

February 16, 2023

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:30 p.m. at 74 Ontario Street, Canandaigua, NY 14424, with Chairman Todd Campbell presiding.

The Pledge of Allegiance was led by Supervisor Richard Russell, City of Canandaigua.

Upon roll call, all members of the Board were present.

Minutes of the preceding session was approved without being read by motion of Supervisor David Baker, seconded by Supervisor Daniel Marshall; motion carried.

Under reports of County Officials, the following spoke:

County Administrator Chris DeBolt gave an update on the County Housing Assessment.

Deputy County Treasurer Jeff Trickler briefly informed the board regarding the outcome of a lawsuit filed against the county around 2007. The suit was commenced by Krystal Hetelekides who owned the Akropolis Restaurant. The restaurant went into tax foreclosure and was ultimately sold at public auction. Krystal claimed that she was not afforded due process and that her constitutional rights were violated. She was seeking monetary relief from the county in her complaint. The case traveled throughout the court system with a judgment against the county. The decision was appealed to State of New York Court of Appeals. The appeals court ruled in favor of the county deciding that the Treasurer's Office went above and beyond what they were legally required to do to notify the owner, or persons with interest in the property, about the unpaid property taxes and the pending foreclosure. The board was further informed that we wish not to be in the real estate business and therefore make every attempt available to collect taxes before a property reaches the foreclosure stage.

Matt Hoose, County Clerk, was called to give a report. Mr. Hoose was not present. Chairman Campbell said they requested some information from Mr. Hoose through both the Governmental Operations and Insurance Committee and the Ways and Means Committee. The questions for the County Clerk was going to be addressed at this meeting to the Chairs of the committees. Chairman Campbell asked the Chairs to the Committees read the questions.

Chairman Richard Russell of the Governmental Operations and Insurance Committee read to the Board the questions he sent to County Clerk Hoose last Friday. The following questions were:

1. Regarding cash handling, deposit, bank reconciliation policies and procedures within the Clerk's Office.
2. Prior to last fall, who, beside yourself had the authority to write checks from the County Clerk's bank accounts?
 - a. Who was able, or did, write these checks in your absence?
 - b. Who processed and made deposits when you were not present?
3. Describe and explain the internal control processes in place in your office prior to last fall.
4. What is the total amount of revenue generated by the Clerk's Office each year for the past five years?

5. What is the total amount of fees and transactions collected/handled/processed? (i.e., what is the total amount of funds that are handled by your office in a year even if those funds, even just passthrough funds).
6. What steps have you taken, or are you taking, to ensure that your office remains timely in all payments and filings moving forward?

Chair Russell stated there was no answer or reply from the County Clerk.

Chairman David Baker of the Ways and Means Committee stated that he sent an email last Wednesday evening to County Clerk Matt Hoose requesting he provide Ways and Means and this Board of Supervisors the following:

- A detailed report of every payment and report that was late to any entity in the past two years. If there were any late payments of reports, please include an explanation for why the filing was late.
- A list of all reports and payments due to every entity with dates they were due and statutory or procedural reference. Please provide the due dates for each entity for the balance of 2023 as well.

Chairman Baker expressed his severe disappointment with the County Clerk's Office, he has been requested to attend Ways and Means Committees several times to provide explanations to them for the way that the office is being managed and the activities being performed or not being performed. Chairman Baker said he doesn't know if this is an appropriate time for them to have discussion, but at some point, this Board needs to address how to move forward with that office.

Chairman Campbell responded they will continue to endeavor to find answers to these questions, get the reports that they have requested and will likely have further discussion.

Under privilege of the floor the following spoke:

Chairman Campbell granted privilege of the floor to Mr. Adam Levine (Professor, John Hopkins University) regarding research assistance to county legislators on child and family policy-related topics. Mr. Levine provided a handout for the Board members. He explained the new initiative in partnership with Elizabeth Day (Cornell University and University of Oregon), NYSAC, and a team of research assistants to connect research and policy at the county level. They are focused on any child and family-related policy, but may expand in the future. He said this is a free opportunity, noting the work is funded by the William T Grant Foundation.

Chairman Campbell granted privilege of the floor to Supervisor Chris Vastola for Valerie Knoblauch from the Finger Lakes Visitor's Connection. Ms. Knoblauch wanted to take the opportunity to recognize Frank Riccio. He has been with their board for 34 years. She considered some of the jobs and skills he has done. She also gave him credit for his years of service as a veteran.

Chairman Campbell granted privilege of the floor to Supervisor Fred Wille for Mr. Tom Gillette, resident of the Town of East Bloomfield. Mr. Gillette spoke regarding "New York Citizen Audit on Voter Roles". He described the NY Citizen Audit, noting they are a team of concerned citizen volunteers, working to restore integrity to the Empire State by gathering and analyzing publicly available data. The group is calling for the de-certification of the entire NYS 2020 general election. The NY Citizen Audit is

asking each town or entity of the county to sign a resolution indicating the need for free and fair elections.

Chairman Campbell granted privilege floor to Supervisor Dave Phillips for Mr. David Collett, resident of the Town of Manchester.

Mr. Collette spoke regarding NY Citizens Audit on voter roles. He noted there was a lot of controversy during the 2020 elections and they are wanting to decertify the 2020 elections. He believes that time has passed, but the problems still exist. He said his desire is to consider the matter to maybe audit the county voter rules. He would ask consideration to look at this matter while we are out of the election time, while there is time.

Chairman Campbell granted privilege of the floor to Supervisor Dave Phillips for Ms. Abigail Marion, resident of the Town of Manchester.

Ms. Marion said in committee last week, some of the supervisors discussed a resolution opposing NYS's new control measures. She said she wanted to take the opportunity to voice her support for such a resolution and respond to a concern that was raised in the course of the discussion. She discussed the concept of safety quoting Helen Keller, "Security is mostly a superstition. It does not exist in nature, nor do the children of men as a whole experience that avoiding danger as a whole is no safer in the long run than outright exposure. Life is either a daring adventure or nothing at all." She said some dangers are known and others are unknown. Danger is ever present and the concept of safety is an illusion. She said by establishing a long list of gun free zones, NYS has stabled a long list of soft targets. While this may improve the perception of safety for some, in reality, it emboldens criminals. She talked of the right to self-defense. The right to defend oneself is the single most basic and inalienable right that exists. It is not guaranteed to save us, but it is our right to try. It is not ours to take away, it is not the states to take away. The right to self-defense is every American's right. She quoted Benjamin Franklin, "Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety."

Chairman Campbell granted privilege of the floor to Supervisor Fred Lightfoote for Julie Maslyn.

Ms. Maslyn spoke on behalf of the resolution to make March Agriculture month for Ontario County. She said agriculture touches all of the districts in this county in both large ways and subtle ways. She is here to thank the members for recognizing that agriculture is an important industry in our county.

The following communications are on file with the Clerk's Office:

Copies received of minutes of meetings held as follows:

- Health and Human Services Committee held on January 17, 2023
- Planning and Environmental Quality Committee held on January 17, 2023
- Public Works Committee held on January 17, 2023
- Public Safety Committee held on January 18, 2023
- Governmental Operations and Insurance Committee held on January 18, 2023
- Ways and Means Committee held on January 18, 2023
- FLCC Facilities Master Plan Committee held on December 19, 2022
- SWIO meeting held on January 31, 2023, received from the Town of Fayette
- VA Finger Lakes Health Care System, CDCE/Community Council Committee held February 2023

Act No. 76-2023 entitled "Opposing Governor Hochul's Ban of Gas Stoves and Other New Fossil Fuel Heating Equipment" received from Cattaraugus County.

2022 Fourth Quarter Salex Tax Revenue Comparison, received from Ontario County Finance Dept.

Winter 2022 Annual Report received from Ontario County Soil and Water Conservation District.

A revised Notification of Grant Award (NGA) and budget pages for the VAC5 program for April 1, 2021 through September 30, 2022, received from Karen Jackuback, Deputy Director, Division of Finance and Administration, NYS Office for the Aging.

February 2023-May 2023 News Letter of the VA Finger Lakes Health Care System, received from Center for Development & Civic Engagement.

Notice of Public Hearing regarding the adoption of a Local Law which would permit the Town Board to adopt a budget for fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c, received from the Town of Geneva.

A letter and information regarding the independent redistricting commission and assembly seats, received from Mark E. Glogowski, PhD.

Resolution No. 54-23 entitled "Calling on the State of New York to Continue to Pass-Thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage Funds" received from Greene County.

Motion to Adopt Local Law Number 1 of 2023, A Local Law of the County of Greene Providing Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-A of the Real Property Tax Law, received from Green County.

The January 2023 Report for Happy Tails, Ontario County Humane Society received from Director William Martin.

The Ontario County Regulatory Compliance Committee Annual Report for the Year 2022, received from Ontario County Human Resources.

Under Reports of Special Committees, Supervisor William Namestnik gave an update on the Annual Report for 2022 of the Compliance Committee. He noted for the fourth year in a row, the county achieved 100% completion of the participation in the compliance training, which leads to an effective compliance plan. The other note is the numbers of extended external review and audits that occur from the state and federal agencies did not result in any major deficiencies. A conference he attended, noted the next step is to be looking at how effective the plan is.

Supervisor Richard Russell offered the following resolution and moved its adoption, seconded by Supervisor Frederick Wille:

RESOLUTION NO. 67-2023
CONTRACT WITH CIVICPLUS FOR CIVICCLERK AN
AGENDA AND MINUTES MANAGEMENT SOFTWARE

WHEREAS, The Ontario County Board of Supervisors Office created a minimum of 102 standing committee agendas and 18 Board meeting agendas per year; and

WHEREAS, After each standing committee meeting and Board meeting, minutes of these meetings must be completed; and

WHEREAS, To provide transparency of our meetings and comply with our Local Law, all meetings are made available to the public to watch during and after the meetings for five years; and

WHEREAS, With this software, it will provide for the streaming of all meetings to be consistent and provide more tools to the public to navigate the recordings; and

WHEREAS, To make the process of creating agendas and minutes and streaming meeting more efficient, the Board of Supervisors’ Clerks request to contract for an agenda and minutes management software; and

WHEREAS, Two companies were able to provide quotes and demonstrations for software that would provide this service to meet the clerks needs; and

WHEREAS, The two companies were Granicus and CivicPlus; and

WHEREAS, After demonstrations from both companies and reviewing the quotes, the Board of Supervisors’ Clerks request to contract with CivicPlus for the CivicClerk agenda and minutes management software; and

WHEREAS, The Governmental Operations and Insurance and Ways and Means Committees have reviewed the quotes and recommend contracting with CivicPlus for the CivicClerk agenda and minutes management software; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby approves contracting with CivicPlus, 302 South 4th St., Suite 500, Manhattan, KS 66502; and further

RESOLVED, That the first year of the contract payment be \$17,390.00; and further

RESOLVED, The following budget transfer be authorized to provide funds for payment in 2023:

AA1340 54731	Contingency	- \$ 17,390.00
AA1010 54621	Software	- \$ 17,390.00

and further

RESOLVED, That years two and three payments be \$12,500.00, with year four and after subject to a 5% yearly increase and that these future payments will be budgeted as part of the County’s budget process; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with CivicPlus and all other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effectuate the intent of this resolution.

Adopted.

Supervisor Richard Russell offered the following four resolutions as a block and moved its adoption, seconded by Supervisor Frederick Wille:

**RESOLUTION NO. 68-2023
AUTHORIZATION TO MODIFY CONTRACT (B19031)
FOR ELECTION SUPPLIES**

WHEREAS, The Ontario County Board of Elections awarded sealed bids for the printing of various election materials per Resolution No.'s 170-2019 and 129-2022; and

WHEREAS, Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York, 15606, is the county approved vendor to supply election materials under contract (B19031); and

WHEREAS, The requirement for the Board of Elections to hold an additional Primary and Special Election in 2022 resulted in unanticipated costs to procure necessary election supplies; and

WHEREAS, The Ontario County Board of Supervisors allocated additional funds to the Board of Elections to pay for these increased costs per Resolution No. 772-2022; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed and recommends modifying the existing contract (B19031) to add an additional \$33,000 for the procurement of election materials utilized during primary and general elections in 2022; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby approves contract modification with Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York, 15606, increasing the contract by \$33,000 for a total amended contract amount not to exceed \$108,000; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with Phoenix Graphics, Inc., and all other documents necessary to effectuate the purpose of this resolution.

