

June 24, 2021

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:30 p.m. via WebEx on ontariocoountyny.webex.com and at 74 Ontario Street, Canandaigua, NY 14424, with Chairman John (Jack) Marren presiding.

The Pledge of Allegiance was led by Supervisor Fred Wille of the Town of East Bloomfield.

Upon roll call, Members of the Board were present. Supervisors David Baker, Louis Guard, and Tamara Hicks were declared necessarily absent.

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

A Public Hearing regarding the Finger Lakes Community College 2021-2022 Tentative Budget was called to order at 6:35 pm by Chairman Jack Marren.

As no one wished to speak, the Public Hearing was closed at 6:35 pm.

A Public Hearing regarding Local Law No. 3 (Intro.) of 2021 entitled "A Local Law Authorizing 12 and 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed Hunter" was called to order at 6:36 pm by Chairman Jack Marren.

Mr. Jim DeMay of Canandaigua, NY spoke in favor of proposed Local Law. He is a representative of the Fish and wildlife Management Act Board for the State of New York. He has been a hunter safety instructor for over 30 years and a Master Instructor for the DEC teaching new instructors that are coming up. He noted we have had 12 and 13-year olds who have been efficiently hunting big game for years during the archery season as well as small game and predators with rifle and shotgun. He said the 12 and 13 year old hunters are the safest group of hunters explaining they have recently completed the mandatory safety course to receive their hunting license and the instructions are still fresh in their minds as well as there has not been any time to learn unsafe behavior. They also have to hunt with an experienced hunter. He said the Fish and Wildlife Management Act Board unanimously approves it; so far in Region 8, Chemung, Genesee, Livingston, Orleans, Skyler, Seneca, Steuben, Wayne and Yates Counties have opted in on this NYS Law. He is asking the Board to allow these young safe hunters the privilege.

Supervisor Peter Ingalsbe remarked that he has had residents come to him to tell him that they are in favor of the proposed Local Law and he is as well.

Supervisor Norm Teed said he hunted with his father and his kids hunted with him; he spoke in favor of the proposed Local Law quoting his father; "If a boy or girl has a shogun on his shoulder or a fish pole in his hand, there's not a lot of mischief in his head".

He believes this is an excellent program.

Supervisor Dan Marshall noted the South Bristol Fish and Game Club unanimously endorses the proposed Local Law.

Supervisor Greg Bendzłowicz endorses this proposed Local Law and noted his oldest daughter went through the safety course with Mr. DeMay. He absolutely endorses any type of safety education and any laws that are going to allow our children, especially our teenagers to learn about conservation and hunter safety and firearms.

As no one else wished to speak the Public Hearing was closed at 6:41 pm

Director of Public Health Mary Beer gave a report on COVID-19 cases with 7,378 cases since the onset of the pandemic and continue to see the numbers drop averaging 2 cases per day. Ms. Beer reported on the current activities regarding vaccine clinics. She noted her staff is going back to their normal duties.

County Administrator, Chris DeBolt reported he attended the County Administrators meeting in Madison County on June 4th and the Finger Lakes Visitors Connection meeting on June 9th. The conversations were around the positive economic indicators that they are seeing. They are seeing substantial increases in sales tax receipts for the month of April and May. He said there are changes in how people are traveling, and the local businesses are already seeing the impact of that. They had the ribbon cutting for the FLCC Nursing Project on June 8th. There was a presentation of the Hollow Lense that SUNY Chairman Chancellor, and Richard Sands were at. Chairman Chancellor was impressed with the demonstration and looks forward to further partnership with FLCC and the program. Mr. DeBolt said in recognition of the County's support of the organization of Leadership Ontario, Ontario County was offered a fee scholarship to put one of our members through the program. They have selected Cam Johnson, Director of Weights and Measures to go. He received new updated guidance from the Federal Treasury on the ARPA funds. They are allowing employee travel for conferences, meetings, and trainings to resume. Mr. DeBolt reported that Deputy County Administrator Brian Young is the new Commissioner of the Genesee Regional Transit Authority Board.

