

## LEGISLATURE MEETING

May 24, 2017

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Vice Chairwoman Johnson called the meeting to order at 4:30 PM. After the pledge to the flag Veteran David Kusmierczak, in place of his invocation, presented what the Poppy represents during Remembrance Day and recited the poem "In Flander's Field". The Clerk called the roll and all Legislators were present with the exception Chairman Callard.

The Clerk presented the following communications: Annual Financial Report Update Document for the County of Orleans for the Fiscal Year ending December 31, 2016 has been filed by the Orleans County Treasurer.

The Treasurer distributed an Analysis of Monthly Cash Receipts and Disbursements through April, 2017. Treasurer Heard stated that the In Rem Auction results were excellent. Loss in sale was only \$7,000 compared to the last several years which was much, much more. The monthly financial report looks much better after collecting delinquent taxes from a couple towns. Legislator DeFilipps stated that there was a lot of energy at the auction and the room was packed. Treasurer Heard stated that people came to bid. Attorney Schubel stated he was pleased to see how well the properties went in Albion.

Vice Chairwoman Johnson called for open discussion as it related to the resolutions.

Legislator DeRoller stated that there is a resolution on the agenda for Plan 2014. He stated that NORA has been aligned for many years on this issue and has continued to speak up about this. Plan 2014 has changed the rules of the game relative to the lake levels Legislator DeRoller explained that this resolution today is asking for some aggressive actions of our President of the United States to re-appoint different commissioners to this board.

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

### **RESOLUTION NO. 168-517**

#### **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>
45,369.50	Keeler Construction	Construction Platten Road Culverts – Pymnt 2 – 4/18/17-5/12/17

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

### **RESOLUTION NO. 169-517**

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND VANTAGE EQUIPMENT

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Vantage Equipment, 5985 Court Street Road, Syracuse, New York 13206 for a Roller Rental for the months June, July and August 2017 at \$3,600 a month; and be it

FURTHER RESOLVED, there will be a partial reimbursement through the Consolidated Highway Improvement funds and town payments.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 170-517**

AUTHORIZING AND APPROVING AN AGREEMENT WITH NYS DEPARTMENT OF TRANSPORTATION FOR A "BRIDGE NY" LOCAL PROJECT

WHEREAS, a "Project" for the Replacement of South Holley Road culvert over Unknown Branch of Sandy Creek in the Town of Clarendon is eligible for funding under title 23 U.S. code, as amended, that calls for the 100% of the costs reimbursed through the BRIDGE NY Program; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the costs of Preliminary Engineering and Design, ROW Incidentals and Acquisitions, Construction and/or Construction Supervision and Inspection; and be it

RESOLVED, that the Orleans County Legislature hereby approves the above subject project and authorizes the County of Orleans to pay in the first instance 100% of the Preliminary Engineering and Design, ROW Incidentals and Acquisitions, Construction and/or Construction Supervision and Inspection costs thereof; and be it

FURTHER RESOLVED, that the sum of \$630,000.00 is hereby appropriated from the Orleans County Legislature and made available to cover the cost of participation in the above Project with a contract end date of February 6, 2022; and be it

FURTHER RESOLVED, that in the event the full BRIDGE NY state funded project exceeds the amount appropriated above, the Orleans County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for BRIDGE NY Funds on behalf of the Orleans County Legislature with NYSDOT 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 be it

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 be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

### **RESOLUTION NO. 171-517**

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE MARCHISELLI PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE**

WHEREAS, a "Project" start package for the Bridge Preventative Maintenance of Four locations in Orleans County in the Towns of Carlton, PIN 4OR0.00.121, BINS: 3319030, 3319020, 3319040, and 3319050 (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 80% Federal funds and 20% 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 Preliminary "Engineering" and "Design" and ROW Incidentals; and be it

RESOLVED, that the Orleans County Legislature, hereby approves the above subject project; and be it

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 Preliminary "Engineering", and "Design" and ROW Incidentals for the Project or portions thereof; and be it

FURTHER RESOLVED, that the sum of \$77,000.00 is hereby appropriated from the Orleans County Legislature and made available to cover the cost of participation in the above phase of the Project with a contract end date of March 21, 2027; and be it

FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Orleans County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and be it

FURTHER RESOLVED, that the Chairman of the Orleans County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Orleans County Legislature with NYSDOT 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 be it

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 be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 172-517**

APPROVING AGREEMENT BETWEEN HIGHWAY DEPARTMENT AND MONROE TRACTOR

RESOLVED, that this Legislature does hereby approve an agreement with the Highway Department and Monroe Tractor, 1001 Lehigh Station Road, Henrietta, NY 14467 for a rental agreement for a 2015 mini excavator for the months of May, June and July 2017 at \$1,785/mo.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 173-517**

AUTHORIZING REPAIR SERVICE FROM THE HIGHWAY BUDGET

RESOLVED, that this Legislature approves a service repair bill from George and Swede, 7155 Big Tree Road, Pavilion, NY 14525 for the repair of the 2007 Link-Belt Excavator at a total cost not to exceed \$25,000 to be paid from the Highway Budget account #DM5130.444.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 174-517**

APPROVING AGREEMENT BETWEEN BUILDINGS AND GROUNDS AND GERSTER TRANE

RESOLVED, that this Legislature approves an agreement between Buildings and Grounds Department and Gerster Trane, 45 Earnhart Dr., #103, Amherst NY 14221 to provide scheduled maintenance to the County's chillers and boilers effective May 1, 2017 through April 30, 2020 for \$5,500, in which it is to be reviewed prior to expiration date for renewal.