**RESOLUTION NO. 69-2023
RESOLUTION OF APPROVAL
MORGAN CENTERPOINTE APARTMENT, LLC
CORRECTION OF ERROR – 2022 COUNTY/TOWN TAX ROLL**

WHEREAS, An application for corrected tax roll for the 2022 County/Town tax roll has been received by the Real Property Tax Director in accordance with RPTL §550; and

WHEREAS, The property owner is Morgan Centerpointe Apartments, LLC/Robert C. Morgan, whose mailing address is 112 S. French St, Ste 105-MP, Wilmington DE, 19801; and

WHEREAS; The property subject to correction is located at Brickyard Rd, in the Town of Canandaigua. The tax map number is 56.00-1-55.220; and

WHEREAS, The Real Property Tax Director has completed an investigation pursuant to RPTL §550, and has filed a copy of the findings of that investigation; and

WHEREAS, The property was charged for an unpaid water bill in the amount of \$2,456.64 for the Canandaigua-Farmington Water & Sewer Department, that was erroneously recorded on an incorrect parcel; and

WHEREAS, The Canandaigua-Farmington Water & Sewer department has indicated the correct parcels to of been billed are 56.00-1-54.115 and 56.00-1-54.116; and

WHEREAS, The Real Property Tax Director has recommended that a refund be issued to the property owner; now, therefore, be it

RESOLVED, That the report of findings has been reviewed by the Government Operations & Insurance Committee, and agree with the recommendation of the Director; and further

RESOLVED, That the application for Correction of Error is approved; and further

RESOLVED, That the County Administrator be, and hereby is, authorized to execute said application for Correction of Error; and further

RESOLVED, That the property owner be refunded the amount of \$2,456.64; and further

RESOLVED, That copies of this resolution be sent to the Ontario County Treasurer, Morgan Centerpointe Apartments, LLC and the Canandaigua Town Tax Collector.

**RESOLUTION NO. 70-2023
AUTHORIZATION TO RENEW CONTRACT WITH
DINAN COMMUNICATIONS
TO PROVIDE PUBLIC RELATIONS AND MARKETING SERVICES
FOR VARIOUS COUNTY DEPARTMENTS**

WHEREAS, Resolution No. 81-2022 awarded a contract to Dinan Communications to provide Public Relations and Marketing Services for various County Departments; and

WHEREAS, Said contract expires February 19, 2023, and the County Administrator and the Purchasing Department feels it is in the best interest of the County to renew this contract for an additional (12) twelve months; and

WHEREAS, Dinan Communications has agreed to renew said contract until February 19, 2024 for their services at no increase in cost; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed this proposal and recommends its approval; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves renewal of Bid (R22025) with Dinan Communications, 11 Elm Street, Pittsford, New York, 14534; for Public Relations and Marketing Services for Ontario County at a cost of \$2,400 per month for 30 hours of services, \$80.00 for any hours over that amount per month and any subcontracted items to be billed at cost with no mark up; and further

RESOLVED, Said renewal will commence February 20, 2023, and expire February 19, 2024.

**RESOLUTION NO. 71-2023
AUTHORIZATION FOR AN AGREEMENT WITH
PARTNERSHIP FOR ONTARIO COUNTY, INC.
LEADERSHIP ONTARIO ADMINISTRATIVE SUPPORT**

WHEREAS, Section 224 of County Law authorizes counties to enter into contracts for certain public benefit services; and

WHEREAS, Resolution Number 56-2020 authorized the County to enter into a contract with the Partnership for Ontario County, Inc. for an amount not to exceed \$120,000 for the term of February 13, 2020 through December 31, 2022 for the Partnership for Ontario County's administrative support of the Leadership Ontario program; and

WHEREAS, Due to the COVID-19 pandemic, the Leadership Ontario class scheduled to commence in the fall of 2020 was unable to be held; and

WHEREAS, The County paid its initial contractual installment of \$40,000 to the Partnership for Ontario County in 2020; no payment was made by the County pursuant to this contract in 2021, and the second contractual payment was made by the County to the Partnership for Ontario County in 2022; and

WHEREAS, The adopted 2023 budget contains \$40,000 to cover the County's final contractual payment under the original agreement authorized by Resolution Number 56-2020; and

WHEREAS, The Government Operations and Insurance Committee recommends the County amend its existing contract with the Partnership for Ontario County, Inc. for the provision of administrative support services to the Leadership Ontario program through a no-cost time extension through December 31, 2023; now, therefore, be it

RESOLVED, That upon review and approval but the County Attorney as to form, that this Board of Supervisors does hereby authorize an amendment to the existing contract between the County and the Partnership for Ontario County, Inc. for the provision of administrative support for the Leadership Ontario program for a no-cost time extension through December 31, 2023; and further

RESOLVED, That the County Administrator is hereby authorized and directed to sign said agreement for Ontario County; and further

RESOLVED, That a certified copy of this resolution be sent to the Partnership for Ontario County, Inc. by the Clerk of the Board.

The foregoing block of four resolutions was adopted.

Supervisor Daniel Marshall offered the following seven resolutions as a block and moved its adoption, seconded by Supervisor Norman Teed:

**RESOLUTION NO. 72-2023
AUTHORIZATION TO ACCEPT INCENTIVE AWARD
NYS DEPARTMENT OF HEALTH 2023**

WHEREAS, The Year 10 New York State Department of Health's ongoing Local Health Department (LHD) Performance Incentive Initiative focused on the local response to the COVID-19 pandemic; and

WHEREAS, Ontario County Public Health participated and has been awarded a total of \$22,208.00 to support costs associated with Article 6 eligible services for the term January 1, 2023 through December 31, 2023; and

WHEREAS, This resolution has been reviewed by the Health and Human Services Committee and recommends the acceptance of the incentive award; and

WHEREAS, The County Administrator recommends the acceptance of the incentive award; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts said incentive award from the New York State Department of Health in the amount of \$22,208.00 for the term January 1, 2023 through December 31, 2023; and further

RESOLVED, That the Department of Finance is authorized to make all necessary accounting and budgetary entries to effect the intent of this resolution.

To	Description	Revenue	Appropriation
AAC407 43450	State Aid and PH Other	\$ 22,208.00	
AAC407 54101	Equipment, Minor		\$ 2,000.00
AAC407 54250	Advertising		\$ 5,000.00
AAC407 54580	Printing		\$ 2,000.00
AAC407 54690	Educational Expenses		\$ 5,000.00
AAC407 54730	Miscellaneous		\$ 5,000.00
AAC407 54750	Training & Conferences		\$ 3,208.00

RESOLUTION NO. 73-2023
AUTHORIZATION FOR PROFESSIONAL CONSULTANT CONTRACT
WITH PRIORITY MEDICAL BILLING

WHEREAS, Ontario County Public Health desires to renew the professional consultant service contract with Priority Medical Billing for services related to the provision of Medical Billing Services for the Department of Public Health; and

WHEREAS, Sufficient funds exist within the 2023 budget for this contract; and

WHEREAS, The Director of Preventive Services and The Health and Human Services Committee have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves the agreement with Priority Medical Billing Inc., 41 Brigham Circle, Honeoye Falls NY 14472 with the total cost not to exceed \$3,200, to provide medical billing services as detailed in Schedule A of the contract; and further

RESOLVED, That the contract shall cover the period of January 1, 2023 through December 31, 2023; and further

RESOLVED, That the County Administrator or their designee be, and hereby is, authorized and empowered to execute said contract and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the Department of Finance is authorized to make all necessary accounting and budget entries to effect the intent of this resolution.

RESOLUTION NO. 74-2023
AUTHORIZATION FOR PROFESSIONAL CONSULTANT CONTRACT

COUNCIL ON ALCOHOLISM AND ADDICTIONS OF THE FINGER LAKES

WHEREAS, Ontario County Mental Health has been notified by the NYS Office of Addiction Services and Supports of pass through funding for Council on Alcoholism and Addictions of the Finger Lakes for professional services; and

WHEREAS, The State Aid Funding Authorization Letter for Ontario County currently reflects \$253,934 of State and Federal funds and the required \$97,296 of the County Local Share, towards services related to the provision of Community Alcoholism and Addiction Prevention and Education Services; and

WHEREAS, Sufficient funds exist within the 2023 budget for this contract, which will encompass the period of January 1, 2023 through December 31, 2023; and

WHEREAS, The funds being funneled through Ontario County and NYS Office of Addiction Services and Supports are indeed, in part, Federal Aid which constitutes a “sub-award” to a “sub-recipient”, there are additional requirements for documentation that must be fulfilled in order to obtain the federal funds; and

WHEREAS, The Director of Community Mental Health Services, The Ontario County Community Services Board and The Health and Human Services Committee have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves this agreement with Council on Alcoholism and Addictions of the Finger Lakes for the amount designated by NYS OASAS State Aid Funding Authorization, which is currently \$253,934 and a County contribution of \$97,296 for a total of \$351,230; and further

RESOLVED, That the County Administrator is hereby authorized to execute the agreement and any other documents necessary to effectuate the purpose of this resolution on behalf of the Ontario County Board of Supervisors; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution.

RESOLUTION NO. 75-2023
AUTHORIZATION FOR PROFESSIONAL CONSULTANT CONTRACT
FINGER LAKES AREA COUNSELING AND RECOVERY AGENCY

WHEREAS, Ontario County Mental Health has been notified by the NYS Office of Addiction Services and Supports of pass through funding for Finger Lakes Area Counseling and Recovery Agency for professional services; and

WHEREAS, The State Aid Funding Authorization Letter for Ontario County currently reflects \$1,610,756 of State and Federal funds as well as the required \$97,296 of the County Local Share, towards services in connection with the provision of Community Alcoholism and Substance Abuse Services; and

WHEREAS, Sufficient funds exist within the 2023 budget for this contract which will encompass the period of January 1, 2023 through December 31, 2023; and

WHEREAS, The funds being funneled through Ontario County and NYS Office of Addiction Services and Supports are indeed, in part, Federal Aid which constitutes a “sub-award” to a “sub-recipient” and there are additional requirements for documentation that must be fulfilled in order to obtain the federal funds; and

WHEREAS, The Director of Community Services, The Ontario County Community Services Board and The Health and Human Services Committee have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves this agreement with Finger Lakes Area Counseling and Recovery Agency for the amount designated by the NYS Office of Addiction Services and Supports State Aid Funding Authorization, which is currently \$1,610,756; and a County contribution of \$97,296 for a total of \$1,708,052; and further

RESOLVED, That the County Administrator is hereby authorized to execute the agreement and execute any other documents necessary to effectuate the purpose of this resolution on behalf of the Board of Supervisors; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution.

**RESOLUTION NO. 76-2023
AUTHORIZATION TO CONTRACT FOR PERSONAL CARE SERVICES WITH
JMV SENIOR SOLUTION, INC DBA HAPPIER AT HOME**

WHEREAS, The County desires to enter into an agreement with JMV Senior Solutions, Inc, DBA Happier at Home, having offices at 153 North Main St., Fairport, N.Y 14450 for Personal Care Level I (Housekeeper/Chore Services) to provide services for EISEP (Expanded In Home Services for the Elderly Program), the Respite Care program and the Unmet Needs program; and

WHEREAS, The purpose of the services is to help older adults remain independent in their own homes and to prevent or delay institutionalization by aiding them with activities of daily living; and

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of clients and Happier at Home is one of those providers; and

WHEREAS, The Health and Human Services Committee has reviewed this request and recommends approval of this resolution; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and JMV Senior Solutions, Inc. DBA Happier at Home at a cost of \$30.00 per hour for a three hour shift or more and \$35.00 per hour for shifts less than three hours of Personal Care Level I services and \$0.655 per mile, or an amount not to exceed the IRS amount, for reimbursement to the aide when travel is required in the care plan and authorized by the Office for the Aging; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 1, 2023 to March 31, 2024, with the agency, and further

RESOLVED, That the County Administrator is hereby authorized and directed to sign said agreement.

**RESOLUTION NO. 77-2023
AUTHORIZATION TO CONTRACT WITH
UNITED CHURCH OF CHRIST OF HONEOYE**

WHEREAS, The County desires to enter into an agreement with the United Church of Christ of Honeoye, 8758 Main Street, P.O. Box 127, Honeoye, New York 14471 for the use of space to operate a congregate meal program for older adults; and

WHEREAS, The time frame for this agreement is April 1, 2023 to March 31, 2024 and the funds for this contract have been allocated in the Office for the Aging budget; and

WHEREAS, The Health and Human Services Committee has reviewed this request and has approved this resolution; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and the United Church of Christ of Honeoye at a total cost of \$3,120; and further

RESOLVED, That the Board of Supervisors does hereby direct and authorize the County Administrator to sign said agreement on behalf of the County.