Chairman Marren reported the Executive Order expires tomorrow (June 25th). This will mean the meetings for Committees as well as the Board will now be in person for Board members. He encouraged those who are spending a lot of time regarding ARPA and broadband, to pause on broadband and maybe look regionally from a county standpoint. Chairman Marren noted that Cyber Security is a real threat. Chairman Marren is asking Mary Beer to give some feedback at the next Health and Human Services Cycle and take a look at enforcement.

The following communications and reports were received and are on file in the Clerk's Office:

- Health and Human Services Committee held on May 24, 2021
- Planning and Environmental Quality Committee held on May 24, 2021
- Public Works Committee held on May 24, 2021
- Public Safety Committee held on May 26, 2021
- Governmental Operations & Insurance Committee held on May 26, 2021
- Special Governmental Operations & Insurance Committee held on June 3, 2021
- Ways and Means Committee held on May 26, 2021
- Special Ways and Means Committee held on June 3, 2021

Notification of Grant Awards (NGAs) under the American Rescue Plan (ARP) Act for SSC6, CMC6, HDC6, PHC6, and FCC3 programs of the CARES Act for the period of April 1, 2021 through September 30, 2024 received from Karen Jackuback, Deputy Director, NYS Office for the Aging.

Notification of Grant Award for the VAC5 program for the period of April 1, 2021 through September 30, 2022 received from Karen Jackuback, Deputy Director, NYS Office for the Aging.

List of Certified 2021 State Equalization Rates received on June 8, 2021 from Brian F. Moon, Real Property Analyst 2, NYS Department of Taxation and Finance, Office of Real Property Tax Services.

List of Certified 2021 State Equalization Rates received on June 15, 2021 from Brian F. Moon, Real Property Analyst 2, NYS Department of Taxation and Finance, Office of Real Property Tax Services.

Ontario County Workers Compensation Actuarial Report Estimated Required Reserves as of 12/31/20 Projected Losses for 1/1-12/31/22 received from By the Numbers Actuarial Consulting, Inc.

Resolution No. 126-21 entitled "Board of Supervisors Approve Appointment of Finger Lakes Workforce Investment Board Member" received from Seneca County.

Appointment letter of Brian Young to the Rochester-Genesee Regional Transportation Authority for a term to expire on July 31, 2024 received from Governor Andrew Cuomo, State of New York.

A copy of a letter to Governor Cuomo in opposition to New York State Senate Bill S7196/Assembly Bill A6762 received from Schuyler County Legislature.

Ontario County Industrial Development Agency's Basic Financial Statements for Years Ended December 31, 2020 and 2019 received from Ontario County Economic Development Office.

Ontario County Industrial Development Agency's Communicating Internal Control Related Matters Identified in and Audit for Year Ended December 31, 2020 received from Ontario County Economic Development Office.

Ontario County Local Development Corporation's Audited Financial Statements, Supplementary Information, and Independent Auditor's Report for Years Ended December 31, 2020 and 2019 received from Ontario County Economic Development Office.

Ontario County Local Development Corporation's Communicating Internal Control Related Matters Identified in an Audit for Year Ended December 31, 2020 received from Ontario County Economic Development Office.

Ontario County Economic Development Corporation's Single Audit Report for Year Ended December 31, 2020 received from Ontario County Economic Development Office.

Ontario County Economic Development Corporation's Communicating Internal Control Related Matters Identified in and Audit for Year Ended December 31, 2020 received from Ontario County Economic Development Office.

Ontario County Economic Development Corporation's Audited Financial Statement, Supplementary Information, and Independent Auditor's Report for Years Ended December 31, 2020 and 2019 received from Ontario County Economic Development Office.

A copy of Donna LaPlant's County Director Orientation Certificate received from NYS Department of Taxation and Finance, Office of Real Property Tax Services.

A copy of a letter to Governor Cuomo in opposition to New York State Senate Bill S7196/Assembly Bill A6762 received from Steuben County Legislature.