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 175-517**

**APPROVING THE WORK SITES AGREEMENT FOR THE ORLEANS COUNTY WORK EXPERIENCE PROGRAM**

RESOLVED, that this Legislature approves the Work Sites agreement developed by the Orleans County Job Development Agency to engage Orleans County worksites to participate in the Orleans County Work Experience Program related to the Youth Employment Program and/or Work Experience opportunities for adults and dislocated workers in accordance with program policies and guidelines with no exchange of funds and no associated budget impacts for a term ending April 30, 2018.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 176-517**

**AUTHORIZING OFFICE FOR THE AGING TO APPLY FOR THE AGING BY DESIGN GRANT**

WHEREAS, Aging by Design is a multiyear program to improve the health of older adults. Design Thinking is an approach to problem solving that begins with the people you're designing for and ends with new solutions that are tailor made to suit their needs. Aging by Design will create an environment in which older adults, informal caregivers, and community-based providers work together to apply principles of design thinking to develop, test and implement effective interventions, processes or programs that can address triggers of decline among older adults; now, be it

RESOLVED, that this Legislature authorizes Orleans County Office for the Aging to apply for the Aging by Design grant in the amount of up to \$25,000 from the Health Foundation of Western and Central NY, 726 Exchange Street, Buffalo, NY 14210, from October 1, 2017 to March 31, 2018 at no county cost.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 177-517**

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

WHEREAS, a full time Housekeeper Aide plans to retire effective June 27, 2017, now be it

RESOLVED, that this Legislature authorizes the abolishing of the Full-time Housekeeper position (6772.21) in the Office for the Aging; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a Part- time Housekeeper Aide position at grade 2 of the CSEA Salary Schedule, and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created vacant position effective June 19, 2017.

Moved Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 178-517**

**APPROVING AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES**

RESOLVED, that this Legislature does hereby approve the following renewal agreements between the Orleans County Department of Social Services and the following agency:

Berkshire Farm Center, Canaan, NY for the provision of residential foster care services; to be effective July 1, 2017 through June 30, 2018 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2017 through June 30, 2018 at rates established by the New York State Office of Children and Family Services. Reimbursement will vary by child's eligibility for State and Federal funding.

New Directions Youth & Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2017 through June 30, 2018 at per diem rates as established by the State, not to exceed \$165,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 179-517**

**APPROVING AGREEMENTS BETWEEN ORLEANS COUNTY AND DEXMEDIA**

RESOLVED, that this Legislature approves the agreement between the County of Orleans and DexMedia to provide advertised phone listing of the Orleans County switchboard line in the Albion phone book; to be effective July 2017 through August 2018 at a cost of \$526.50. Contract #13016649645855897000ABO207/2017. County cost \$162.11; and be it

FURTHER RESOLVED, that this Legislature also approves the agreement between the County of Orleans and DexMedia to provide advertised phone listing of the Orleans County switchboard line in the Lockport phone book; to be effective October 2017 through November 2018 at a cost of \$305.50. Contract #13016649645855897000LOK210/2017. County cost \$94.06.

Moved, Miller; second, Eick

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 180-517**

**AUTHORIZING FILLING VACANCY IN THE DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, as a result of a resignation, this Legislature does hereby authorize the filling of a vacant full-time Social Welfare Examiner position (6010.0402) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective May 25, 2017.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 181-517**

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND DEXMEDIA**

RESOLVED, that this Legislature approves an agreement between Mental Health and DexMedia, 1615 Bluff City Hwy, Bristol, TN 37620, to provide Yellow Pages advertising in the Medina Yellow pages at a cost of \$923 for the thirteen-month period of July 2017 through August 2018. County cost is \$64.61; and be it

FURTHER RESOLVED, that this Legislature approves an additional agreement between Mental Health and DexMedia, 1615 Bluff City Hwy, Bristol, TN 37620, to provide Yellow Pages advertising in the Albion Yellow pages at a cost of \$916.50 for the thirteen-month period of October 2017 through November 2018. County cost is \$64.16.

Moved, Allport; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 182-517**

**AUTHORIZING THE CREATION AND FILLING OF POSITION IN THE MENTAL HEALTH DEPARTMENT**

RESOLVED, that this Legislature authorizes the creation of a Clinic Therapist position in the Mental Health Department at Grade 22 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created position, effective May 25, 2017.

Moved, Allport; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 183-517**

**APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES**

RESOLVED, that this Legislature approves agreements between the Health Department and the following agencies:

Intermunicipal agreement between Orleans and Monroe Counties at 39 West Main Street Rochester NY 14614 to provide a Tuberculosis Control Program with consulting pulmonary and critical care physicians and certified infection control practices for providing comprehensive medical and nursing/case management consultative services under the statutory jurisdiction of the Department of Public Health. A flat fee of \$4,714 is paid for electronic record access, VNP services, IT consultants and continuing Ed. Telemedicine access, and ongoing clinical support. A fee of \$200 an hour for physician consults, and \$500 an hour for RN consults, effective January 1, 2017 through December 31, 2017 with contract cost up to \$20,000.

New York State Department of Health, Corning Tower, Empire State Plaza, Albany, NY 12237 to identify and evaluate as early as possible those infants and toddlers whose healthy development are compromised and provide appropriate intervention to improve child and family development. These administrative funds are provided to offset costs incurred in the implementation of the Early Intervention Program, exclusive of due process costs. The contract period is from October 1, 2016 through September 30, 2021. Reimbursement is \$29,955 per year for a total contract term cost of 149,775.

New York State Department of Health, Corning Tower, Empire State Plaza, Albany, NY 12237 for the implementation of a rabies plan that will protect the residents of the county from contracting rabies. The contract also allows for reimbursement of actual expenses for certain activities related to rabies prevention, suppression and control. This grant covers two years April 1, 2017 through March 31, 2019 with reimbursement at \$16,349 per year, \$32,698 total grant reimbursement.



Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 184-517**

**AUTHORIZING OUT OF STATE TRAVEL FOR PUBLIC HEALTH DIRECTOR**

WHEREAS, the Legislature approved an agreement between Orleans County Health Department and Kansas Health Institute (KHI) for participation in a Shared Services Learning Community program administered by The Center which is funded by the Robert Wood Johnson Foundation; now be it

RESOLVED, that this Legislature does hereby approve Paul Pettit, Public Health Director, to travel as part of this agreement to the 2017 National Meeting in Kansas City, Missouri, September 6, 2017 – September 8, 2017. All expenses covered by the Kansas Health Institute. No County Cost.