**RESOLUTION NO. 78-2023
AUTHORIZATION TO CONTRACT WITH
AIM INDEPENDENT LIVING CENTER**

WHEREAS, The New York State Office for the Aging (NYSOFA) has provided Area Agencies on Aging with the option to add consumer directed in-home services to their EISEP program, which is a service delivery model that allows consumers to hire and direct their own home care aides; and

WHEREAS, The Ontario County Office for the Aging has determined there is a need for this type of service delivery; and

WHEREAS, NYSOFA requires that the AAA develop a contract with a Fiscal Intermediary (FI) vendor for the provision of Consumer Directed Care; and

WHEREAS, The Office for the Aging desires to enter into an agreement with the Corning Council for Assistance & Information to the Disabled Inc. aka AIM Independent Living Center with offices at 271 East First Street Corning, NY 14830 for its consumer directed financial management services; and

WHEREAS, AIM Independent Living Center will be reimbursed at the rate of \$23.90 per hour for the time period covering 04/01/2023 – 09/30/2023 and \$25.00 per hour for the period covering 10/01/2023 – 03/31/2024; and

WHEREAS, The Health and Human Services Committee has reviewed this request and recommends approval of this resolution; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney's Office as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Corning Council For Assistance & Information to the Disabled Inc. aka AIM Independent Living Center with offices at 271 East First Street Corning, NY 14830; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 1, 2023 to March 31, 2024, with the aforementioned agency; and further

RESOLVED, That the County Administrator is hereby authorized and directed to sign said agreement.

The foregoing block of seven resolutions was adopted.

Supervisor James Kennedy recused himself from Resolution No. 75-2023 due to a conflict of interest with his employment with FLACRA.

Supervisor Daniel Marshall offered the following two resolutions as a block and moved its adoption, seconded by Supervisor James Kennedy:

**RESOLUTION NO. 79-2023
APPOINTMENT TO THE ONTARIO COUNTY YOUTH BOARD
DEREK SIGLER**

WHEREAS, Ethan Rheude was appointed to the Ontario County Youth Advisory Board for a term that expires on October 24, 2023; and

WHEREAS, Mr. Rheude has departed from the board to attend college leaving a vacancy on the Ontario County Youth Board; and

WHEREAS, The Executive Director of the Youth Board expresses full support of the decision of the board that Derek Sigler be appointed to fill the board vacancy on the Ontario County Youth Board; and

WHEREAS, The Health and Human Services Committee has reviewed and approved this appointment; now, therefore, be it

RESOLVED, That Mr. Sigler is appointed to the Ontario County Youth Board term which will expire October 24, 2023; and further

RESOLVED, That certified copies of this resolution be sent to Mr. Sigler, Youth Bureau and the County Clerk.

**RESOLUTION NO. 80-2023
APPOINTMENT - ONTARIO COUNTY YOUTH BOARD
MAKENZIE R. DAVIS**

BE IT RESOLVED, That this Board of Supervisors does hereby approve the following appointments to the Ontario County Youth Board:

- Makenzie R. Davis with the term expiring on February 28, 2026; and

RESOLVED, That certified copies of this resolution be sent to Ms. Davis, Youth Bureau and the County Clerk.

The foregoing block of two resolutions was adopted.

Supervisor Daniel Marshall offered the following resolution and moved its adoption, seconded by Supervisor Tamara Hicks:

**RESOLUTION NO. 81-2023
CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS-THRU
FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID
ASSISTANCE PERCENTAGE FUNDS**

WHEREAS, The SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, The State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, The elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, This proposed elimination of eFMAP pass-thru funding would increase Ontario County's local Medicaid share by approximately \$2,100,000 in 2024; and

WHEREAS, The SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, It is the strong view of NYSAC that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, Since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress; and

WHEREAS, Enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion; and

WHEREAS, Starting in SFY 2014, New York began sharing these federal ACA savings directly with counties. The savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program. Through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, Counties strongly disagree with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby opposes the elimination of pass-thru eFMAP funds contained within the proposed Executive Budget; and further

RESOLVED, That the New York State Association of Counties and Ontario County calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years; and further

RESOLVED, That copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and further

RESOLVED, That Clerk of this Board shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, the New York State Congressional Delegation, and all others deemed necessary and proper.

Adopted.

Supervisor David Phillips offered the following six resolutions as a block and moved its adoption, seconded by Supervisor Frederick Lightfoote:

**RESOLUTION NO. 82-2023
AUTHORIZATION TO CONTRACT WITH EWASTE+
FOR ELECTRONIC WASTE COLLECTION EVENT**

WHEREAS, Resolution No. 297-2014 authorized the adoption of the County's Local Solid Waste Management Plan; and

WHEREAS, New York State legislation prohibits the disposal of electronic waste (e-waste) in landfills; and

WHEREAS, The Local Solid Waste Management Plan identifies numerous implementation tasks, including proper disposal of e-waste; and

WHEREAS, The County has seen a continuous need for the collection of e-waste from residents via county-wide collection events; and

WHEREAS, Two e-waste collection events will be held in 2023 to collect unwanted electronic waste from residents and properly dispose of it; and

WHEREAS, EWASTE+ has provided a quote for both electronics collection event day services including; collection, transportation, packing supplies, environmentally sound disposal/ recycling and reporting for an amount not to exceed Thirty Thousand Dollars (\$30,000.00); and

WHEREAS, Sufficient funds exist within the Local Solid Waste Management Plan Budget; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommends its adoption; now, therefore, it be

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the proposal and approves the contract with EWASTE+ for services related to the collection of electronic waste, at a cost not to exceed Thirty Thousand Dollars (\$30,000.00); and further

RESOLVED, That the term of said contract shall commence on March 1, 2023 and terminate on December 31, 2023; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with EWASTE+, and all other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Planning and Environmental Quality standing committee; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution.

**RESOLUTION NO. 83-2023
AUTHORIZATION TO CONTRACT WITH
CORNELL COOPERATIVE EXTENSION
FOR ELECTRONIC WASTE COLLECTION EVENT ASSISTANCE**

WHEREAS, Resolution No. 297-2014 authorized the adoption of the County's Local Solid Waste Management Plan; and

WHEREAS, New York State legislation prohibits the disposal of electronic waste (e-waste) in landfills; and

WHEREAS, The Local Solid Waste Management Plan identifies numerous implementation tasks, including proper disposal of e-waste; and

WHEREAS, The County has seen a continuous need for the collection of e-waste from residents via county-wide collection events; and

WHEREAS, Two e-waste collection events will be held in 2023 to collect unwanted electronic waste from residents and properly dispose of it; and

WHEREAS, Educational outreach, marketing and other administrative services for the event will be necessary to ensure residential participation and the collection of measurable participant data; and

WHEREAS, Cornell Cooperative Extension of Ontario County has supplied a quote to provide the above referenced services for a fee not to exceed 11,274.92; and

WHEREAS, Sufficient funds exist within the Local Solid Waste Management Plan Budget; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommends its adoption; now, therefore, it be

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the proposal and approves the contract with Cornell Cooperative Extension for services related to the collection of electronic waste, at a cost not to exceed 11,274.92; and further

RESOLVED, That the term of said contract shall commence on March 1, 2023 and terminate on December 31, 2023; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with Cornell Cooperative Extension, and all other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Planning and Environmental Quality standing committee; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution.

RESOLUTION NO. 84-2023
AUTHORIZATION TO CONTRACT WITH
CASELLA WASTE MANAGEMENT OF NY- BUFFALO DIVISION
FOR MATTRESS RECYCLING COLLECTION EVENT

WHEREAS, Resolution No. 297-2014 authorized the adoption of the County's Local Solid Waste Management Plan; and

WHEREAS, The Local Solid Waste Management Plan identifies numerous implementation tasks; and

WHEREAS, There are few, if any, opportunities for mattress reuse in Ontario County leaving recycling as the best option to divert valuable materials from disposal in the landfill; and

WHEREAS, Two collection events will be held in 2023 to collect unwanted mattresses and box springs of all sizes and types from residents and recycle the materials; and

WHEREAS, Casella Waste Management of NY- Buffalo Division has provided a quote for both the hauling and recycling of the mattresses and box springs for an amount not to exceed nine thousand five hundred seven dollars and sixty cents (\$9507.60); and

WHEREAS, Sufficient funds exist within the Local Solid Waste Management Plan Budget; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommends its adoption; now, therefore, it be

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the proposal and approves the contract with Casella Waste Management of NY- Buffalo Division for services related to the collection of mattresses and box springs, at a cost not to exceed nine thousand five hundred seven dollars and sixty cents (\$9507.60); and further

RESOLVED, That the term of said contract shall commence on March 1, 2023, and terminate on December 31, 2023; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with Casella Waste Management of NY- Buffalo Division, and all other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Planning and Environmental Quality standing committee; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution.

RESOLUTION NO. 85-2023
AUTHORIZATION TO CONTRACT WITH
ONTARIO COUNTY SOIL & WATER CONSERVATION DISTRICT
FOR ADMINISTRATIVE EVENT SERVICES

WHEREAS, Resolution No. 297-2014 authorized the adoption of the County's Local Solid Waste Management Plan; and

WHEREAS, The Local Solid Waste Management Plan identifies numerous implementation tasks, including encouraging the proper disposal of unique wastes; and

WHEREAS, Vehicular tires are identified as a landfill waste ban item and cannot be disposed of at any NYS DEC Region 8 landfill; and

WHEREAS, The removal of waste tires from Ontario County communities is an important effort in preventing illegal dumping and keeping the County's natural water resources clean; and

WHEREAS, The County and Ontario County Soil & Water Conservation District will collaborate to administer three tire collection events at various dates and locations across the County, all of which will be open to Ontario County Residents; and

WHEREAS, Administrative services are required including pre-registration, day of check-in, and hauling service contracting; and

WHEREAS, Ontario County Soil & Water Conservation District has submitted a proposal dated January 12, 2023 to perform the above services for a fee not to exceed Seventeen Thousand Dollars (\$17,500.00); and

WHEREAS, Sufficient Funds exist within the Local Solid Waste Management Plan Budget; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommends its adoption; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the proposal and approves the contract with Ontario County Soil & Water Conservation District for services related to the collection of residential tires for proper disposal, at a cost not to exceed Seventeen Thousand Dollars (\$17,500.00); and further

RESOLVED, That the term of said contract shall commence on March 1, 2023 and terminate on December 31, 2023; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with Ontario County Soil & Water Conservation District, and all other documents necessary to effectuate the purpose of this resolution.

**RESOLUTION NO. 86-2023
AUTHORIZATION FOR RENEWAL AGREEMENT WITH
SHRED TEXT INC. FOR
ON-SITE MOBILE DOCUMENT DESTRUCTION SERVICES**

WHEREAS, Ontario County Purchasing Department solicited quotes for on-site mobile document destruction services per quote (Q22030); and

WHEREAS, Resolution No. 099-2022 authorized the contract for services with Shred Text Inc.; and

WHEREAS, Ontario County continues to require secure destruction of sensitive documents generated by various County departments; and

WHEREAS, The County and Shred Text Inc. have agreed to a 12-month renewal of quote (Q22030) for paper shredding services; and

WHEREAS, The cost of this shredding is covered within the budgets of the Departments utilizing the service; and

WHEREAS, The Planning & Environmental Quality Committee has reviewed and recommends adoption of this resolution; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisor's hereby approves an agreement with Shred Text Inc., for the services and prices referenced in the quote on file with the clerk of this Board; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with Shred Text Inc., and all other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the term of said renewal of contract will be awarded for a one-year period starting on March 1, 2023 and ending on February 28, 2024; and further

RESOLVED, That the Finance Department is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

RESOLUTION NO. 87-2023
AUTHORIZATION TO AMEND BUDGET FOR
THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR
CARES ACT BLOCK GRANT FUNDING

WHEREAS, The Ontario County Economic Development Corporation (the "OCEDC") teamed with the Finger Lakes Visitors Connection to assist hospitality and tourism businesses impacted by COVID-19; and

WHEREAS, Ontario County applied for and received from the New York State Office of Community Renewal (the "OCR") CARES Act funds in the amount of one million dollars to finance the Project costs (Resolution 302-2021); and

WHEREAS, Resolution No. 616-2022 authorized the Chairman of the Board of Supervisors to request an additional amount up to three hundred fifty-two thousand dollars (\$352,000) in CARES Act funds and to modify to the grant agreement between the County and the OCEDC for the implementation of the Project and administration of the OCR grant, with all documents to be subject to review and approval by the County Attorney; and

WHEREAS, The additional \$352,000 funds have been awarded Ontario County and reviewed and approved by the County Attorney; and

WHEREAS, The 2023 Ontario County budget needs to be amended to reflect the increase in funding from the OCR; and

WHEREAS, Both the Planning and Environmental Quality Committee and Ways and Means Committee approve the 2023 budget amendment reflecting the increase in funding of the grant funding; now, therefore, be it

RESOLVED, That the Chairman of the Board of Supervisors approve the following budget amendment:

Account	Account Number	Amount (+ Inc; - Dec)
Federal Aid Other	CR8668 44089	+\$ 352,000
Grants to OCEDC	CR8668 44733	+\$ 352,000

and further

RESOLVED, That any unspent or unencumbered funding be carried forward to future years as long as the grant is active; and further

RESOLVED, That the Ontario County Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution; and further

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to the Office of Economic Development.

