-time Fire Investigator employed at the Orleans County Emergency Management Office is out on a leave; and

WHEREAS, to help keep the efficient operations of the Emergency Management Office, it is requested that a temporary part-time Fire Investigator position be created until such time the part time employee returns to full duty; now be it

RESOLVED, that this Legislature authorizes the creation of a temporary part-time Fire Investigator position in the Emergency Management Office at an annual salary of \$2,178 effective June 29, 2017; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this temporary part-time Fire Investigator; and therefore be it

FURTHER RESOLVED, that this temporary position shall be abolished once the aforementioned employee returns to work.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 245-617**

**APPOINTING ADDITIONAL MEMBER TO EMERGENCY MEDICAL SERVICES COUNCIL**

WHEREAS, Resolution No. 159-417 approved the appointment of members to the Emergency Medical Services Council; be it

RESOLVED, that this Legislature appoints Shelby Reis to represent Kendall Fire Company, for the term expiring December 31, 2017.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Johnson moved to set a date for a public hearing regarding wireless communications surcharge; second by Legislator DeFilipps. Legislator Johnson stated that we are repealing our old law and adopting a new law so we can collect surcharges on the pre-paid phones. CAO Nesbitt stated that these phones have become a large part of the market that utilizes 911. All of the Verizon contracts that are being issued now are actually prepaid and therefore under the old law they would not qualify for a 911 surcharge and did not pitch in to support the 911 system. This is why it is being done now because of the restructuring of contracts in the cellular market. Chairman Callard inquired if we will receive additional money. CAO Nesbitt stated that we will capture funding from the market that is not currently being captured but we have lost some of the market that has switched over. We will see how the surcharge collections result from this change, stated CAO Nesbitt. The following resolution was adopted:

**RESOLUTION NO. 246-617**

**SETTING DATE OF PUBLIC HEARING ON LOCAL LAW NO. 2-INTRO OF 2017 REGARDING WIRELESS COMMUNICATIONS SURCHARGE**

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled A LOCAL LAW OF ORLEANS COUNTY LEGISLATURE TO REPEAL THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW §186-g and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days notice; be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 26<sup>th</sup> day of July, 2017 at 4:15 p.m. at the Legislature Chambers, 3 South Main St., Albion, New York.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

**RESOLUTION NO. 247-617**

**AUTHORIZING PAYMENT OF CLAIMS FOR JULY AGAINST THE COUNTY**

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

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 12, 2017:

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

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Superintendent of Highways, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for July 26, 2017:

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

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

The following add on resolutions were presented for adoption:

**RESOLUTION NO. 248-617**

**APPROVING AGREEMENT BETWEEN JOB DEVELOPMENT AND LIVINGSTON COUNTY FOR GLOW WORKFORCE DEVELOPMENT BOARD**

RESOLVED, that this Legislature approves the agreement between the Job Development Department and Livingston County on behalf of GLOW Workforce Development Board (WDB), 6 Court Street, Room 303, Geneseo, NY, 14454, to implement the provisions of the Workforce Innovation and Opportunity Act (WIOA) for Youth from July 1, 2017 to June 30, 2018 at a cost of \$97,095. Contract# PY2017 – 3. County cost \$0; and be it

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

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

**RESOLUTION NO. 249-617**

APPROVING AGREEMENT BETWEEN COMPUTER SERVICES AND WHITEBOARD INFORMATION TECHNOLOGY SERVICES AND AUTHORIZING TREASURER TO TRANSFER FUNDS INTO THE COMPUTER SERVICES DEPARTMENT BUDGET

WHEREAS, this Legislature approved a Lease Agreement on Quote # WQ63564179 by Resolution No. 124-316 between Orleans County and American Capital 1, 2015 Ogden Avenue, Suite # 400, Lisle, IL 60532, establishing a lease program for the purchase of a Digium Voice Over Internet Protocol phone system being sold by CDW-G, 75 Remittance Drive, Suite #1515, Chicago, IL 60675-1515, over Session Initiation Protocol, and

WHEREAS, Computer Services does not have the expertise to manage the specialized requirements of a Digium VOIP phone system connections to Alarm Systems, Elevator emergency phone services, Paging Systems and two-way faxing over Primary Rate Interchange circuits; now be it