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 185-517**

**ACCEPTING BID AND AUTHORIZING PURCHASE FROM HEALTH DEPARTMENT BUDGET**

RESOLVED, that this Legislature does hereby authorize the Health Department to accept bid and purchase a 2017 Ford Fusion from Orleans Ford, 1405 S. Main St., Medina for the purchase amount of \$18,611 to be purchased from Health Department account 4010.270-Capital Plan Equipment. County cost \$0.

Moved, Allport; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 186-517**

**AUTHORIZING TRANSFER OF FUNDS IN THE PLANNING AND DEVELOPMENT BUDGET**

RESOLVED, that this Legislature authorizes a transfer of funds within the Planning and Development budget to lease replacement desktop computer, update office equipment, and to fund grant application for preparation of an Erie Canal Local Waterfront Revitalization Plan, as follows:

<u>From:</u>		
A8020.100	Personal Services	\$2,581

To:

A8020.222	Equipment Lease	\$ 191
A8020.411	Office Supplies and Materials	\$ 890
A8020.418	Other Contractual	\$1,500

Moved, DeRoller; second, Allport.  
 Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 187-517**

**AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS**

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending March 31, 2017; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment  
 October 1, 2016 through March 31, 2017**

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	217,421,263	434,842,526	118,559,880	27.27%	54,577.02	14,880.43	39,696.59
Barre	97,995,266				6,820.31		6,820.31
Carlton	204,910,413				13,730.61		13,730.61
Clarendon	160,421,773				16,889.54		16,889.54
Gaines	125,144,736	250,289,472	23,215,047	9.28%	7,172.02	665.22	6,506.80
Kendall	156,445,691				16,126.20		16,126.20
Murray	180,983,038	361,966,076	53,218,231	14.70%	13,097.93	1,925.73	11,172.20
Ridgeway	220,568,369	441,136,738	90,924,668	20.61%	20,584.95	4,242.86	16,342.09
Shelby	182,697,365	365,394,730	73,404,147	20.09%	54,579.90	10,964.56	43,615.34
Yates	152,513,838	305,027,676	29,039,266	9.52%	23,438.73	2,231.42	21,207.31
Total	1,652,760,623				227,017.21	34,910.22	192,106.99

Moved, DeFilipps; second, Allport.  
 Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 188-517**

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

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

RESOLVED, that the Orleans County Legislature authorizes 41 desktop computers to be added to the Dell Master Lease as # 810-6457612-009 throughout the County effective June 1, 2017 through May 31, 2021, payable in four (4) annual payments of \$5,467.70 with a \$1 buyout option at the end; and be it

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

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

#### **RESOLUTION NO. 189-517**

#### **APPROVING AGREEMENT BETWEEN TIME WARNER CABLE BUSINESS CLASS AND COMPUTER SERVICES**

WHEREAS, this Legislature approved an agreement between Time Warner Cable Business Class and Computer Services, Resolution 203-612, for a 10X10 megabit per second Internet connection at 13925 Route 31 (Public Safety Building) for county operations; and

WHEREAS, this Legislature approved an amendment to that resolution to increase the bandwidth of the circuit to 20X20 megabits per second in 2016 (classified as Internet DIA-direct internet access); and

WHEREAS, the Internet traffic of the Orleans County network has greatly increased in capacity on both the county internet and the guest internet associated with ancillary software's and processes; now be it

RESOLVED, that the Orleans County Legislature authorizes the increase of that circuit to 100X100 (classified as Internet DIA-direct internet access), with the partial monthly payments in 2017 being paid by the Computer Services Department budget (A1680.418) and full annual payments be equalized in cost for Internet services across all departments and computers at a cost of \$10,260, a 9.3% increase in cost of our current internet access. Term of the contract shall be effective June 20, 2017 through June 30, 2021, which is the current term of contract.

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

#### **RESOLUTION NO. 190-517**

#### **AUTHORIZING THE PURCHASE OF SOFTWARE FROM THE COMPUTER SERVICES BUDGET**

RESOLVED, that this Legislature approves the purchase of Kaspersky antivirus and antispyware software license renewal for a three-year protection program from Layer Three Technologies, 1645 Lyell Avenue, Suite # 200, Rochester, NY 14606, for all Orleans County computers, at a cost of \$6,450 to be paid from Computer Services account A1680.270 – Capital Projects.

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

#### **RESOLUTION NO. 191-517**

##### **APPROVING SALARY REVIEW COMMITTEE'S RECOMMENDATIONS**

WHEREAS, the Salary Review Committee met 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 has reviewed requests for upgrades and has presented their recommendations to the Legislature on April 26, 2017; therefore be it

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

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective May 28, 2017 - Supervising Community Mental Health Nurse, Grade 22, Step 8 of the CSEA salary schedule.

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeFilipps moved to approve the Sale of the County-Owned Property, which the auction took place earlier today; seconded by Legislator Allport. Vice Chairwoman Johnson expressed that results from today's auction must be the best we have had in years; both Treasurer Heard and CAO Nesbitt indicated the best we have had in the last ten to twelve years. The following resolution was adopted.

#### **RESOLUTION NO. 192-517**

##### **APPROVING SALE OF COUNTY-OWNED PROPERTY**

WHEREAS, a public auction of various parcels of property owned by the County under the In Rem Foreclosure was held May 24, 2017; and

WHEREAS, bids for various properties were obtained by the auctioneer at such auction in accordance with the stated terms of auction; and

WHEREAS, due deliberation has been made by the Orleans County Legislature as to the propriety of each of the said bids; now, therefore be it

RESOLVED, that bids for various parcels set forth on the schedule hereto annexed be, and the same individually are accepted pursuant to the provisions of the Real Property Tax Law; and be it

FURTHER RESOLVED, that the standard form quitclaim tax deeds be prepared for the separate parcels and delivered to the County Treasurer for execution and delivery upon receipt of the balance of the purchase price set forth in the said deed.