The foregoing block of six resolutions was adopted.

Supervisor David Phillips offered the following resolution and moved its adoption, seconded by Supervisor Christopher Vastola:

**RESOLUTION NO. 88-2023
PROCLAMATION FOR MARCH AS
AGRICULTURE MONTH**

WHEREAS, March signifies a national celebration of the importance of food and agriculture in the United States as it provides almost everything we eat and use each day. This month we recognize and celebrate the diversity and abundance provided by New York’s farms and our growing food and agricultural sector and the contributions of Ontario County’s family farmers; and

WHEREAS, There are 33,400 farms in NYS and 6,900,000 acres of operated farmland; and

WHEREAS, 297,446 acres of those important farming soils are Ontario County; and

WHEREAS, The agricultural industry in New York State contributed more than \$5.4 billion in agricultural economy sales to the New York economy each year; and

WHEREAS, The agricultural industry in Ontario County contributed more than \$180,326,000 in total agricultural economic sales; and

WHEREAS, With farmland occupying nearly one quarter of New York State's land area, agriculture also promotes New Yorker's quality of life in other ways, including providing access to fresh, locally sourced food, preserving open space, and enhancing communities through farmer's markets and other such activities; and

WHEREAS, Recognizing the month of March as Agriculture Month in Ontario County provides the opportunity for all residents of Ontario County and New York to better appreciate agriculture's breadth and beauty, how food and fiber products are produced, and the role agriculture plays in providing safe, abundant, and affordable products; and

WHEREAS, Proclaiming March as Agriculture month will build awareness of the benefits of the agricultural industry in Ontario County and encourage young people to consider agriculture as a career; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommended its adoption; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors do hereby proclaim March 2021 as Agriculture Month in Ontario County; and further

RESOLVED, This Board urges Ontario County residents and all New Yorkers in recognizing the importance of our food and agriculture industry, to thank a farmer for providing the food we eat and to help celebrate every month with meals made from a variety of New York State products; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Assemblyman Jeff Gallahan, Senator Pamela Helming, Assemblywoman Marjorie Byrnes, Congresswoman Claudia Tenney, Ontario County Farm Bureau, and New York State Farm Bureau.

Adopted.

Supervisor David Phillips offered the following resolution and moved its adoption, seconded by Supervisor Christopher Vastola:

RESOLUTION NO. 89-2023
RESOLUTION OF APPRECIATION FRANK RICCIO

WHEREAS, Mr. Frank Riccio, of 5739 Dalton Drive Farmington, NY, has served on the Board of Directors of the Ontario County Four Seasons Local Development Corporation since 1989; and

WHEREAS, Mr. Riccio has devoted both his time and his expertise in the guidance of the Ontario County Four Seasons Local Development Corporation in its mission to the enhancement of tourism and economic development of the Ontario County tourism industry; and

WHEREAS, Mr. Riccio has brought considerable knowledge and experience to the board through his various affiliations with; Sunrise Hill Inn, Farmington; Cobblestone Country Club, Bristol Mountain, Bagels, Cakes & More, to name just a few; and

WHEREAS, Mr. Riccio has served as President of the Board of Directors of the Ontario County Four Seasons Local Development Corporation from 1993 to 1995; and served as the Treasurer of the board from 2011 to 2019; and

WHEREAS, Mr. Riccio was recognized in 1993, the inaugural year of the FLVC Legacy Awards for his leadership in business and community; and

WHEREAS, Mr. Riccio chose to retire from the Board of Directors of Ontario County Four Seasons Local Development Corporation effective September 30, 2022, yet remain active in advising the board on many aspects of tourism economic development and marketing; and

WHEREAS, The Ontario County Board of Supervisors recognizes the valuable contributions Mr. Riccio has made to the growth of the tourism industry for Ontario County; now, therefore, be it

RESOLVED, That the members of the Ontario County Board of Supervisors recognize the loyal and faithful performance of his duties and wish to express their appreciation to Mr. Riccio; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the Chairperson of the Ontario County Four Seasons Local Development Corporation, and Mr. Riccio.

Adopted.

Supervisor David Phillips offered the following three resolutions as a block and moved its adoption, seconded by Supervisor Andrew Wickham:

**RESOLUTION NO. 90-2023
APPOINTMENT OF PAUL LAMBIASE TO THE
ONTARIO COUNTY PLANNING BOARD**

WHEREAS, The Naples Town Board recommends Paul Lambiase for appointment to a 5-year term as the Town's representative to the Ontario County Planning Board; and

WHEREAS, The Planning and Environmental Quality Committee also recommends the appointment of Mr. Lambiase, now, therefore, be it

RESOLVED, That as of February 16, 2023 the following individual is appointed as a member of the Ontario County Planning Board:

Name	Representing	Term Expires
Paul Lambiase	Town of Naples	February 15, 2028

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board, to the County Clerk, to the Town of Naples, to the Ontario County Planning Department, and to Paul Lambiase.

**RESOLUTION NO. 91-2023
AMENDMENT TO RESOLUTION NO. 37-2022
TO UPDATE ESTIMATED CONTRACT PERIOD TO EXACT DATES FOR
EMPIRE STATE DEVELOPMENT GRANT
TO PREPARE THE MANCHESTER YARD MASTER SITE PLAN
REDEVELOPMENT STRATEGY – PHASE III**

WHEREAS, Resolution No. 37-2022 authorized Ontario County to accept an Empire State Development (ESD) Working Capital Grant (Project #134,759) via an Incentive Proposal to be used for preparation of the Manchester Yard Master Site Plan Redevelopment Strategy – Phase III for an estimated contract period of January 2022 to February 2023; and

WHEREAS, It is now necessary to amend Resolution No. 37-2022 because ESD has confirmed that the contract period is from January 28, 2022 to January 28, 2024 per the Incentive Proposal; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed and recommends acceptance of this amendment to Resolution No. 37-2022; now, therefore, be it

RESOLVED, The contract is subject to the review and approval of the County Attorney's office, as to form; and further

RESOLVED, That Resolution No. 37-2022 be amended to reflect the contract period provided herein of January 28, 2022 to January 28, 2024; and further

RESOLVED, That the Department of Finance is directed to make all necessary budget and accounting entries to effect the intent of this resolution for a total project budget of \$65,000; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Planning and Environmental Quality Committee.

RESOLUTION NO. 92-2023
AUTHORIZATION TO CONTRACT WITH
G&G MUNICIPAL CONSULTING AND GRANT WRITING FOR
ONTARIO COUNTY FARMWORKER SAFETY AND HOUSING PROGRAM

WHEREAS, Resolution No. 812-2022 authorized acceptance of a New York State Community Development Block Grant (CDBG) through the Housing Trust Fund Corporation in the amount of \$2,226,700.00 to implement the Ontario County Farmworker Safety and Housing Program; and

WHEREAS, Use of the funds is for healthy and safe housing accommodations for 66 farmworker employees collectively at five farms located in multiple towns in Ontario County; and

WHEREAS, Hiring of a consultant to provide professional grant administration services for an amount not to exceed five percent (5%) of total CDBG grant is an eligible expense under said grant; and

WHEREAS, Ontario County Purchasing Department released Request for Proposals (R23032) for Grant Administration for Ontario County Farmworker Safety and Housing Program dated December 27, 2022 (the 'RFP'); and

WHEREAS, Four firms submitted proposals in response to said RFP; and

WHEREAS, A Selection Committee comprised of staff from the Ontario County Planning Department and the Chairperson of the Planning and Environmental Quality Committee was convened to review proposals; and

WHEREAS, After reviewing proposals, the Selection Committee recommends that G&G Municipal Consulting and Grant Writing be awarded the contract for the project at a cost not to exceed 111,335.00; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommends its adoption; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney, the Ontario County Board of Supervisors does hereby accept the proposal dated January 27, 2023 from G&G Municipal Consulting and Grant Writing, 131 South Union Street, PO Box 39, Spencerport, NY 14559 to provide professional grant administration services in regard to the Ontario County Farmworker Safety and Housing Program at a cost not to exceed \$111,335.00, and hereby authorizes and empowers the County Administrator to execute a contract with said firm for said amount; and further

RESOLVED, That any professional grant administration services or other expenses for this project provided by G&G Municipal Consulting and Grant Writing in excess of said contract shall be paid by the participating farms where individual Farmworker Safety and Housing Program projects are implemented; and further

RESOLVED, That the term of said contract shall commence on February 16, 2023 and end on November 9, 2024; and further

RESOLVED, That the cost of said professional grant administration services within said contract will be paid from budget line CR8666 54260 – Consultation and Professional at no cost to the County; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Planning and Environmental Quality Committee; and further

RESOLVED, That the Director of Planning shall be administratively responsible for this contract; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution.

The foregoing block of three resolutions was adopted.

Supervisor David Phillips offered the following resolution and moved its adoption, seconded by Supervisor Frederick Lightfoote:

**RESOLUTION NO. 93-2023
REAPPOINTMENT OF THOMAS HARVEY
DIRECTOR OF PLANNING**

WHEREAS, The term of appointment for Mr. Thomas Harvey, Director of Planning, expires February 13, 2023; and

WHEREAS, The County Administrator has completed the performance review process with Mr. Harvey and recommends reappointment; and

WHEREAS, The Planning and Environmental Quality Committee has approved this recommendation; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby reappoints Mr. Thomas Harvey to the position of Director of Planning for a term of two years to commence February 14, 2023; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Clerk and Mr. Harvey.

Adopted.

Supervisor Robert Green offered the following six resolutions as a block and moved its adoption, seconded by Supervisor Louis Guard:

**RESOLUTION NO. 94-2023
AUTHORIZATION OF CONTRACT WITH
ARMOR SECURITY & PROTECTION GROUP FOR
SECURITY GUARDS AT 20 ONTARIO STREET
AND 3019 COUNTY COMPLEX DRIVE**

WHEREAS, The County would like to execute a contract with Armor Security & Protection Group at 100 Chestnut Street, Suite 1607, Rochester, New York 14604 (the Vendor) to provide full time onsite security guards at 20 Ontario St Canandaigua and 3019 County Complex Dr in the Town of Hopewell; and

WHEREAS, The Vendor has proposed to provide said services as described in attachment A of the proposed contract, which includes coverage during normal business hours as well as rates for overtime to cover special events; and

WHEREAS, Adequate funds have been budgeted in line item AA1620 54260, B & G Consultation and Professional to pay for said services; and

WHEREAS, The Public Safety Committee recommends approval of a contract with the Vendor for said services and; now, therefore, be it

RESOLVED, Upon approval of the County Attorney as to form, the County Administrator is authorized to execute a contract with the Vendor to provide full time onsite security guards at 20 Ontario St Canandaigua and 3019 County Complex Dr in the Town of Hopewell; and further

RESOLVED, That the term of said contract shall commence on February 26, 2023, and terminate on December 31, 2023; and further

RESOLVED, That invoices for said services shall be reviewed and approved by Tim Jensen in the Planning Department and paid from budget line item AA1620 54260, B & G Consultation and Professional.