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

**RESOLUTION NO. 288-2021
APPORTIONMENT OF 2022
WORKERS' COMPENSATION INSURANCE EXPENSE
ONTARIO COUNTY MUTUAL SELF-INSURANCE PLAN**

WHEREAS, The Governmental Operations and Insurance Committee overseeing the Ontario County Mutual Self-Insurance Plan, pursuant to the provisions of Article 5 of the Workers' Compensation Law, has provided the Clerk of this Board an estimated sum of \$2,597,000 to administer the plan from January 1, 2022, to December 31, 2022, inclusive, said sum to be apportioned to each of the participating municipal corporations as hereinafter set forth, and has requested that the amount apportioned to the County shall be included by the Board of Supervisors in the 2022 tax levy; now, therefore, be it

RESOLVED, That the sum of \$736,125 apportioned to Ontario County shall be included in the General Tax Levy and levied against the county and its departments, together with other 2022 taxes levied in connection with the general budget; and further

RESOLVED, That the amounts set forth in the table below shall be charged to the participating municipal corporations as their apportionment of the 2022 Ontario County Mutual Self-Insurance Plan, to wit:

Participating Municipal Corporations and Apportionment of Expense

Ontario County	\$736,125	Town South Bristol	\$18,977
City of Canandaigua	\$294,292	Town Victor	\$124,907
City Geneva	\$352,923	Town W. Bloomfield	\$11,995
Town Bristol	\$40,131	Village Bloomfield	\$8,218
Town Canadice	\$22,621	Village Clifton Springs	\$22,049
Town Canandaigua	\$162,109	Village Manchester	\$14,024
Town E. Bloomfield	\$23,339	Village Naples	\$5,860
Town Farmington	\$132,313	Village Phelps	\$33,228
Town Geneva	\$36,748	Village Rushville	\$4,150
Town Gorham	\$55,828	Village Shortsville	\$7,443

Town Hopewell	\$58,973	Village Victor	\$25,395
Town Manchester	\$92,557	Fishers Fire District (Paid Only)	\$23,001
Town Naples	\$16,920	Victor Fire District (Paid Only)	\$376
Town Phelps	\$35,257	Finger Lakes Community College	\$147,900
Town Richmond	\$46,949	Soil & Water	\$14,423
Town Seneca	\$27,970	TOTAL	\$2,597,000

and further

RESOLVED, That certified copies of this resolution shall also be sent by the Clerk of this Board to the Department of Finance, the County Treasurer, the District Manager of the Ontario County Soil & Water Conservation District, and to the Director of Human Resources, Finger Lakes Community College; and further

RESOLVED, That the Ontario County Finance Department shall appropriately bill each municipality for its amount due to be paid within 30 days of each municipality's respective fiscal year; and further

RESOLVED, That by September 1st, the Clerk of this Board shall certify to the participating villages, towns and cities set forth above, the amount due from each said municipality as its apportionment for the 2022 year.

Adopted.

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

**RESOLUTION NO. 289-2021
PROFESSIONAL SERVICES CONTRACT WITH
JUVENTAS PHYSICAL OCCUPATIONAL & ENDT - 2021-2023**

WHEREAS, The Ontario County Public Health Department, Children with Special Needs Program desires to contract with:

Contractor	Professional Services	Rate
Juventas Physical Occupational & ENDT 65 East Market Street, Ste. 201 Corning, NY 14830	Preschool Related Services	Per Schedule A

and

WHEREAS, The funds have been appropriated in the budget to pay the provider; and WHEREAS, The Director of Public Health and the Health & Human Services Committee recommend this new contract; now, therefore, be it

RESOLVED, That upon the review and approval by the County Attorney as to form, the Board of Supervisors hereby approves the contract with Juventas Physical Occupational & ENDT; and further

RESOLVED, That the contract shall cover the period of April 16, 2021 through December 31, 2023 at a rate not to exceed as noted on the Schedule A; and further

RESOLVED, That the County Administrator be, and is hereby, authorized and empowered to execute the agreement on behalf of the County of Ontario.