**ORLEANS COUNTY AUCTION**  
May 24, 2017

		Sold To:	Amount:
<b>ALBION - VILLAGE</b>			
62.18-2-8	Slick, Angel	William Wittman	\$20,000
PC - 210	221 North Main St; .12 acres (53.00 x 99.37)	14030 Alb-Egl Harbor Rd	
1	Land - 7,400 Total - 72,500	Albion, NY 14411	
62.20-2-58	Clark Tommie Clark Debra	Amy Mayes	\$12,000
PC - 210	611 Moore St; 70.12 x 165.00	256 Caroline St	
2	Land - 8,700 Total - 34,600	Albion, NY 14411	
73.5-2-58	Youngs Rowena G	Robert D. Gibbs, Jr.	\$5,000
PC - 210	347 West State St; 66.00 x 262.57	115 Brown St	
3	Land Total - 11,400 Total - 65,200	Albion, NY 14411	
73.6-2-38	Martino Nicholas Martino Sonya	Robert D. Gibbs, Jr.	\$20,500
PC - 210	20 West State St; 74.25 x 66.00	115 Brown St	
4	Land - 7,200 Total - 20,000	Albion, NY 14411	
73.6-5-56	Babcock Clara	Thomas Kennedy	\$1,500
PC - 312	Reynolds St; 58.00 x 138.00	252 E. Park	
5	Land - 3,700 Total - 5,600	Albion, NY 14411	
73.6-5-59	Dubois Susan	Jeanine R. Baron	\$9,000
PC - 210	117 Reynolds St; 58.00 x 144.00	222 West Park St	
6	Land - 7,500 Total - 43,700	Albion, NY 14411	
73.9-2-10	Vanderlaan Richard	William Wittman	\$17,000
PC - 220	124 Washington St; 57.75 x 79.00	14030 Alb-Egl Harbor Rd	
7	Land - 5,600 Total - 50,000	Albion, NY 14411	
73.11-1-50.1	Vanderlaan Richard	Christopher Kinter	\$29,000
PC - 431	327 East Ave; 1.6 acres	3844 Allens Bridge Rd	
8	Land - 23,800 Total - 77,300	Albion, NY 14411	
73.13-2-27	Laubacher Sarah L (n/k/a Allen Britney M)	Jorge Rivera, Jr	\$13,000
PC - 210	349 West Academy St; 132.00 X 290.16 (.88 acres)	41 N. Clinton St	
9	Land - \$17,100 Total - 40,600	Albion, NY 1441	
83.1-36	Henderson Vera	Lloyd Bronner	6,000
PC - 311	3924 Gaines Basin Rd; 1.00 acres	P O Box 606	
13	Land Total - 12,000	Peekskill, NY 10566	
<b>BARRE</b>			
93.-1-15	Plummer Rose M (n/k/a Plummer Estate Rose M)	Whitney Keppler	\$77,500
PC - 210	13359 West Lee Rd; 4.00 acres	11329 Slade Rd	
14	Land - 22,300 Total - 100,000	Medina, NY 14103	

93.-1-41	Deskins Robert E Deskins Ann	James Mays	\$4,000
PC - 210	4492 Eagle Harbor Rd; 200.00 x 138.00	302 E. State St	
15	Land - 14, 000; Total - 17,000	Albion, NY 14411	
116.-1-33.2	Nersinger Nicki A	Michael S. Cliff	\$7,500
PC - 270	13905 Root Rd; 1.50 acres	2058 Eagle Harbor Rd	
17	Land - 17,100 Total - 38,500	Waterport, NY 14571	
<b>CARLTON</b>			
5.49-2-23	County of Orleans (formerly McGee Loretta J)	David J. Coyle Jr	\$2,000
PC - 311	Shoreham St; 35.00 x 75.00	352 Mallory Rd	
19	Land Total - 2,100	Chemung, NY 14825	
5.49-2-24	County of Orleans (formerly McGee Loretta J)	David J. Coyle Jr	\$1,500
PC - 311	Shoreham St; 35.00 x 75.00	352 Mallory Rd	
20	Land Total - 2,100	Chemung, NY 14825	
5.49-2-47.1	Marando Frank	James Shoemaker	\$4,300
PC - 311	Hillsdale St; 140.00 X 75.00 (.24 acres)	919 Brookside St	
21	Land - 5,800	Waterport, NY 14571	
18.3-1-4	Daniels Patricia	Darren S. Roberts	\$2,750
PC - 314	Roosevelt Hwy; 1.20 acres	15021 Baker Rd	
23	Land Total - 2,000	Kent, NY 14477	
18.3-1-18	Casarez Jamie P Flitcroft Daniel P	Robert Broda	\$12,000
PC - 210	Whittier, Geoffrey	1543 Oak Orchard Rd	
24	1540 Oak Orchard Rd; 115.00 X 132.00 (.35 acres)	Waterport, NY 14571	
	Land - 7,200 Total - 45,300		
<b>CLARENDON</b>			
87.-3-64	Cona Stephen C Cona Antonia R	Matthew Cannuli	\$400
PC - 311	Powerline Rd; .57 acres	6 Wallingford Rise	
26	Land Total - 700	Fairport, NY 14450	
108.-2-23	Whittier Geoff & Joan (n/k/a Smith Renee A)	Taylor Whittier	\$30,000
PC - 210	4925 Upper Holley Rd; 150.00 X 167.00	30 Lyndun Drive Ext	
27	Land - 11,900 total - 71,000	Albion, NY 14411	
<b>GAINES</b>			
60.-1-32.2	Pritt Stephen L Pritt Vernia	James F. Clark	\$18,000
PC - 210	3154 Eagle Harbor Waterport Rd; 3.90 acres	2661 Hindsburg Rd	
28	Land - 15,900 Total - 27,700	Albion, NY 14411	
60.-1-65	Pritt Vernia Lemcke Vernon	James F. Clark	\$22,000
PC - 314	Eagle Harbor Waterport Rd; 8.00 acres	2661 Hindsburg Rd	
29	Land Total - 11,800	Albion, NY 14411	
63.-1-4	County of Orleans (formerly OKeen Karen)	Robert Vendetti	\$3,000
PC - 210	15129 Zig Zag Rd; .93 acres	2959 Fancher Rd	
30	Land - 10,700 Total - 27,000	Albion, NY 14411	
<b>KENDALL</b>			
31.-2-59.112	York Randy C	Gabriella Watson	\$6,000
PC - 314	Petersmith Rd; 7.42 acres	226 East Ave	
31	Land Total - 15,500	Albion, NY 14411	
32.20-1-54	Turpyn Laurie	William McNulty	\$19,000
PC - 210	2086 Orchard Dr; .46 acres (100.00 x 200.00)	14819 W Brighton Cliff	
32	Land- 9,100 Total - 70,100	Kent, NY 14477	
<b>MURRAY - VILLAGE</b>			
88.21-1-31	LIVECCHI JAMES A MARCELLO RAFFAELE	April Wollard	\$5,000
PC - 481	89 Public Sq; 40.75 x 204.60	1631 Rock Springs Rd #328	
35	Land - 13,000 Total - 65,000	Orlando, FL 32712	