RESOLUTION NO. 95-2023
AUTHORIZATION TO EXTEND FY18 STATEWIDE INTEROPERABLE
COMMUNICATIONS GRANT PROGRAM FROM NEW YORK STATE
DIVISION OF HOMELAND SECURITY EMERGENCY SERVICES

WHEREAS, Resolution No. 761-2018 granted authorization to accept a \$621,404.00 FY 2018 Statewide Interoperable Communications Formula-Based Grant (Project SI18-1012-D00, Contract No. C198199; CFDA# n/a; MUNIS # G19006) from the New York State Division of Homeland Security and Emergency Services (DHSES) for the purpose of improving interoperable radio communications throughout Ontario County and the surrounding region; and

WHEREAS, The term of said grant was extended to December 31, 2022 pursuant to Resolution No. 343-2021; and

WHEREAS, The work scope for said grant includes installation of a gateway and repeater into the County mobile command post, provision of updated P25-compliant radio communications equipment, and establishing a microwave link between Ontario and Monroe Counties; and

WHEREAS, All projects under the work scope are complete with the exception of installation of the redundant microwave link as certain key equipment components remain backordered per the manufacturer until at least March 2023; and

WHEREAS, The New York State DHSES has approved Ontario County's request to extend said grant until December 31, 2023 in order to complete the redundant microwave connection; and

WHEREAS, It is advantageous for Ontario County to extend this grant to fully utilize this funding to complete the redundant microwave connection with Monroe County; and

WHEREAS, The Public Safety Committee has reviewed and recommend approval of this resolution; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors, hereby approves the no-cost contract extension of New York State Contract C198199 with the New York State Department of Homeland Security and

Emergency Services in the amount of \$ 621,204.00 for a new term ending December 31, 2023; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the no-cost time extension for said New York State Contract C198199 and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the Ontario County Finance Department is authorized and empowered to make all necessary budgetary and accounting entries to effect the intent of this resolution; and further

RESOLVED, That a copy of this resolution be sent to Jason Neznec, Public Safety Grants Representative, NYS DHSES at Jason.Neznek@dhses.ny.gov.

**RESOLUTION NO. 96-2023
RAISE THE AGE -CONTRACT WITH FLACRA
FOR SUBSTANCE ABUSE TREATMENT SERVICES**

WHEREAS, The Ontario County Probation Department is desirous to contract with FLACRA, to provide substance abuse treatment services to adolescents ages 16 and 17; and

WHEREAS, The FLACRA has successfully provided substance abuse treatment services to Raise the Age Youth for the Ontario County Probation Department; and

WHEREAS, New York State has approved reimbursement of Ontario County's cost for the services provided by FLACRA; and

WHEREAS, The Public Safety Committee recommends the County enter into an agreement with FLACRA; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an agreement with FLACRA at a cost not to exceed \$10,000; and further

RESOLVED, That the County Administrator is authorized to sign the agreement; and further

RESOLVED, That the contract term will be from January 1, 2023- December 31, 2023.

**RESOLUTION NO. 97-2023
ACCEPTANCE OF BID (B22062) FOR
REPLACEMENT OF DENTAL CHAIR AND RELATED EQUIPMENT FOR
THE ONTARIO COUNTY JAIL**

WHEREAS, The Purchasing Department advertised for and received, per the tabulation sheet on file with the Clerk of the Board, bids for the Replacement of Dental Chair & Related Equipment for Ontario County Jail (B22062); and

WHEREAS, Upon discussion with the Ontario County Sheriff's Office Administration, the Purchasing Department deemed it to be in the County's best interest to award the bid to the vendor offering the best value, Henry Schein, Inc. with offices at 135 Duryea Rd. Melville, NY 11747, for the price of \$29,071.00; and

WHEREAS, The Public Safety Committee recommends that this bid be accepted; now, therefore, be it,

RESOLVED, That the Board of Supervisors authorize bid (B22062) be awarded to the above vendor at the above price; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Henry Schein.

RESOLUTION NO. 98-2023
ACCEPTANCE OF BID (B23023) FOR PURCHASING
OF LAW ENFORCEMENT ACCESSORIES & LEATHER GOODS

WHEREAS, The Purchasing Department advertised for and received, per the tabulation sheet on file with the Clerk of the Board, bids for the Purchasing of Law Enforcement Accessories & Leather Goods (B23023); and

WHEREAS, The County spends approximately \$115,000 annually for law enforcement uniforms; and

WHEREAS, Upon discussion with the Ontario County Sheriff's Office Administration, the Purchasing Department deemed it to be in the County's best interest to award the entire bid to the vendor offering the best value, United Uniform Distribution, LLC with offices at 495 North French Road, Buffalo NY 14228; and

WHEREAS, The Public Safety Committee recommends that this bid be accepted; now, therefore, be it,

RESOLVED, That the Board of Supervisors authorize bid (B23023) be awarded to the above vendor for the term of March 1st 2023 through February 29th, 2024 with the option for two (2) twelve (12) month renewals; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to United Uniform Distribution, LLC.

**RESOLUTION NO. 99-2023
AUTHORIZING FOR THE OFFICE OF SHERIFF TO CONTRACT
WITH COLLECTIVE DATA, INC. FOR
PURCHASE OF INVENTORY MANAGEMENT SERVICES**

WHEREAS, There is a need for the Office of Sheriff to upgrade its inventory management procedures from a manual process to the use of an electronic software system; and

WHEREAS, A proposal has been received from Collective Data, Inc. with offices at 460 12th Ave. SE, Suite #200, Cedar Rapids, IA 52401; and

WHEREAS, This software program was budgeted during for the 2023 budget cycle and sufficient funds exist within the Office of Sheriff budget; and

WHEREAS, The County Attorney's Office has reviewed and approved the terms of the Service Agreement with Collective Data, Inc.; and

WHEREAS The Sheriff has reviewed this request with the Public Safety Committee which recommends authorization of this contract; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the service agreement and purchase of inventory management services software from Collective Data, Inc. for a term commencing on February 17, 2023 with an automatic renewal every twelve (12) months unless terminated by either party, per the terms of the approved service agreement; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said contract, and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Ontario County Office of Sheriff.

The foregoing block of six resolutions was adopted. Supervisor Kennedy abstained from Resolution No. 96-2023 due to employment conflict of interest.

Supervisor Frederick Lightfoote offered the following three resolutions as a block and moved its adoption, seconded by Supervisor Frederick Wille:

**RESOLUTION NO. 100-2023
CAPITAL PROJECT NO. H087-22
COUNTY ROAD 25 REHABILITATION - PURCHASE OF LANDS**

WHEREAS, Resolution No. 586-2022 created Capital Project No. H087-22, County

Road 25 Rehabilitation; and

WHEREAS, The rehabilitation will be done in two phases with phase 1 beginning in 2023; and

WHEREAS, The Department of Public Works, having investigated the matter of acquiring additional right-of-way necessary for the Rehabilitation of County Road 25, recommends purchasing easements as follows:

CR 25 - Parcel No(s).	Tax Account Number	Est. Amount
HUD01-2022- Parcel A	34.00-3-62.000	\$500.00
HUD02-2022-Parcel B	34.00-3-62.000	\$500.00
HUD01-2022-Parcel C	34.00-3-62.000	\$500.00
HUD02-2022	22.00-3-16.000	\$1,250.00
HUD03-2022	22.00-3-14.000	\$1,000.00
HUD04-2022	34.00-3-68.100	\$1,000.00
HUD05-2022	34.00-3-21.100	\$500.00
HUD07-2022	34.00-3-19.100	\$900.00
HUD08-2022-Parcel A	34.00-3-19.200	\$500.00
HUD08-2022-Parcel B	34.00-2-19.200	\$1,200.00
HUD08-2022-Parcel C	34.00-2-19.200	\$500.00
HUD09-2022-Parcel A	23.00-1-44.110	\$1,000.00
HUD09-2022 Parcel B	23.00-1-44.110	\$500.00
HUD11-2022	23.00-1-46.100	\$1,000.00

and

WHEREAS, Estimated right-of-way cost for said project is \$10,850; and

WHEREAS, During final negotiations with property owners it may be necessary to compensate for unforeseen conditions and administrative remedies thus requiring a right-of-way purchase contingency; and

WHEREAS, It may be necessary to conduct title searches and abstract updates for these easements; and

WHEREAS, Pursuant to Resolution No. 549-2021, this Board authorized a contract with Crossroads Abstract to conduct title searches and abstract updates as directed by the County Attorney; and

WHEREAS, The Department of Public Works has established a cost estimate of \$5,000 to complete title searches and abstract updates for said parcels; and

WHEREAS, Estimated budget for said property acquisition is \$17,000 which includes a contingency of \$1,150; and

WHEREAS, There is sufficient funding in the Capital Project to fund said easements; and

WHEREAS, The Public Works and Ways & Means Committees have reviewed this

proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That the budget of Capital Project No. H087-22 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations				
HHH08722 54491	General Construction	\$648,211.3 1	- \$17,000.0 0	\$631,211. 31
HHH08722 54820	Land Acquisition	\$0.00	+\$17,000. 00	\$17,000.0 0
HHH08722 54865	Administration	\$2,000.00		\$2,000.00
Revenue				
HHH08722 45031	Interfund Transfers	\$650,211.3 1		\$650,211. 31

and further

RESOLVED, That the Ontario County Board of Supervisors, on the recommendation of the Public Works Committee, hereby approves the purchase of the aforesaid easements and the amounts hereinbefore set for an amount not to exceed \$17,000; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this Resolution for a total project budget of \$650,211.31; and further

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of the original purchase, subject to review and approval by the Office of the County Attorney; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Department of Finance and the County Attorney.

**RESOLUTION NO. 101-2023
CAPITAL PROJECT NO. H084-22
REPLACEMENT OF COUNTY ROAD 12 CULVERT #35
AWARD OF CONTRACT FOR CONSTRUCTION INSPECTION**

WHEREAS, Resolution No. 262-2022 created Capital Project No. H084-22, Replacement of County Road 12 Culvert #35; and

WHEREAS, Resolution No. 379-2022 authorized acceptance of Bridge NY State and Local Agreement; and

WHEREAS, The project for the Replacement of County Road 12 Culvert #35, P.I.N. 4BNY.44 is eligible for reimbursement of qualified costs from Bridge NY funding

that calls for the post-reimbursement apportionment of the qualified costs be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, The Public Works Department – Engineering Section has designed this Bridge NY funded project; and

WHEREAS, Resolution No. 847-2022 awarded a contract to Ramsey Constructors, Inc., for construction of the project; and

WHEREAS, The County Public Works Department received a qualification-based proposal for construction inspection services related to the Project, under the procedures set forth by the Federal Government for use of Federal Transportation funds; and

WHEREAS, The County Engineering staff have reviewed and approved the construction inspection services scope and the corresponding price proposal; and

WHEREAS, After review of said proposal the Public Works Department recommends Erdman Anthony, 145 Culver Road, Suite 200, Rochester NY 14620 for construction inspection services related to said Project for a cost not to exceed \$256,000.00; and

WHEREAS, The 2023 Capital Improvement Plan includes CHIPS funding for said project (CIP # R40-20); and

WHEREAS, The Public Works Committee and Ways and Means Committee have reviewed this resolution and recommend its approval; now, therefore, be it

RESOLVED, That the budget for Capital Project No. H084-22 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH08422 54491	General Construction	\$2,447,838. 68		\$2,447,838. 68
HHH08422 54495	Engineering	\$0.00	+\$256,000. 00	\$256,000.0 0
HHH08422 54820	Land Acquisition	\$8,300.00		\$8,300.00
HHH08422 54865	Administration	\$2,000.00		\$2,000.00
HHH08422 54731	Contingency	\$0.00		\$0.00
Revenue:				
HHH08422 43089	State Aid	\$1,000,000. 00		\$1,000,000. 00
HHH08422 45031	Interfund Transfers	\$1,458,138. 68	+\$256,000. 00	\$1,714,138. 68

and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract with Erdman Anthony for said work for a cost not to exceed \$256,000.00 and said contract will expire December 31, 2023; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, for this contract, the Board of Supervisors hereby approves such extension subject to review and approval by the Public Works Committee; and further

RESOLVED, That the County Administrator is authorized to sign the agreements; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Department of Finance.

**RESOLUTION NO. 102-2023
AUTHORIZATION TO RENEW BID (B21006)
ELEVATOR MAINTENANCE**

WHEREAS, Resolution No. 197-2021 awarded bid (B21006) for the maintenance of Ontario County and Finger Lakes Community College elevators; and

WHEREAS, Resolution No. 118-2022 renewed bid (B21006) with KONE Inc. for the time period April 1, 2022 to March 31, 2023; and

WHEREAS, KONE, Inc. has agreed to a 12-month renewal at the current price structure; and

WHEREAS, The Purchasing Department recommends this bid renewal; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of bid B21006 to KONE, Inc., 10 Pixley Industrial Parkway, Rochester, NY 14624, for elevator maintenance beginning April 1, 2023 through March 31, 2024.