RESOLVED, that the Orleans County Legislature approves an agreement between Computer Services and Whiteboard ITS for professional services to connect the Digium VOIP Phone System at a total cost of \$9,200 to be paid from Account A1680.452 – Personal Service Contracts; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the Contract Agreement with Whiteboard ITS subject to the review and approval of the County Attorney and Chief Administrative Officer; and be it

FURTHER RESOLVED, that the Treasurer is authorized to transfer funds into the Computer Services budget for payment of contract services:

<u>FROM:</u>		
A1990.435	Contingency Fund	\$9,200
<u>TO:</u>		
A1680.452	Personal Service Contracts	\$9,200

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

**RESOLUTION NO. 250-617**

AUTHORIZING COUNTY TREASURER TO CLOSE OUT CAPITAL PROJECT PUBLIC SAFETY BUILDING ACCOUNT

WHEREAS, the Capital Project Safety Building has been completed, now be it

RESOLVED, that this Legislature authorizes the County Treasurer to close out said Capital Project, in accordance with rules per the NYS Comptroller.

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

**RESOLUTION NO. 251-617**

GRANTING EXTENSION FOR PAYMENT ON IN REM AUCTION PARCELS

WHEREAS, Resolution No. 65-217 Setting Date and Terms for the Auction of In Rem Tax parcels, indicates the balance of the successful and accepted bids shall be paid to the Orleans County Treasurer by June 30, 2017, unless extended by the County Legislature; and

WHEREAS, time extensions were requested in a timely manner for the following parcels: Parcel #9, Town of Albion, Tax Map #73.13-2-27; now, therefore be it

RESOLVED, that this Legislature grants an extension for the balance due for these parcels for a period of time not to exceed sixty (60) days; and be it

FURTHER RESOLVED, that due to this extension and loss of interest to the County, there will be charge of \$250 per parcel (property with improvements) and a charge of \$100 per parcel (vacant property) for each 30 day period until the property is fully paid, not to exceed 60 days.

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

### **RESOLUTION NO. 252-617**

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND ERNST'S LAKE BREEZE MARINA

RESOLVED, that this Legislature does hereby approve an agreement between the Sheriff's Office and Ernst's Lake Breeze Marina, 990 Point Breeze Road, Kent, NY for the purchase of fuel for marine vessels in conducting 2017 marine and waterway patrols, with payment to be made from Sheriff Department budget lines, and subsequent reimbursement of expenses to the Sheriff's budget lines as submitted through available grant funding from NYS Parks and Recreation Navigation Law Enforcement and NYS Division of Homeland Security and Emergency Services; and be it

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

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

### **RESOLUTION NO. 253-617**

AUTHORIZING PURCHASE OF EQUIPMENT FROM THE SHERIFF'S OFFICE BUDGET

RESOLVED, that this Legislature authorizes the Orleans County Sheriff's Office to purchase three Mobile Data Terminal from Island Tech Services, 980 South Second Street, Ronkonkoma, NY 11779 (PO#58677) for road patrol vehicles in the amount of \$15,337, to be paid from Sheriff's Account A3110.486.7416 – Special Grants-Operation Stonegarden FY16.

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

### **RESOLUTION NO. 254-617**

AUTHORIZING LEASE AGREEMENT OPTION TO RENEW BETWEEN ORLEANS COUNTY AND NYSEG

WHEREAS, the Legislature approved a lease agreement between Orleans County and NYSEG by the passage of Resolution No. 344-807; now be it,

RESOLVED, that this Legislature hereby approves the lease agreement option to renew between Orleans County and New York State Electric and Gas (NYSEG) for placement of antennas and communication equipment on the Orleans County Public Safety Communications Tower located 14064 County House Road through May 31, 2022.

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Eick moved to enter into executive session at 5:17 p.m. per Open Meetings Law §105(d&f) to discuss personnel and current litigation second by Legislator Allport. Motion Carried.

Legislator Miller moved to exit out of executive session and reconvene the regular meeting at 5:34 p.m.; second by Legislator DeRoller. Motion Carried.

Legislator DeFilipps moved to adjourn; second by Legislator Allport. Meeting adjourned at 5:35 p.m.