88.21-1-50	RODRIGUEZ SALVADOR JR LAVENDAR LISA L	April Wollard	\$400
PC - 210	23 Thomas St; 66.58 x 98.00	1631 Rock Springs Rd #328	
36	Land - 9,000 Total - 71,900	Orlando, FL 32712	
<b>MURRAY</b>			
54.-1-9.3	Brooks Matthew	Densley Richard	\$500
PC - 323	Kendall Rd; 150.00 x 117.00	1805 Crandall Ave	
38	Land Total - 600	Kendall, NY 14476	
54.4-1-23.1	Kirk John M	Ann Demmer	\$5,500
PC - 270	16655 Ridge Road; 230.29 x 145.00	16703 Ridge Rd Lot #3	
40	Land - 10,000 Total - 32,500	Holley, NY 14470	
64.-2-70.1	Snyder Roger S	Robert Vendetti	\$25,000
PC - 210	16162 Canal Rd; 2.40 acres (390.50 x 235.00)	2959 Fancher Rd	
41	Land - 12,500 Total - 99,900	Albion, NY 14411	
<b>RIDGEWAY-VILLAGE</b>			
80.9-1-26.1	SEED AMERICA PROPERTY	Densley Richard	\$11,000
PC - 449	525 East Ave; 3.80 acres	1805 Crandall Ave	
43	Land - 25,600 Total - 80,400	Kendall, NY 14476	
80.9-1-39	Cardone Joseph	Orleans Real Property LLC	\$700
PC - 311	519-523 Church St; 66.00 x 161.00	12334 Ridge Rd	
44	Land Total - 7,300	Medina, NY 14103	
80.45-1-13	Holloman Walsh	Michael J. Wnek	\$900
PC - 311	123 Starr St; 34.60 x 98.00	60 Miami Pkwy	
45	Land Total - 2,400	Buffalo, NY 14225	
<b>RIDGEWAY</b>			
48.-1-2	Johnson Barbara A	Neil Samborski	\$7,500
PC - 240	2460 Oak Orchard River Rd; 6.10 acres	2372 Oak Orchard Rvr Rd	
47	Land - 16,700 Total - 31,300	Medina, NY 14103	
56.3-1-14	Lovely Maria L	Whitney Keppler	\$9,500
PC - 210	10286 Ridge Rd; 81.00 x 150.00	11329 Slade Rd	
48	Land - 7,100 Total - 61,900	Medina, NY 14103	
56.3-1-15	Kenward Maynard T Lovely Maria L	Whitney Keppler	\$11,000
PC - 210	10282 Ridge Rd; 70.00 x 148.50	11329 Slade Rd	
49	Land - 6,100 Total - 46,400	Medina, NY 14103	
69.-1-35	County of Orleans (formerly Maisano Frank & Barbara)	Jodie Cook	\$8,000
PC - 210	3680 Horan Rd; 57.40 x 157.00	71 West Ave #82	
50	Land - 5,500 Total - 54,100	Brockport, NY 14420	
69.-1-45.2	Bennett Emma M Maisano Barbara A	Gary G. Williams	\$4,000
PC - 270	(now Malcomb Gary Maisano Barbara A)	11446 Portage Rd	
51	11436 Portage Rd; 150.00 x 250.00	Medina, NY 14103	
	Land - 11,600 Total - 21,300		
69.-2-32	Young Mei Liu Chiu Sing	Michael J. Wnek	\$500
PC - 314	Telegraph Rd; 140.30 x 228.25	60 Miami Pkwy	
52	Land Total - 5,600	Buffalo, NY 14225	
<b>SHELBY - VILLAGE</b>			
80.9-3-88	Kelly Alice O'Brien Margaret Kelly	Elliot R. Parfitt	\$600
PC - 311	Orient St; 2.70 acres	11320 Slade Rd	
53	Land Total - 2,700	Medina, NY 14103	
80.13-2-46.1	Judd Cynthia	Mohammed Osman	\$5,500
PC - 210	1215 South Main St; 50.60 x 123.70	159 Wakefield Ave	
54	Land - 7,100 Total - 59,400	Buffalo, NY 14214	

80.13-2-65	Fearby Matthew J Fearby Karie A	Brian B. Plueckhahn	\$9,750
PC - 210	915 Church St; 66.00 x 132.00	328 W. State St	
55	Land - 5,400 Total - 46,700	Albion, NY 14411	
80.13-3-20	Minervino Jeanette Minervino Anania	Brian B. Plueckhahn	\$14,000
PC - 210	1025 Elm St; 40.26 x 173.00	328 W. State St	
56	Land - 6,500 Total - 38,600	Albion, NY 14411	
<b>SHELBY</b>			
81.3-1-47	Cooke Trevor	Michael Nellist	\$11,000
PC - 210	12280 Maple Ride Rd; 107.25 x 297.00	511 Park Ave, Apt 2	
57	Land - 8,900 Total - 74,700	Medina, NY 14103	
90.16-2-11	White Edwin R White Barbara A	Bilal M. Huzair	\$27,000
PC - 210	11312 Main St; 137.00 x 187.00	1500 Fuller Rd	
58	Land - 7,600 Total - 76,300	Waterport, NY 14571	
100.-1-1.111	County of Orleans (formerly Boyer William C)	Lorena F. Cox	\$7,000
PC - 270	4591 County Line Rd; 2.00 acres	2652 Oregon Rd	
60	Land - 11,200 Total - 30,400	Lyndonville, NY 14098	
<b>YATES - VILLAGE</b>			
24.12-1-9	Annecharico Theresa L Searls Beverly & Clayton	Brandon Pisano	\$9,500
PC - 210	82 West Ave; 66.00 x 173.25	13615 Ridge Rd	
62	Land - 9,600 Total - 33,200	Albion, NY 14411	
<b>YATES</b>			
3.-1-43	Sietmann John W Sietmann Jean M	Terry Nelliest	\$8,000
PC - 270	11498 Lake Shore Rd; 157.00 x 219.25	160 Eagle St	
63	Land - \$10,100 Total - 37,000	Lyndonville, NY 14098	
26.-1-45	Dennis Robert V Sr Dennis Tina B	Deborah Hill	\$22,500
PC - 210	1776 Goodwin Rd; 9.7 acres	1750 Goodwin Rd	
65	Land - 23,800 Total - 86,300	Lyndonville, NY 14098	
TOTAL:			\$547,300