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to KONE Inc.

The foregoing block of three resolutions was adopted.

Supervisor Frederick Lightfoote offered the following resolution and moved its adoption, seconded by Supervisor David Phillips:

RESOLUTION NO. 103-2023

AUTHORIZATION TO AWARD BID (B23025) FOR HAULING AND DISPOSAL OF TRASH/RECYCLABLES FROM VARIOUS COUNTY LOCATIONS

WHEREAS, Ontario County needs to dispose of waste generated by its various departments; and

WHEREAS, The Ontario County Board of Supervisors has also adopted a Solid Waste Management Plan that calls for continual efforts in diversion and source reduction of waste generated by Ontario County government agencies; and

WHEREAS, The Ontario County Purchasing Department solicited a bid (B23025) for the removal, transportation, and disposal of waste and recyclables; and

WHEREAS, Through waste diversion efforts and recycling, the bid specifications were modified from our last bid in 2015, for smaller waste containers and lower frequency of pickup/disposal which resulted in mitigating anticipated rate increases; and

WHEREAS, Waste Management of New York LLC (WM) and Casella Waste Management of NY, Inc, (Casella Waste) submitted a proposal for removal, transportation, and disposal of waste and recyclables per the prices listed on the bid tabulation sheet; and

WHEREAS, Casella Waste provided a price for all 19 items and Waste Management (WM) did not bid on 5 items; and

WHEREAS, The county needs to have service at all of its facilities and thus considers the bid by WM to be incomplete for our use; and

WHEREAS, Department of Public Works staff recommend awarding bid (B23025) to Casella Waste per the bid tabulation sheet on file; and

WHEREAS, The Public Works Committee has reviewed the resolution and recommends its adoption; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby authorizes award of bid (B23025) for hauling and disposal of trash/recyclables from various locations to Casella Waste, 54 Doran Avenue, Geneva, NY 14456, per the bid tabulation on file with the Clerk of this Board; and further

RESOLVED, This contract term is for one (1) year from the Board of Supervisor adoption with the option to renew for two (2) twelve month periods.

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Casella Waste Management of NY, Inc.

Adopted.

Supervisor Frederick Lightfoote offered the following four resolutions as a block and moved its adoption, seconded by Supervisor Christopher Vastola:

RESOLUTION NO. 104-2023
AUTHORIZATION TO EXTEND CONTRACTS FOR JANITORIAL SERVICES
TEMCO SERVICE INDUSTRIES INC. (D/B/A ATALIAN GLOBAL SERVICES)
NYSARC, INC. ONTARIO COUNTY CHAPTER (D/B/A ONTARIO ARC)

WHEREAS, Resolution No. 652-2019 awarded bid (B19071) for janitorial services at various County buildings; and

WHEREAS, All renewals allowed per the awarded bid (B19071) have been exercised and all contracts were due to expire January 1, 2023; and

WHEREAS, Resolution No. 853-2022 extended said contracts for a 2-month period starting January 2, 2023 through February 28, 2023 with an allowable CPI index of 8.2%; and

WHEREAS, The Purchasing Department has received bids (B22075) for a new Janitorial Services contract; and

WHEREAS, The recommended contractors are not able to begin March 01, 2023; and

WHEREAS, Both Temco Service Industries, Inc., 417 Fifth Avenue, 9th Floor, New York, New York, 10016 and Ontario ARC, 3071 County Complex Drive, Canandaigua, NY 14424 have agreed to an additional 2-month extension to their existing contracts at the rates established per Resolution No. 853-2022; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the contract extension of bid B19071 to Temco Service Industries, Inc., and Ontario ARC for a 2-month period starting March 01, 2023 through April 30, 2023 at the current price structure; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to both Temco Service Industries, Inc., 417 Fifth Avenue, 9th Floor, New York, New York, 10016 and Ontario ARC, 3071 County Complex Drive, Canandaigua, NY 14424.

RESOLUTION NO. 105-2023
CONTRACT FOR BIDDING AND CONSTRUCTION SERVICES FOR PHASE 1
OF THE HVAC SYSTEM UPGRADE AT ONTARIO COUNTY COURTHOUSE

WHEREAS, The County has previously identified the need to upgrade the aging HVAC system at the Ontario County Courthouse; and

WHEREAS, McFarland-Johnson, Inc. has previously completed an assessment of the existing HVAC system at Ontario County Courthouse in accordance with Resolution No. 355-2018 and has demonstrated a thorough understanding of the requested services necessary for the upgrade of the heating system; and

WHEREAS, McFarland-Johnson, Inc. has previously completed the Design Phase Services for the HVAC system upgrades at Ontario County Courthouse in accordance with Resolution No. 346-2022; and

WHEREAS, Public Works solicited a proposal from McFarland-Johnson, Inc. for bidding and construction phase services of the HVAC system replacements at the Ontario County Courthouse; and

WHEREAS, McFarland-Johnson, Inc. has provided a proposal for these services for a not-to-exceed fee of \$49,833.70; and

WHEREAS, The total cost is estimated to be \$54,833.70, which includes a contingency of \$5,000.00; and

WHEREAS, There are adequate funds in Buildings & Grounds 2023 Capital Improvement Plan budget (CIP Project # B03-04, Heating System Upgrade) to fund said contract with McFarland-Johnson; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract with McFarland-Johnson, Inc. of 49 Court Street, Suite 240, Binghamton, New York 13901, at a cost not to exceed \$49,833.70; and further

RESOLVED, That the contract shall commence on February 17, 2023, and will expire on December 31, 2023; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Ontario County Board of Supervisors hereby approves such extension subject to review and approval by the Public Works Committee; and further

RESOLVED, That the Commissioner of Public Works is authorized to make necessary adjustments and to initiate change orders to complete the proposed work,

within the limits of the contract contingency, and to report such use of the contract contingency to the Public Works Committee and the Finance Department; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with McFarland-Johnson, Inc. and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this resolution; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to McFarland Johnson, Inc. care of John W. Miranowski at email address jmiranowski@mjinc.com.

**RESOLUTION NO. 106-2023
AWARD BID (B23026) FOR
DECALS AND LETTERING OF COUNTY VEHICLES**

WHEREAS, The Purchasing Department advertised for and received per tabulation sheets on file with the Clerk of this Board, sealed bids (B23026) for decals and lettering of County vehicles; and

WHEREAS, Ewing Graphics, 6101 Loomis Road, Farmington, New York 14425 is the sole bidder; and

WHEREAS, After discussions between Ontario County Parts and Service Manager and the Purchasing Department it is recommended that award of this bid be made to Ewing Graphics; now, therefore, be it

RESOLVED, That on the recommendation of the Public Works Committee, the Ontario County Board of Supervisors hereby awards bid (B23026) to Ewing Graphics; and further

RESOLVED, That said award be effective beginning on March 06, 2023 and ending on March 05, 2024; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Ewing Graphics.

**RESOLUTION NO. 107-2023
AUTHORIZATION TO RENEW QUOTE (Q21037)
REPAIR AND REPLACEMENT OF WINDSHIELDS ON COUNTY VEHICLES**

WHEREAS, Resolution No. 198-2021 awarded quote (Q21037) for the repair and replacement of windshields on County vehicles to FB Glass; and

WHEREAS, Resolution No. 114-2022 renewed said Quote for the period of April 3, 2022 through April 2, 2023; and

WHEREAS, FB Glass, 1184 Emerson Street, Suite 1, Rochester, NY 14606, has agreed to a 12-month renewal at the current price structure; and

WHEREAS, The Purchasing Department recommends this quote renewal; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of quote Q21037 to FB Glass for the repair and replacement of windshields on County vehicles beginning April 3, 2023 through April 2, 2024; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to FB Glass.

The foregoing block of four resolutions was adopted.

Supervisor David Baker offered the following three resolutions as a block and moved its adoption, seconded by Supervisor Andrew Wickham:

**RESOLUTION NO. 108-2023
AUTHORIZATION TO CONTRACT WITH
F.F. THOMPSON - HEALTHWORKS
AS PROVIDER OF MEDICAL SERVICES FOR 2023**

WHEREAS, Resolution No. 769-2020 authorized Ontario County to contract with Healthworks from January 1, 2021 through December 31, 2022 as provider of medical services for departments within the County, and as administrator of the CDL drug testing pool for Ontario County and municipalities within the County as required by law; and

WHEREAS, F.F. Thompson - Healthworks has agreed to a one-year contract renewal with no change in fee structure to continue to provide the County with these services; and

WHEREAS, The Ways and Means Committee has reviewed and recommends the contract with Healthworks to the full Board of Supervisors; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves contract with F.F. Thompson - Healthworks, 1160 Corporate Drive, Farmington, NY 14425 for a term of January 1, 2023 – December 31, 2023; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said contract and all other documents necessary to effectuate the purposes of this resolution.

RESOLUTION NO. 109-2023
AUTHORIZATION TO AMEND CONTRACT WITH LEADERSHIP LOGIC
FOR EXECUTIVE COACHING AND MANAGEMENT TRAINING SERVICES

WHEREAS, Resolution Number 486-2022 authorized a contract with Leadership Logic for executive coaching and management training services; and

WHEREAS, The services have been well received and found useful by the training's attendees to the extent that there is a need to expand the contract to broaden its applicability for various County departments with a need for similar training; and

WHEREAS, Leadership Logic has provided a proposal to provide the services through December 31, 2024; and

WHEREAS, The Ways and Means Committee has reviewed and recommends this contract with Leadership Logic to the full Board; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract amendment with Leadership Logic located at 60 Saginaw Drive, Suite 100, Rochester, NY 14623, to provide executive coaching and management training services for Ontario County through December 31, 2024 and at the rates set forth in Schedule A; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said contract and all other documents necessary to effectuate the purposes of this resolution; and further be it

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Leadership Logic at Jallen@leadershiplogicny.com and to the Department of Human Resources.

RESOLUTION NO. 110-2023
AUTHORIZE CONTRACT WITH LEADERSHIP LOGIC FOR DEVELOPMENT
OF SUPERVISORY STAFF TRAINING PROGRAM

WHEREAS, The Human Resources Director recommends managerial training for Ontario County employees who have supervisory responsibilities; and

WHEREAS, Leadership Logic has the knowledge and experience to develop a training program to be implemented and maintained County-wide by the Human Resources Department; and

WHEREAS, Leadership Logic has provided a proposal for the development and assistance with the implementation of the program; and

WHEREAS, The Ways and Means Committee has reviewed and recommends this contract with Leadership Logic to the full Board; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract with Leadership Logic located at 60 Saginaw Drive, Suite 100, Rochester, NY 14623, to develop and assist in implementing a training program for supervisory staff for a term of February 17, 2023 – February 17, 2025 and at a cost not to exceed the amount set forth in Schedule A; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said contract and all other documents necessary to effectuate the purposes of this resolution; and further be it

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to Leadership Logic at Jallen@leadershiplogicny.com.

The foregoing block of three resolutions was adopted.

Supervisor David Baker offered the following four resolutions as a block and moved its adoption, seconded by Supervisor Andrew Wickham:

**RESOLUTION NO. 111-2023
CREATION OF POSITION - CAMPUS SAFETY OFFICER,
PART-TIME, TEMPORARY**

WHEREAS, Ms. Kelly Engert, Assistant Director of Employment and Labor Relations, Finger Lakes Community College, has filed a New Position Duties Statement with the Director of Human Resources for a temporary position she would like to create; and

WHEREAS, Said position has been classified as Campus Safety Officer, Part-Time, Temporary by Personnel Officer Classification Certification #112-2022; and

WHEREAS, Sufficient funds exist within the appropriate line items in the Finger Lakes Community College budget; now, therefore, be it

RESOLVED, That a position of Campus Safety Officer, Part-Time, Temporary be

created effective upon adoption; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Director of Human Resources at the Finger Lakes Community College.