**RESOLUTION NO. 290-2021
AMENDMENT TO RESOLUTION NOS. 213-2020 & 325-2020
CONTRACT WITH HRI (CONTRACT # 6334-01)
FOR EMERGENCY PREPAREDNESS PROGRAM GRANT 2020-2021**

WHEREAS, Resolution No. 213-2020 authorized a contract with Health Research, Inc. (HRI) and New York State Department of Health (NYSDOH) for the purposes of upgrading local public health's preparedness for and response to bioterrorism and other public health threats. (HRI Contract # 6334-01; CFDA # 93.354; MUNIS # 20015) for the period of March 5, 2020 through March 15, 2021; and

WHEREAS, Resolution No. 213-2020 included currently available funds or half of the contracted award (\$58,024.00), rather than the full award (\$116, 047.00); and

WHEREAS, Resolution No. 325-2020 amended Resolution 213-2020 to include an additional \$47,944.00 awarded by the NYSDOH for Coronavirus response activities; and

WHEREAS, The total award allotted to Ontario County Public Health in HRI Contract # 6334-01 is the combination of the two aforementioned awards (\$163,991.00); and

WHEREAS, It is now necessary to amend this contract; and

WHEREAS, The NYSDOH requires the amount of \$163,991.00 be included in one resolution prior to providing reimbursement to Ontario County Public Health; and

WHEREAS, The grant funds designated for the Ontario County Public Health Department are necessary to fulfill the obligations set forth by the NYSDOH in the area of emergency response and preparedness; and

WHEREAS, The Public Health Director and the Health and Human Services Committee recognize and approve the need for such planning; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves the agreement with Health Research, Inc.,

Riverview Center, 150 Broadway, Suite 560, Menands, NY 12204, for the period of March 5, 2020 through March 15, 2021 for which future funding has been allocated; 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 appropriate Standing Committee; and further

RESOLVED, That the County Administrator be, and is hereby, authorized and empowered to execute the Emergency Preparedness Program Agreement with Health Research, Inc., and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the position of Registered Nurse, created by Resolution No. 439-2002 and further supported by this year's grant shall be abolished at such a time as the grand funding expires.

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of this Board to the Public Health Department.

**RESOLUTION NO. 291-2021
REAPPOINTMENT TO THE OFFICE FOR THE AGING
ADVISORY COUNCIL - JANET STARR**

WHEREAS, The above named person mistakenly failed to take the oath of office and such failure disqualifies the appointment; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby approve the re-appointment of Janet Starr, residing at 6317 Murphy Dr. Victor, NY 14564 to the Office for the Aging Advisory Council; and further

RESOLVED, That the term of appointment shall be for three (3) years, with said term to be from June 1, 2021 through May 31, 2024; and further

RESOLVED, That certified copies of this resolution be sent to the aforementioned person and the County Clerk.

**RESOLUTION NO. 292-2021
AMENDMENT TO RESOLUTION 19-2021
CONTRACT WITH HOMEMAKERS OF THE GENESEE, DBA, CAREGIVERS
OFFICE FOR THE AGING 2021-2022**

WHEREAS, The County entered into an Agreement with Homemakers of the Genesee dba Caregivers pursuant to Resolution Number ("Res. NO.") 19-2021 for the

period April 1, 2021 – March 31, 2022 to provide personal care services for \$25.000 per hour; and

WHEREAS, The County desires to amend the contract to include \$.48 per mile reimbursement for client transportation when the aide's vehicle and gasoline is used for client transportation or errands and authorized by the Office for the Aging; and

WHEREAS, The additional funding needed for this service is allocated in the Office for the Aging budget; and

WHEREAS, The Health and Human Services Committee has reviewed and recommends 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 this amended contract with Homemakers of the Genesee, DBA, Caregivers, for the period April 1, 2021 to March 31, 2022; and further

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

The foregoing block of four resolutions was adopted.

Supervisor Daniel Marshall offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Frederick Wille:

**RESOLUTION NO. 293-2021
AUTHORIZATION TO ACCEPT
COVID -19 VACCINE ACCESS PROGRAM FUNDS
ONTARIO COUNTY OFFICE FOR THE AGING 2021-2021**

WHEREAS, The New York State Office for the Aging has allocated federal COVID-19 Vaccine Access funds to the Ontario County Office for the Aging for the period April 1, 2021 – September 30, 2022 to; and

WHEREAS, The funds are to be used to increase education and access to COVID-19 vaccines for older adults and people with disabilities; and

WHEREAS, The Ontario County Office for the Aging was allocated the following funds by the New York State Office for the Aging:

- \$15,138 COVID -19 ADRC Vaccine Access funds
- \$14,299 VAC5 Program funds

WHEREAS, Service match is not required for the funds, unless the county chooses to claim Area Agency Administration expense, then a 25% match is required; and

WHEREAS, The Health and Human Services Committee has reviewed this resolution and recommends acceptance of the allocated funds by the Office for the Aging; now, therefore, be it

RESOLVED, Upon review and approval as to form by the County Attorney, the Board of Supervisors does hereby accept a total of \$29,437 funds for the period April 1, 2021 – September 30, 2022; and further

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

**RESOLUTION NO. 294-2021
AUTHORIZATION TO ACCEPT AMERICAN RESCUE PLAN FUNDS
ONTARIO COUNTY OFFICE FOR THE AGING - 2021-2024**

WHEREAS, The New York State Office for the Aging has allocated federal American Rescue Plan (ARP) funds to the Ontario County Office for the Aging for the period April 1, 2021 – September 30, 2024; and

WHEREAS, New York State’s Major Disaster Declaration (MDD) permits these funds to be used for any eligible service; and

WHEREAS, Once the MDD is lifted, the allowable services under each portion of the stimulus funding will be the same as the allowable services under the corresponding part of Title III of the Older Americans Act (OAA); and

WHEREAS, The Ontario County Office for the Aging was allocated the following funds from the American Rescue Plan by the New York State Office for the Aging:

- \$131,071 SSC6 funds, which corresponds with Title III-B
- \$85,779 CMC6 funds, which corresponds with Title III C-1
- \$128,371 HDC6 funds, which corresponds with Title III C-2
- \$13,183 PHC6 funds, which corresponds with Title III-D
- \$44,987 FCC6 funds, which corresponds with Title III-E; and

WHEREAS, Service match is not required for the ARP funds, unless the county chooses to claim Area Agency Administration expense, then a 25% match is required; and

WHEREAS, The Health and Human Services Committee has reviewed this resolution and recommends acceptance of the allocated funds by the Office for the Aging; now, therefore, be it

RESOLVED, Upon review and approval as to form by the County Attorney, the Board of Supervisors does hereby accept a total of \$403,391 ARP funds for the period April 1, 2021 – September 30, 2024; and further

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

The foregoing block of two resolutions was adopted.

Supervisor Daniel Marshall offered the following resolution and moved for its adoption, seconded by Supervisor Daryl Marshall:

**RESOLUTION NO. 295-2021
APPOINTMENT- ONTARIO COUNTY YOUTH BOARD
ETHAN B. RHEUDE**

WHEREAS, Ms. Kim Brewer, Bloomfield, New York, was appointed to the Ontario County Youth Board for a term that expires on October 24,2023; and

WHEREAS, Ms. Brewer has departed from the board due to increased demand in her position at Canandaigua National Bank leaving a vacancy on the Ontario County Youth Board; and

WHEREAS, The Executive Director of the Ontario County Youth Board expresses full support of the decision of the board that Ethan Rheude at 3868 County Road 16, Canandaigua, New York 14424, 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. Rheude is appointed to the Ontario County Youth Board with a term which will expire October 24, 2023; and further

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

Adopted.

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

**RESOLUTION NO. 296-2021
AUTHORIZATION FOR CONTRACT WITH THE
FINGER LAKES WORKFORCE INVESTMENT BOARD, INC. FOR
WIOA TITLE I ADULT, DISLOCATED WORKER AND YOUTH PROGRAMS**

WHEREAS, The Finger Lakes Workforce Investment Board, Inc. has been awarded funds to provide workforce development activities under the Workforce Innovation and Opportunity Act (WIOA) Program; and

WHEREAS, The Ontario County Department of Social Services is desirous of contracting with the Finger Lakes Workforce Investment Board, Inc. as it has been successful in operating workforce development programs for adults, dislocated workers and youth participants; and

WHEREAS, The Department of Social Services, Workforce Development Unit is a partner of the One Stop Operator Consortium that oversees the Career Centers and provides programs and services for the universal population of adults, dislocated workers, public assistance applicants and recipients and youth; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves these contracts with the Finger Lakes Workforce Investment Board, Inc. and Grant Recipient for the WIOA Title I Adult and Dislocated Worker in the amount of \$143,044, and Youth programs in the amount of \$76,668 for the period of July 1, 2021 – June 30, 2022; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and directed to execute said contracts on behalf of the Board of Supervisors; and further

RESOLVED, That a certified copies of this resolution be sent by the Clerk of this Board to the Finger Lakes Workforce Investment Board, Inc.