Moved, DeFilipps; second, Allport.  
 Adopted. 6 ayes; 0 nays; 1 absent, Callard.

### **RESOLUTION NO. 193-517**

**APPROVING PROBATION TO CONTINUE PARTICIPATION THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION (ATI) FUNDING**

RESOLVED, that this Legislature authorizes the Orleans County Probation Department to continue in the participation in the grant opportunity in the amount of \$5,381 from the NYS Division of Criminal Justice Services for the Article 13-A Classification Alternatives to Incarceration ATI award for the delivery of Pre-Trial Services with grant period effective July 1, 2017 through June 30, 2018. This year's grant was cut by \$150 from the '16-'17 allocation; and be it

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



Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 194-517**

**APPROVING MEMORANDUM OF UNDERSTANDING FOR THE FINGER LAKES NEW YORK INTEROPERABILITY COMMUNICATIONS CONSORTIUM**

WHEREAS, Orleans County Legislative Resolution No. 300-911 authorized participation in the Finger Lakes Region of New York Interoperability Communications Consortium (FLRNYICC) Plan which included emergency service agencies operating within and between the eleven counties of the Finger Lakes Region of New York State, including Allegany, Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming and Yates; and

WHEREAS, this multi-county agreement is intended to coordinate the planning, implementation, and operation of a public safety high speed digital network to support interoperable emergency communication and ensure security, dependability and operational priority among Public Safety Answering Point databases; now be it

RESOLVED, that this Legislature authorizes the Chairman to sign the Memorandum of Understanding for the creation of the Finger Lakes New York Interoperable Communications Consortium (FLRNYICC), and authorizes Orleans County to participate as a member of this Consortium effective June 1, 2012 through the withdrawal by all Counties involved.

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 195-517**

**AUTHORIZING ACCEPTANCE AND EXECUTION OF GRANT AGREEMENT, SETTING UP NEW MONEY IN SHERIFF'S OFFICE BUDGET AND AUTHORIZING PURCHASE**

WHEREAS, Resolution No. 462-1216, authorized the Sheriff's Office to apply for grant funding through the NYS Division of Criminal Justice Services' (DCJS) Police Protective Equipment Program Grant, for the purpose of obtaining personal protective gear for officers of the Orleans County Sheriff's Office; now be it

RESOLVED, that this Legislature approves the grant and authorizes execution of the grant agreement (PP16-1238-D00) between the New York State Division of Criminal Justice Services and the Sheriff's Office in the amount of \$11,648, for period January 1, 2017 through December 31, 2017, for the purchase of protective gear for officers; and be it

FURTHER RESOLVED, that the Orleans County Treasurer is hereby authorized to set up new money in the Sheriff's Office budget for acceptance of this grant, as follows:

Revenue:

A3032 Sheriff Initiative Grant \$11,648

Appropriation:

3110.486 Special Grants \$11,648

and be it

FURTHER RESOLVED, that this Legislature approves the purchase of protective helmets and patrol rifles from United Uniform Distribution, LLC, 495 North French Road, Buffalo, NY, to be paid from Sheriff's budget line 3110.486 – Special Grants.

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 196-517**

**AUTHORIZING THE SHERIFF'S OFFICE TO CONTINUE WITH THE ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING APPOINTMENTS TO THE ALTERNATIVES TO INCARCERATION BOARD, AND APPROVING THE CONTINUED APPLICATION FOR GRANT FUNDING FOR THIS PROGRAM**

RESOLVED, that this Legislature authorizes the Sheriff's Office to continue with the Alternatives to Incarceration Program and also authorizes its continued application to NYS Division of Criminal Justice Services (DCJS) for grant funding available for Article 13-A Classification Alternatives to Incarceration (ATI) Program, at a reimbursable cost to the county of \$5,381, effective for the grant period July 1, 2017 through June 30, 2018; and be it

FURTHER RESOLVED, that upon approval by NYS DCJS, the Chairman is hereby authorized to execute grant agreement CL-17-1032-D00, Contract #523944, and all related documents associated with this grant; and be it

FURTHER RESOLVED, that this Legislature approves the following appointments to the county's Alternatives to Incarceration Board, term expiring June 30, 2018.

<u>NAME</u>	<u>REPRESENTATION</u>
David B. Callard	Chairman, County Legislature
To be named	County & Supreme Court Judge
Joseph Cardone	District Attorney
Sanford Church	Public Defender
Dawn Keppler	Magistrates
Lucille A. Taylor-Welch	Probation Director
Charles Nesbitt, Jr.	Chief Administrative Officer
Randall Bower	County Sheriff
John DeFilipps	County Legislator/Public Safety Committee Chairman
Lynne Johnson	County Legislator/Public Safety Committee Co-Chair
Mike Mele	Chief Deputy/ATI Coordinator

Mark O'Brien  
Kathy Hodgins

Director of Mental Health  
GCASA

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 197-517**

**AUTHORIZING CREATION AND FILLING OF POSITIONS IN THE SHERIFF'S OFFICE**

RESOLVED, that this Legislature does hereby authorize the creation of two (2) part-time Deputy Sheriff Marine Patrol positions in the Sheriff's Office at an hourly rate of 13.68; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these newly created, vacant positions, effective May 25, 2017.