**RESOLUTION NO. 112-2023
CREATION OF POSITION – FISCAL MANAGER (TEMPORARY)**

WHEREAS, Ms. Mary Gates, has a vacancy in the Fiscal Manager position caused by a leave of absence for 90 days; and

WHEREAS, Ms. Gates has requested that a Fiscal Manager (Temporary) position be created; and

WHEREAS, The Director of Human Resources has reviewed and classified the position as POCC #5-2023; and

WHEREAS, The position shall be limited to 90 days from date of appointment; and

WHEREAS, The County Administrator and the Ways and Means Committee recommend the creation of this position; now, therefore, be it

RESOLVED, That the position of Fiscal Manager (Temporary) be created, effective upon adoption, for a period not to exceed 90 days from appointment; and further

RESOLVED, That the vacancy of this new position is authorized to be filled effective immediately; and further

RESOLVED, That sufficient funding exists within the Finance Department budget for this position; and further

RESOLVED, That a copy of this resolution be provided to the Department of Human Resources.

**RESOLUTION NO. 113-2023
RECLASSIFY AN OFFICE SPECIALIST I POSITION
IN THE COMMUNITY MENTAL HEALTH DEPARTMENT
TO AN OFFICE SPECIALIST II POSITION**

WHEREAS, Dr. Jessica Mitchell, Director of Community Mental Health Department, has requested that a vacant position of Office Specialist I be reclassified; and

WHEREAS, The Director of Human Resources has conducted a review and reclassified the position of Office Specialist I (Grade A03) to Office Specialist II (Grade A05) by POCC #6-2023; and

WHEREAS, The County Administrator and the Ways and Means Committee recommend the reclassification of an Office Specialist I position to Office Specialist II in the Community Mental Health Department; and

WHEREAS, Sufficient funding exists within the Community Mental Health Department's budget to fund this position change; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the reclassification of Office Specialist I (#3046046) to Office Specialist II (#3047006), effective upon adoption and permission to fill the position is granted immediately; and further

RESOLVED, That the Department of Finance is authorized to make the necessary budgetary and accounting entries to affect the intent of this resolution; and further

RESOLVED, That a copy of this resolution shall be provided to the Department of Finance and the Department of Human Resources.

RESOLUTION NO. 114-2023
SALARY ADJUSTMENT – AMBER BEMAN

WHEREAS, Ms. Irene Coveny, Director Office for the Aging, has recommended a step adjustment for Amber Beman, Office Specialist II (Grade A5), from Step 1 (\$17.32/hr.) to Step 2 (\$18.79/hr.) based on her previous employment and salary in the Office for the Aging; and

WHEREAS, The Ways and Means Committee has reviewed and approved the step adjustment for Ms. Beman, effective upon her date of appointment; and

WHEREAS, Sufficient funding exists within the Office for the Aging Department budget for this step adjustment; now, therefore, be it

RESOLVED, That the rate of pay for Amber Beman, Office Specialist II, be set at Grade A5, Step 2 (\$18.79/hour); effective upon her date of appointment; and further

RESOLVED, That the Department of Finance shall be authorized to make the necessary budgetary and accounting entries to meet the intent of this resolution; and further

RESOLVED, That a copy of this resolution be provided to the Departments of Finance and Human Resources.

The foregoing block of four resolutions was adopted.

Supervisor David Baker offered the following resolution and moved its adoption, seconded by Supervisor Robert Green:

**RESOLUTION NO. 115-2023
CONVEYING REAL PROPERTY TO THE
VILLAGE OF RUSHVILLE, NEW YORK**

WHEREAS, The County of Ontario (the “County”), as the result of enforcement of 2021 taxes, will acquire a parcel (the “Parcel”) of land identified as tax map number 156.17-1-99.110 being approximately .7 acres of land consisting of a portion of Douglas Drive in the Village of Rushville (the “Village”); and

WHEREAS, The Parcel is the only section of Douglas Drive that is not owned by the Village; and

WHEREAS, The Village desires to own the Parcel so that it owns the entire Douglas Drive; and

WHEREAS, The Ways and Means Committee recommends conveying the Parcel to the Village; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney, the Ontario County Treasurer be, and he hereby is, authorized to execute a Quitclaim Deed of the County's interest in the Parcel to the Village for, and in consideration of one dollar; and further

RESOLVED, That the Ontario County Treasurer be, and he hereby is, authorized to accept the compensation from the Village as set forth above as payment for all taxes currently with the County Treasurer with respect to the Parcel, with any deficit to be reflected on the Treasurer's records as appropriate; and further

RESOLVED, That the Clerk of the Board of Supervisors send certified copies of this resolution to the County Treasurer.

Adopted.

Supervisor David Baker offered the following resolution and moved its adoption, seconded by Supervisor Robert Green:

**RESOLUTION NO. 116-2023
CALLING ON THE GOVERNOR OF NEW YORK STATE TO
REMOVE FROM THE 2024 EXECUTIVE BUDGET PART M
OF THE ARTICLE VII REVENUE BILLS**

WHEREAS, On February 1, 2023, the Governor of New York State announced New York State's Fiscal Year 2024 Executive Budget (the “Budget”); and

WHEREAS, The Budget includes Article VII Revenue Bills; and

WHEREAS, Article VII Revenue Bills includes Part M adding a new section 989 of the Real Property Tax Law titled “Distribution of surplus in tax enforcement proceedings” (“Proposed Budget Legislation”); and

WHEREAS, The Proposed Budget Legislation seeks to require municipalities governed by Article 11 of the Real Property Tax Law (“RPTL”) to give excess money to a prior owner of real property sold by the municipality after taking title pursuant to Article 11 of the RPTL; and

WHEREAS, The Proposed Budget Legislation should be removed from the Fiscal Year (“FY”) 2024 Budget because (1) it is unconstitutional since Article VIII, Section 1 of the New York Constitution restricts a county from giving any money to or in aid of any individual, or private corporation or association or private undertaking, (2) it is unfair to lien holders since all liens are cut off by Section 1131 of Article 11 at the time an interested party fails to redeem or answer, which time comes prior to the County taking title and selling the parcel, (3) it will be practically impossible for a county to accurately account for all administrative costs associated with administering enforcement of taxes for thousands of parcels during a two year time period involving subcontractors and staff from multiple departments, (4) it is unclear whether litigation costs incurred in enforcing taxes pursuant to Article 11 would be included, (5) the number of unpaid parcels are likely to increase with owners knowing that they do not have to pay lien holders, including the mortgage lien on their home, real estate agents and other costs that would be required absent this Proposed Budget Legislation, (6) the Proposed Budget Legislation does not address the circumstances where there is no “prior owner” or the prior owner is deceased or the method and attempts required to ensure that the “prior owner” accepts payment and (7) it is unfair to the gross majority of parcel owners in the County who timely pay their taxes or properly sell their home if they no longer desire to own it; and

WHEREAS, The Ways and Means Committee has reviewed this resolution and recommends that the Governor remove Part M from the FY 2024 Executive Budget; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby calls on the Governor of New York State to remove from the FY 2024 Executive Budget Part M of the Revenue Bills; and further, be it

RESOLVED, That the Clerk of this Board transmit a certified copy of this resolution to Governor Kathy Hochul and Ontario County's representatives in the New York State Legislature: Senate Majority Leader Andrea Stewart-Cousins, Senator Pamela Helming, Assembly Speaker Carl E. Heastie, Assemblyman Jeff Gallahan and Assemblywoman Marjorie Byrnes.

Adopted. Supervisor John Pruett voted no.

Supervisor David Phillips motioned to call up Resolution No. 39-2023 entitled "Declaration of Lead Agency and Determination of Significance for the New York State Community Development Block Grant – Ontario County Farmworker Safety and Housing Program", laid over from the January 26, 2023 Board of Supervisors meeting by Supervisor Namestnik.

**RESOLUTION NO. 39-2023
DECLARATION OF LEAD AGENCY AND
DETERMINATION OF SIGNIFICANCE FOR
THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT -
ONTARIO COUNTY FARMWORKER SAFETY AND HOUSING PROGRAM**

WHEREAS, The County of Ontario has applied for and been awarded a New York State Community Development Block Grant (NYS CDBG) through the Housing Trust Fund Corporation to implement the Ontario County Farmworker Safety and Housing Program (the "Program"); and

WHEREAS, The decision to implement said Program using NYS CDBG grant is an action as such is defined under the New York State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as 'SEQR'); and

WHEREAS, Said NY CDBG award involves five farmworker housing projects in three separate municipalities within Ontario County requiring site plan review approval pursuant to their respective zoning local laws; and

WHEREAS, Resolution No. 813-2022 established this Board's intent to serve as Lead Agency for the environmental review of said Program under SEQR, and began a coordinated review process of said project pursuant to SEQR; and

WHEREAS, On January 5, 2023 a public hearing was held before this Board to solicit comments on the establishment of this Board as Lead Agency and on the determination of significance for said Program pursuant to SEQR; and

WHEREAS, The Clerk of this Board has circulated said EAF, project materials, and a notice to all interested and involved agencies and none have objected to the

establishment of this Board as Lead Agency for the environmental review of said project pursuant to SEQR; and

WHEREAS, This Board has reviewed said EAF part 1, draft part 2, and draft part 3 and all the information contained therein, comments received in writing and at said public hearing, and the draft findings on file with the Clerk of this Board, and such other documents as this Board felt it necessary or appropriate to examine to adequately review the proposed Action supporting and/or supplementing the EAF; and

WHEREAS, The Planning & Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That this Board is hereby established as Lead Agency pursuant to SEQR for the environmental review of the Farmworker Housing Program; and further

RESOLVED, That the Farmworker Housing Program is hereby classified as an unlisted action pursuant to SEQR; and further

RESOLVED, That the EAF part 1, draft part 2, and draft part 3 on file with the Clerk of this Board in regard to the Farmworker Housing Program are hereby approved and adopted as final; and further

RESOLVED, That this Board hereby makes the following findings in regard to the environmental review of the Ontario County Farmworker Housing and Safety Program:

1. The Program will aid local farms to provide more hygienic housing for their farmworkers through dedicated laundry facilities, additional restrooms, individual bedrooms, updated HVAC systems, and additional kitchen facilities, allowing farms to be more prepared for pandemic situations.
2. The Program will benefit low and moderate income farmworkers.
3. The individual housing projects implemented through the Program will be funded through grant funds and from contributions from the farms where the housing projects will be implemented.
4. The individual housing projects implemented through the Program will:
 - a. Not involve any activities within 100 feet of any state or federally regulated wetland.
 - b. Obtain all building permits from local municipal Code Enforcement Officers and/or Building Inspectors.
 - c. Not involve or be adjacent to buildings or sites on either the National or State Register of Historic Places.

- d. Involve sites within Ontario County Consolidated Agricultural District 1, meaning farmworker housing is a customary agricultural use by New York State Department of Agriculture and Markets and is thus a use of right that cannot be prohibited by local zoning.
 - e. Involve individual construction projects that will meet all dimensional requirements of the applicable zoning standards of the municipality in which they are located.
 - f. Involve individual construction projects that will meet all applicable requirements of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Code.
5. Individual construction projects developed in the Town of Seneca and Town of Hopewell will require site plan review by the Town Code Enforcement Officer as part of the issuance of a Building Permit under each town's administration of the New York State Uniform Fire Prevention and Building Code and shall not involve Site Plan approval from a municipal Planning Board.
 6. Projects developed in the Town of West Bloomfield will require site plan review and approval from the Town of West Bloomfield Planning Board prior to issuance of a building permit by the Town.
 7. Will involve individual projects located on individual farms that are separated by miles from other projects funded through the Program and each individual project will not involve ground disturbance of an acre or more, meaning coverage under the New York State General Permit for stormwater discharges during construction shall not be required.
 8. Will meet all applicable requirements for waste water treatment systems as promulgated by the New York State Department of Environmental Conservation and/or the New York State Department of Health.
 9. Shall involve the execution of a subrecipient agreement for a construction management consultant to work with the Planning Department to ensure construction activities comply with all grant requirements using grant funds at no cost to the County.
 10. Shall involve the hiring of a consultant to work with the Planning Department on all other grant compliance activities using grant funds at no cost to the County.

11. Implementation of the Program will result in projects benefitting the general public by making the production of food on the involved local farms more resilient; and further

RESOLVED, That based on its findings, the EAF, comments received, and other project materials received by this Board, this Board hereby makes a negative declaration of significance for the Ontario County Farmworker Housing and Safety Program pursuant to SEQR, stating that the Project will not result in any significant adverse environmental impacts and that the impacts identified shall be mitigated to the extent practical; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to complete the determination of significance section of said EAF, indicating that the proposed action will not result in any large and important impact(s) and, therefore, is one which will not have significant impact on the environment; and further

RESOLVED, That a Negative Declaration of Significance for this project be prepared by the County Planning Department and distributed to all involved and interested agencies along with a copy of this resolution; and further

RESOLVED, That this Board has determined the benefits of the Ontario County Farmworker Housing and Safety Program outweigh the potential impacts and hereby directs the Director of Planning to implement said Program; and further

RESOLVED, That this resolution take effect immediately.