**RESOLUTION NO. 297-2021
APPROVAL OF THE
WORKFORCE INNOVATION AND OPPORTUNITIES ACT LOCAL PLAN
FOR PROGRAM YEARS 2021-2025**

WHEREAS, The Workforce Innovation and Opportunity Act (WIOA) requires a Comprehensive Local Plan which must be developed by the Local Workforce Investment Board in partnership with the Local Chief Elected Official(s); and

WHEREAS, The New York State Department of Labor has determined that each Workforce Investment Board will develop a Four-Year Plan to cover the period July 1, 2021 – June 30, 2025; and

WHEREAS, The Plan will allow Local Workforce Investment Boards the opportunity to evaluate their current system's delivery of workforce development services in light of funding considerations, new initiatives and performance; and

WHEREAS, The draft local plan has been reviewed by the Health and Human Services Committee; now, therefore, be it

RESOLVED, That this Board of Supervisors authorizes the Chief Elected Official to sign the plan on behalf of Ontario County; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Seneca, Wayne and Yates Counties and the Finger Lakes Workforce Investment Board.

The foregoing block of two resolutions was adopted.

Supervisor Kristine Singer offered the following five resolutions as a block and moved for its adoption, seconded by Supervisor Theodore Bateman:

**RESOLUTION NO. 298-2021
AUTHORIZING A CONTRACT WITH
CANANDAIGUA LAKE WATERSHED COUNCIL
FOR CANANDAIGUA LAKE AND STREAM MONITORING – YEAR 8**

WHEREAS, Resolution No. 124-2020 authorized Contract C311775-2021 with Oswego County Soil and Water Conservation District for transfer of SFY 2020-21 state grant funding from the Water Resources Board Reserve Fund to Ontario County in the amount of Eighty-Nine Thousand Two Hundred Dollars (\$89,200); and

WHEREAS, Said funding is provided by the New York State Department of Environmental Conservation (DEC) to the Finger Lakes - Lake Ontario Watershed Protection Alliance (FLOWPA) to pass through to Ontario County for implementation of projects based upon a work program submitted by the Ontario County Planning Department and approved by DEC; and

WHEREAS, Said work program approved by DEC included funding for the Canandaigua Lake Watershed Council to continue a Canandaigua Lake and tributary water quality monitoring project; and

WHEREAS, The Canandaigua Lake Watershed Council has submitted a proposal and budget dated May 26, 2021 for aforementioned Canandaigua Lake and stream monitoring project in the amount of Ten Thousand Dollars (\$10,000.00), on file with the Clerk of the Board; and

WHEREAS, The City of Canandaigua serves as the host agency for the Canandaigua Lake Watershed Council, including provision of bookkeeping and accounting services for Canandaigua Lake Watershed Council grants and funding maintained through the City of Canandaigua's accounting system; and

WHEREAS, The administrative relationship between the Canandaigua Lake Watershed Council and City of Canandaigua is fully described in a renewable agreement titled the "Inter-municipal Cooperative Agreement between the City of Canandaigua and the Canandaigua Lake Watershed Council for Shared Employment Services" effective January 1, 2014, a copy of which is on file with the Clerk of this Board; and

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

RESOLVED, That said proposal of the Canandaigua Lake Watershed Council to provide a Canandaigua Lake and tributary water quality monitoring project is hereby accepted for a cost not to exceed Ten Thousand Dollars (\$10,000.00); and

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

RESOLVED, That the cost of said contract shall be paid from said SFY 2020-2021 FLOWPA funding (G21004) in line AA8020PL 54260 in the Planning Department operating budget; and further

RESOLVED, That the term of said contract shall commence on January 1, 2021 and terminate on January 1, 2023; and further

RESOLVED, That payments from Ontario County pursuant to this agreement with the Canandaigua Lake Watershed Council shall be made payable to the City of Canandaigua on behalf of the Canandaigua Lake Watershed Council; and further

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

RESOLVED, That a signed, certified copy of this resolution be sent by the Clerk of this Board to Mr. Kevin Olvany, Canandaigua Lake Watershed Program Manager, 205 Saltonstall Street, Canandaigua, NY 14424, email: klo@canandaiguanyork.gov.