Moved, DeFilipps; second, Allport.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 198-517**

**REQUESTING THE ENACTMENT OF A SPECIAL LAW AUTHORIZING AND EMPOWERING THE COUNTY OF ORLEANS TO EXTEND THE EXPIRATION OF THE IMPOSITION OF AN ADDITIONAL 1% SALES AND COMPENSATING USE TAX**

WHEREAS, the enactment of a special law amending the tax law in relation to extending the expiration of the provisions authorizing the County of Orleans to impose an additional 1% sales and compensating use tax is in the best interests of the County of Orleans; be it

RESOLVED, that pursuant to Article IX of the Constitution, the County of Orleans requests the enactment of Senate Bill S.5657, sponsored by Senator Ortt, and Assembly Bill A.7468, sponsored by Assemblyman Hawley entitled "An Act to amend the tax law in relation to extending the expiration of the provisions authorizing the County of Orleans to impose an additional one percent sales and compensating use tax"; said bills to extend the sales tax increase through November 30, 2019.

Moved, Eick; second, DeRoller.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

**RESOLUTION NO. 199-517**

**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 County Administration Building and the building housing the Villages Nursing Home and Rehabilitation facility, 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. 6 ayes; 0 nays; 1 absent, Callard.

Legislator DeRoller moved a resolution requesting President Trump to immediately appoint new Commissioners to the International Joint Commission and said Commissioners to enact policies rescinding the IJC's "PLAN 2014" Lake Level Management Scheme. Legislator DeRoller further paraphrased the key parts of this action and recited the resolves of this resolution. Legislator Allport requested a unanimous second and Vice Chairwoman stated she will call for a roll call vote. First, she explained that the International Joint Commission was a treaty of six individuals, three US citizens and three Canadian citizens, who were appointed by the President to oversee the levels of Lake Ontario. The prior plan, BV7, worked for us for a very long time. The IJC, under the lake counties disapproval, pushed forward Plan 2014 which was to "raise our highest highs and lower our lowest lows", explained Vice Chairwoman Johnson. The recommendation was voted on by the three Canadians on the treaty because they specifically laid out the statement "as long as you don't harm us, we will approve Plan 2014". So it came into voting time with the three US commissioners, who many of our federal, state and local representatives have met with several times expressing the objection to the plan and expressed how it would hurt us, came in on the eleventh hour of the Obama administration and passed it. Legislator Johnson stated that in early December before Plan 2014 was passed, she explained there was strategic levels that should have been taken care of under BV7 while this plan was still intact which would have lowered the lake levels ahead of this. But, knowing that the Obama administration was going to approve Plan 2014, these lake levels were not lowered. The International Joint Commission failed us, expressed Vice Chairwoman Johnson. They failed all the counties along the Lake Ontario border and this is why this resolution has been done steadily along the lake. Again, tomorrow we have another State of Emergency issued with flood warnings. She said this is one of those "We told you so" situations. Vice Chairwoman Johnson called for a roll call vote and the following resolution was adopted:

**RESOLUTION NO. 200-517**

REQUESTING PRESIDENT TRUMP TO IMMEDIATELY APPOINT NEW COMMISSIONERS TO THE INTERNATIONAL JOINT COMMISSION AND SAID COMMISSIONERS TO ENACT POLICIES RESCINDING THE IJC'S 'PLAN 2014' LAKE LEVEL MANAGEMENT SCHEME

WHEREAS Orleans County has, on multiple occasions, expressed its opposition to the International Joint Commission's imposition of Plan 2014, most notably through the passage of Resolution No. 163-415/IL-061-15, "Expressing the Opposition of the Orleans County Legislature to the IJC Plan 2014 & Supporting the Efforts of U.S. Representative Chris Collins to Block Enactment of the Same," 286-813/IL-041-13, "Request to the International Joint Commission to Reject the Proposed Plan 2014 in its Entirety," and 268-714/IL-035-14, "Niagara-Orleans Regional Alliance (NORA) Requests Governor Andrew M. Cuomo to Veto the International Joint Commission's Plan 2014 for Controlling the Levels of Lake Ontario Should the US Department of State Recommend It," and

WHEREAS said resolutions clearly warned "qualified observers with expertise in civil engineering have indicated Plan 2014 will have a devastating impact on the communities along the Lake's southern shoreline" and "Plan 2014 will increase the frequency of raising and lowering the water levels in Lake Ontario and the fluctuations in water levels will result in increased erosion damage to the shoreline, including the properties of businesses and homeowners," and

WHEREAS said resolutions noted "the effects of Plan 2014 span six counties in Upstate New York and would cause damage to land assessed at nearly \$4 billion", and

WHEREAS said resolutions also warned "the IJC working group stated the proposed lake levels are going to reduce recreational boating/sport fishing benefits by 25%, resulting in a devastating negative impact on those economics in Niagara County which is estimated at \$30 million per year, and in Orleans County which is estimated \$12 million per year, thus an area-wide loss of revenue of over \$10.5 million annually," and

WHEREAS in 2013 This Legislature did warn that the goal of Plan 2014 was to enrich St. Lawrence River hydropower producers at the much greater expense of South Shore property owners, noting, "[Plan 2014] greatly decreases protections that exist in the current plan, replacing them with a plan that results in the transfer of prosperity from Orleans County along with other Lake Ontario communities to Hydropower (NYPA and others) who will realize a benefit of approximately \$5.3 million per year on average," and

WHEREAS due to drastically higher water levels in Lake Ontario, the Counties of Niagara and Orleans did, on April 20 of this year, the first year of implementation of Plan 2014, declare States of Emergency due to a high probability of flooding in lakeshore communities in addition to large-scale lakeshore erosion impacting the integrity of banks and presenting hazards to both individuals on land and boaters, and

WHEREAS various lakeshore communities did, on April 12 and 13, issue 500-foot "no wake zone" orders, forbidding boat traffic closer than 500 feet from shore except for the purpose of docking, and

WHEREAS the Corps of Engineers has refused to release Lake Ontario water into the St. Lawrence River at an accelerated pace, which could relieve flooding concerns, due to rules set in Plan 2014, and