Adopted.

Supervisor David Phillips motioned to call up Resolution No. 40-2023 entitled “Authorizing Subrecipient Agreement for Ontario County Farmworker Safety and Housing Program”, laid over from the January 26, 2023 by Supervisor Namestnik.

RESOLUTION NO. 40-2023
AUTHORIZING SUBRECIPIENT AGREEMENT FOR ONTARIO COUNTY
FARMWORKER SAFETY AND HOUSING PROGRAM

WHEREAS, Resolution No. 812-2022 authorized acceptance of a New York State Community Development Block Grant (CDBG) through the Housing Trust Fund Corporation in the amount of \$2,226,700.00 to implement the Ontario County Farmworker Safety and Housing Program; and

WHEREAS, Use of the funds is for the addition of healthy and safe housing accommodations for 66 farmworker employees collectively at five farms located in multiple towns in Ontario County; and

WHEREAS, Rochester Housing Opportunities Corporation, Inc. (RHOC) is an eligible subrecipient under CDBG guidelines; and

WHEREAS, RHOC submitted a proposal to provide professional construction management and project delivery services for the implementation of the grant, for an amount not to exceed thirteen percent (13%) of said total CDBG grant for such services or Two Hundred Eighty Nine Thousand Four Hundred Seventy One Dollars (\$289,471.00) as detailed in their proposal dated January 10, 2023, a copy of which is on file with the Clerk of the Board; and

WHEREAS, Hiring of a consultant to provide professional construction management and project delivery services is an eligible expense under said CDBG grant; and

WHEREAS, The proposal from RHOC states that they shall retain all necessary construction contractors and thus shall bill the County for said services in an amount not to exceed Eighty-Two Percent (82%) of the said total CDBG grant or One Million Eight Hundred Twenty Five Thousand Eight Hundred Ninety Four Dollars (\$1,825,894.00), with said amount including up to \$60,000.00 for engineering and architectural services; and

WHEREAS, The Planning and Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts RHOC's proposal dated January 10, 2023 and authorizes and empowers the County Administrator to execute a subrecipient agreement with RHOC, 400 East Avenue, Rochester, NY 14607 to provide professional construction management, project delivery, engineering and architectural services in regard to the Ontario County Farmworker Safety and Housing Program in an amount not to exceed thirteen percent (13%) of said total CDBG grant for such services or Two Hundred Eighty Nine Thousand Four Hundred Seventy One Dollars (\$289,471.00) and for construction of individual projects an additional amount not to exceed Eighty-Two Percent (82%) of the said total CDBG grant or One Million Eight Hundred Twenty Five Thousand Eight Hundred Ninety Four Dollars (\$1,825,894.00), for a total contract price

not to exceed Ninety Five percent (95%) of said total CDBG grant or Two Million One Hundred Fifteen Thousand Three Hundred Sixty Five Dollars (\$ 2,115,365.00); and further

RESOLVED, That any construction management, project delivery, engineering, architectural service or other expense for this project provided by RHOC in excess of said contract shall be paid by the participating farms where individual Farmworker Safety and Housing Projects are implemented; and further

RESOLVED, That the term of said subrecipient agreement shall commence on January 26, 2023 and terminate on November 9, 2024; and further

RESOLVED, That the cost of said professional construction management and project delivery services within said subrecipient agreement will be paid from budget line CR8666 54260 – Consultation and Professional; and further

RESOLVED, That the cost of construction, including any engineering and architectural services, of said Farmworker Housing and Safety projects within said subrecipient agreement will be paid from budget line CR8666 54491 – General Construction; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Planning and Environmental Quality Committee; and further

RESOLVED, That the Director of Planning shall be administratively responsible for this contract; and further

RESOLVED, That the Planning and Environmental Quality Committee is hereby authorized and empowered to approve minor changes to the work scope at the recommendation of the Director of Planning; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution.

Supervisor William Namestnik made the motion, seconded by Supervisor David Phillips, to amend Resolution No. 40-2023 as follows:

**RESOLUTION NO. 40-2023
AUTHORIZING SUBRECIPIENT AGREEMENT FOR
ONTARIO COUNTY FARMWORKER SAFETY AND HOUSING PROGRAM
AS AMENDED**

WHEREAS, Resolution No. 812-2022 authorized acceptance of a New York State Community Development Block Grant (CDBG) through the Housing Trust Fund

Corporation in the amount of \$2,226,700.00 to implement the Ontario County Farmworker Safety and Housing Program; and

WHEREAS, Use of the funds is for healthy and safe housing accommodations for 66 farmworker employees collectively at five farms located in multiple towns in Ontario County; and

WHEREAS, Rochester Housing Opportunities Corporation, Inc. (RHOC) is an eligible subrecipient under CDBG guidelines; and

WHEREAS, RHOC submitted a proposal to provide professional construction management and project delivery services for the implementation of the grant, for an amount not to exceed thirteen percent (13%) of said total CDBG grant for such services or Two Hundred Eighty-Nine Thousand Four Hundred Seventy-One Dollars (\$289,471.00) as detailed in their proposal dated January 10, 2023, a copy of which is on file with the Clerk of the Board; and

WHEREAS, Hiring of a consultant to provide professional construction management and project delivery services is an eligible expense under said CDBG grant; and

WHEREAS, The proposal from RHOC states that they shall retain all necessary construction contractors and thus shall bill the County for said services in an amount not to exceed Eighty-Two Percent (82%) of the said total CDBG grant or One Million Eight Hundred Twenty-Five Thousand Eight Hundred Ninety-Four Dollars (\$1,825,894.00), with said amount including up to \$60,000.00 for engineering and architectural services; and

WHEREAS, The Planning and Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts RHOC's proposal dated January 10, 2023 and authorizes and empowers the County Administrator to execute a subrecipient agreement with RHOC, 400 East Avenue, Rochester, NY 14607 to provide professional construction management, project delivery, engineering and architectural services in regard to the Ontario County Farmworker Safety and Housing Program in an amount not to exceed thirteen percent (13%) of said total CDBG grant for such services or Two Hundred Eighty Nine Thousand Four Hundred Seventy One Dollars (\$289,471.00) and for construction of individual projects an additional amount not to exceed Eighty-Two

Percent (82%) of the said total CDBG grant or One Million Eight Hundred Twenty-Five Thousand Eight Hundred Ninety-Four Dollars (\$1,825,894.00), for a total contract price not to exceed Ninety Five percent (95%) of said total CDBG grant or Two Million One Hundred Fifteen Thousand Three Hundred Sixty-Five Dollars (\$ 2,115,365.00); and further

RESOLVED, That any construction management, project delivery, engineering, architectural service or other expense for this project provided by RHOC in excess of said contract shall be paid by the participating farms where individual Farmworker Safety and Housing Projects are implemented; and further

RESOLVED, That the term of said subrecipient agreement shall commence on January 26, 2023 and terminate on November 9, 2024; and further

RESOLVED, That the cost of said professional construction management and project delivery services within said subrecipient agreement will be paid from budget line CR8666 54260 – Consultation and Professional; and further

RESOLVED, That the cost of construction, including any engineering and architectural services, of said Farmworker Housing and Safety projects within said subrecipient agreement will be paid from budget line CR8666 54491 – General Construction; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Planning and Environmental Quality Committee; and further

RESOLVED, That the Director of Planning shall be administratively responsible for this contract; and further

RESOLVED, That the Planning and Environmental Quality Committee is hereby authorized and empowered to approve minor changes to the work scope at the recommendation of the Director of Planning; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution.

The foregoing amendment was adopted.

Resolution No. 40-2023, as amended, was adopted.

At 7:22 pm, Supervisor Richard Russell made the motion, seconded by Supervisor Frederick Wille to move into executive session to confer with counsel, said motion was carried.

At 8:12 pm, motion was made by Supervisor Robert Green, seconded by Supervisor Daryl Marshall to move out of executive session; said motion was carried.

At the request of Chairman Todd Campbell, unanimous consent was given to waive the provision of Rule No. 23 of the "Rules and Order of Business" of this Board so that action could be taken on the following resolution.

Supervisor Richard Russell offered the following resolution and moved its adoption, seconded by Supervisor David Baker:

RESOLUTION NO. 117-2023
RESOLUTION OF NO CONFIDENCE
IN ONTARIO COUNTY CLERK MATTHEW HOOSE

WHEREAS, In June of 2022 it came to the attention of the Board of Supervisors and County staff through demands for payments that Ontario County Clerk Matthew Hoose was significantly behind in remitting required reports and payments to various New York State entities; and

WHEREAS, County leadership immediately worked with the County Clerk and staff within the office to ensure payments were brought current and continued to be made in a timely manner; and

WHEREAS, Despite these efforts, various payments and reports required to be provided to New York State by the County Clerk continue to be late, up to and including the monthly payment to New York State Office of Court Administration for January of 2023, which was not remitted in a timely manner; and

WHEREAS, In the investigation into these past due filings, it was discovered that County Clerk Hoose had received and deposited payments for the renewal of Notary Public licenses for Notaries licensed in Ontario County and had failed to remit the renewal paperwork to the New York State Department of State for approximately six (6) months, despite a statutory mandate that these renewals be submitted by the 10th of each month; and

WHEREAS, It was also discovered that the County Clerk maintained five (5) bank accounts outside the County's internal rules and regulations regarding banking, internal controls, and fiduciary oversight; and

WHEREAS, The County has engaged the Bonadio Group to perform a forensic audit of these accounts that are maintained in violation of municipal accounting best practices and outside the oversight of the Director of Finance as required by the Local Law creating said Director of Finance; and

WHEREAS, The County Clerk has been asked repeatedly to communicate with the Board of Supervisors and its relevant oversight committees; and

WHEREAS, Most recently, the County Clerk was instructed, in writing, to attend the meetings of the Governmental Operations and Insurance and the Ways and Means Committees held on Wednesday, February 8, 2023 and he failed to appear at either meeting either in-person or virtually, nor did the County Clerk send the Deputy County Clerk; and

WHEREAS, Following the County Clerk's failure to appear before either oversight committee, as directed by the Chairmen of those respective committees, the County Clerk was provided with a series of written questions and concerns the committees have that were to be addressed by the County Clerk at the Board of Supervisors meeting on Thursday, February 16, 2023; and

WHEREAS, The County Clerk again failed to appear before the Board of Supervisors as directed on Thursday, February 16, 2023; and

WHEREAS, The Board of Supervisors has a duty and obligation to the residents of Ontario County to ensure all operations, even those directed by independently-elected officials, are carried out in a transparent, competent, fiscally-prudent, efficient and effective manner; and

WHEREAS, In the absence and silence of the County Clerk, the Board of Supervisors has no choice but to come to the conclusion that County Clerk Hoose is not willing and/or not capable of conducting the business of the County Clerk's Office, including the Department of Motor Vehicles, in a manner that meets these expectations; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby expresses and announces that it has No Confidence that County Clerk Matthew Hoose can faithfully and effectively carry out the duties of the Office of the Ontario County Clerk; and be it further

RESOLVED, The Board of Supervisors has hired an independent auditing firm to conduct a forensic audit of the County Clerk's financial operations; and be it further

RESOLVED, That the County has also requested the assistance of the New York State Office of the State Comptroller to assist in this forensic audit effort to help gain access to certain information and provide oversight and guidance to the aforementioned forensic audit to ensure the Board of Supervisors is able to provide a full and complete

picture of the activities of the County Clerk to the public at the conclusion of these efforts; and be it further

RESOLVED, That nothing in this resolution is meant to question the ability and effort of the staff of the Ontario County Clerk's Office and Department of Motor Vehicles; and be it further

RESOLVED, That certified copies of this resolution be sent to the Honorable Governor Kathy Hochul, State Assemblyman Jeff Gallahan, State Assemblywoman Marjorie Byrnes, State Senator Pam Helming, State Comptroller Thomas DiNapoli, State Attorney General Latisha James, and the Ontario County Clerk.

Adopted.

On motion of Supervisor Mark Venuti, seconded by Supervisor Daniel Marshall, the meeting was adjourned at 8:15 pm.

Draft