**RESOLUTION NO. 299-2021
APPROVAL OF CONTRACT AMENDMENT WITH
THE CANANDAIGUA LAKE WATERSHED COUNCIL
FLCC WATER QUALITY, FLOOD RESILIENCY,
AND HABITAT IMPROVEMENT PROJECT**

WHEREAS, Resolution No. 246-2018 accepted a Water Quality Improvement Grant from the New York State Department of Environmental Conservation, specifically Contract Number DEC01-C00516GG-35000, for the FLCC Water Quality, Flood Resiliency, and Habitat Improvement Project that involves the design and construction of storm water improvements on the FLCC Campus intended to improve water quality in Fall Brook and handle discharge from the canoe pond on FLCC Campus in the amount of Two Hundred Sixty-Two Thousand Four Hundred Dollars; and

WHEREAS, Resolution No. 367-2020 approved a contract with the Canandaigua Lake Watershed Council to management services for the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project; and

WHEREAS, Said contract provided for up to \$11,516.34 of billable services to be provided by the Canandaigua Lake Watershed Council; and

WHEREAS, The Canandaigua Lake Watershed Council has finalized its billing for this project based on actual services provided, and will bill Ontario County a total of \$13,069.19 an increase of \$1,552.85 above the current contract limit, with additional amounts donated as In-Kind Contributions to the project; and

WHEREAS The original term of the contract between the County and the Canandaigua Lake Watershed Council expired on May 21, 2020 and needs to be extended until March 31, 2021 to correspond with the term of said Water Quality Improvement Grant; and

WHEREAS, The Planning and Environmental Quality and Public Works Committees recommend adoption of this resolution; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby approve a contract amendment with

the Canandaigua Lake Watershed Council, 205 Saltonstall Street, Canandaigua, NY 14424, regarding the Canandaigua Lake Watershed Council's provision of management services for the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project as follows:

1. Extend the term of said contract for eight months from May 22, 2020 to terminate on March 31, 2021, and
2. Increase the contract amount by One Thousand Five Hundred Fifty-Two Dollars and Eighty-Five Cents (\$1,552.85) to Thirteen Thousand Sixty-Nine Dollars and Nineteen Cents (\$13,069.19); 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; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mr. Kevin Olvany, Canandaigua Lake Watershed Program Manager, 205 Saltonstall St., Canandaigua, NY 14424.

**RESOLUTION NO. 300-2021
APPROVAL OF CONTRACT AMENDMENT WITH THE
TOWN OF CANANDAIGUA
FOR MANPOWER, EQUIPMENT, AND MATERIALS
FLCC WATER QUALITY, FLOOD RESILIENCY,
AND HABITAT IMPROVEMENT PROJECT**

WHEREAS, Resolution No. 246-2018 accepted a Water Quality Improvement Grant from the New York State Department of Environmental Conservation, specifically Contract Number DEC01-C00516GG-35000, for the FLCC Water Quality, Flood Resiliency, and Habitat Improvement Project that involves the design and construction of storm water improvements on the FLCC Campus intended to improve water quality in Fall Brook and handle discharge from the canoe pond on FLCC Campus in the amount of Two Hundred Sixty-Two Thousand Four Hundred Dollars; and

WHEREAS, Resolution No. 293-2020 approved a contract with the Town of Canandaigua to provide labor, equipment, and some materials necessary for use in the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project; and

WHEREAS, Said contract provided for up to \$105,000 of billable goods and services to be provided by the Town of Canandaigua; and

WHEREAS, The Town of Canandaigua has finalized its billing for this project based on actual costs incurred, and will bill Ontario County \$101,295.70, with amounts above donated as In-Kind Contributions to the project; and

WHEREAS The original term of the contract between the County and the Town of Canandaigua expired on August 30, 2020 and need to be extended until March 30, 2021 to correspond with the term of said Water Quality Improvement Grant; and