WHEREAS the implementation of Plan 2014 has proven an absolute disaster for our communities, now, therefore, be it

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the remaining U.S. Commissioners and all three Canadian Commissioners of the IJC to resign, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon President Trump to demand said resignations or fire the U.S. Commissioners immediately, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the United States Congress to conduct investigative hearings into the IJC's culpability in a manmade disaster on a financial scale comparable with the contamination of the Flint, Michigan, water supply, and that has placed lives in immediate danger, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon President Trump to replace said failed U.S. Commissioners with representatives who will appropriately weigh protecting property owners' rights and property values with environmental considerations, and with such experience in civil engineering and other appropriate fields as to be qualified to make determinations about lake levels, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the International Joint Commission to immediately suspend Plan 2014 and reimplement previous regulatory rules, and be it further

RESOLVED, that the Legislature of the County of Orleans does hereby call upon the Corps of Engineers to take immediate steps to release water from Lake Ontario, and be it further

RESOLVED, that the County of Orleans shall forward copies of this resolution to President Trump; Secretary of State Rex Tillerson; U.S. Rep. Chris Collins; U.S. Senator Charles E. Schumer; U.S. Senator Kirsten E. Gillibrand; International Joint Commission Chair Lana Pollock; Commissioner Rich Moy; Commission Chair Gordon Walker; Commissioner Benoit Bouchard; Commissioner Richard A. Morgan; and all others deemed necessary and proper.

Moved, DeRoller; second, Unanimous.

Roll call vote called by Vice Chairwoman Johnson:

6 ayes: Allport, DeFilipps, DeRoller, Eick, Johnson and Miller; 0 nays; 1 absent, Callard.

Adopted.

**RESOLUTION NO. 201-517**

AUTHORIZING PAYMENT OF CLAIMS FOR JUNE 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 June 14, 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 June 28, 2017:

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

Moved, Miller; second, Eick.  
Adopted. 6 ayes; 0 nays; 1 absent, Callard.

The following add on resolutions were presented for adoption:

**RESOLUTION NO. 202-517**

AMENDING RENEWAL AGREEMENT BETWEEN ORLEANS COUNTY AND PARK STRATEGIES, LLC

WHEREAS, Resolution No. 167-417 renewed an agreement between Orleans County and Park Strategies, LLC to provide Government Affairs Services to commence May 1, 2017; now be it

RESOLVED, that this Legislature approves the renewal agreement between Orleans County and Park Strategies, LLC, 121 State St, 3<sup>rd</sup> Floor, Albany, NY 12207, to provide Government Affairs Services for Orleans County, in the amount of \$5,000 per month; effective June 1, 2017 through May 31, 2018 to be paid from Legislature Account – A1010.418 – Other Contractual Expenses; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute this agreement with Park Strategies, subject to the review and approval of the County Attorney and Chief Administrative Officer

Moved, Eick; second, Miller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

### **RESOLUTION NO. 203-517**

#### **AUTHORIZING OUT OF STATE TRAVEL FOR JOB DEVELOPMENT EMPLOYEE**

RESOLVED, that this Legislature does hereby authorize out of state travel by Kelly Kiebala, to attend Association of Leadership Programs National Conference in Phoenix, Arizona from June 22, 2017 to June 25, 2017 to be paid from account Job Development Account 6293.418- Special Grant Fund.

Moved, Miller; second, Eick.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

### **RESOLUTION NO. 204-517**

#### **AUTHORIZING CREATION AND FILLING OF POSITION IN THE SHERIFF'S OFFICE**

RESOLVED, that this Legislature authorizes the creation of a full-time Deputy Sheriff position at grade 1 of the Orleans County Deputy Sheriff's Association contract (OCDSA); and be it

FURTHER RESOLVED, that this Legislature does hereby authorize filling this newly created vacant position, subject to the final approval of the Chief Administrative Officer, effective May 25, 2017.

Moved, DeFilipps; second, DeRoller.

Adopted. 6 ayes; 0 nays; 1 absent, Callard.

Vice Chairwoman reopened the floor for public comment. Legislator DeRoller requested EMO Director Dale Banker to update the Board on the current lake levels. Director Banker stated it is day thirty-five of the State of Emergency. A second thirty-day order has been signed and he said unfortunately he suspects it will continue on. The towns of Carlton, Kendall and Yates have also extended their State of Emergency orders. To date, about 135,000 sand bags have been made by New York State Correctional inmates, Orleans County Jail inmates, National Guard and volunteers. Another press release from Governor Cuomo indicated that a mobile command unit



will be at the Marine Park again this Saturday from 10 a.m. to 8 p.m. There was a mix up yesterday where the command post did not get moved from Oswego County to our county, but State of Emergency Office and DEC personnel were there. Director Banker recognized Jerry Gray and Orleans County Highway crews for making numerous trips to the Chili sand stock pile and picked up all of the sand bags. It is going to be a long haul and towns continue to shovel sand into those bags to keep our homeowners supplied to protect their properties. Legislator DeRoller also announced that the EMO office continues to collect and receive photographs, documenting the devastation our area is seeing. Director Banker stated that Pat Eick, Secretary in the Emergency Management Office, has a large database of photos and phone calls documenting this situation.

CAO Nesbitt announced that Mark O'Brien, Director of Orleans County Mental Health, received the Constance Miller Award from the Mental Health Association of Genesee & Orleans. The award is to recognize an individual or organization who demonstrates a commitment to excellence pertinent to the delivery and/or advocacy of quality community based Mental Health services within or outside Genesee/Orleans Counties. Director O'Brien was applauded for his efforts.

Legislator Eick moved to enter into executive session at 5:00 p.m. per Open Meetings Law §105 (f) to discuss the employment of a particular person(s); second by Legislator Allport. Motion Carried.

Legislator Allport moved to exit out of executive session and reconvene the regular meeting at 5:19 p.m.; second by Legislator DeFilipps. Motion Carried.

With no further business, Legislator DeRoller moved to adjourn; second by Legislator Miller. Meeting adjourned at 5:20 p.m.