WHEREAS, The Planning and Environmental Quality and Public Works Committees recommend adoption of this resolution; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby approve a contract amendment with the Town of Canandaigua, 5440 Route 5 & 20 West, Canandaigua, NY 14424, regarding the Town's provision of labor, equipment, and some materials necessary for use in the construction of the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project as follows:

1. Extend the term of said contract for eight months from August 31, 2020 to terminate on March 31, 2021, and
2. Decrease the contract amount by Three Thousand Seven Hundred Four Dollars and Thirty Cents (\$3,704.30) to One Hundred One Thousand Two Hundred Ninety-Five Dollars and Seventy Cents (\$101,295.70); 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; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Town of Canandaigua, 5440 Route 5 & 20 West, Canandaigua, NY 14424.

**RESOLUTION NO. 301-2021
RESOLUTION OF RECOGNITION AND APPRECIATION
FOR SUE BOARDMAN**

WHEREAS, Resolution No. 99-1966 created the Ontario County Planning Board to perform key roles in the continuing planning, development, and management of important agricultural and natural resources of Ontario County; and

WHEREAS, Ms. Boardman has served faithfully for 4 years as a member of the Ontario County Planning Board; and

WHEREAS, Ms. Boardman has informed the County of her resignation from County Planning Board; and

WHEREAS, Ms. Boardman's service as a member of the Ontario County Planning Board has been voluntary and without remuneration; and

WHEREAS, The Ontario County Planning Board and the Town of West Bloomfield continue to rely on dedicated citizen volunteers like Ms. Boardman to help make decisions regarding Ontario County Planning policy and community development; now, therefore be it

RESOLVED, That this Board does hereby recognize the experience, dedication, and years of exemplary work rendered by Ms. Boardman as a member of the County Planning Board and to the County; and further

RESOLVED, That Ontario County Board of Supervisors does hereby extend its sincere thanks and appreciation to Ms. Boardman for her years of service; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Planning Board, the Town of West Bloomfield, and Sue Boardman, P.O. Box 113, West Bloomfield, NY 14585.

**RESOLUTION NO. 302-2021
AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO
THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR
CARES ACT BLOCK GRANT FUNDING**

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

WHEREAS, The OCEDC requests that Ontario County apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") CARES Act funds to finance the Project costs; and

WHEREAS, The OCEDC is facilitating of the Project and has requests that the County provide the OCR CARES Act funding to the OCEDC as a grant for the purpose of making grants to small hospitality and tourism businesses; and

WHEREAS, The Project will result in substantial benefit to Ontario County in forms of safer businesses, new investment, and new employment positions; and

WHEREAS, The County has held a public hearing to obtain citizens' views regarding the CDBG CARES Act program as administered by OCR and the proposed project; and

WHEREAS, The Planning and Environmental Quality Committee and the Ways and Means Committee have both reviewed and approve the filing of the OCR application on behalf of the OCEDC; now, therefore, be it

RESOLVED, That the Chairman of the Board of Supervisors is hereby authorized to submit a grant application on behalf of Ontario County to the OCR to support the Project; and be it further

RESOLVED, That the Chairman of the Board of Supervisors is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the OCEDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney; and be it further

RESOLVED, That the Chairman of the Board of Supervisors is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project; and be further

RESOLVED, That a copies of this resolution be emailed by the Clerk of this Board to the Economic Development Department.

The foregoing block of five resolutions was adopted.

Supervisor Robert Green offered the following five resolutions as a block and moved for its adoption, seconded by Supervisor Gregory Bendzlowicz:

**RESOLUTION NO. 303-2021
AWARD OF CONTRACT FOR PURCHASE OF
PRESCRIPTION DRUGS AND PHARMACEUTICALS
ONTARIO COUNTY JAIL – DIAMOND DRUGS, INC. (R21005)**

WHEREAS, The Purchasing Department issued a Request for Proposals (R21005) for the purchase of Prescription Drugs and Pharmaceuticals at the Ontario County Jail; and

WHEREAS, The County spends approximately \$300,000 annually on prescription drugs and pharmaceuticals; and

WHEREAS, The proposals have been reviewed by the Purchasing Department and the Ontario County Jail, both agree it is in the County's best interest to award to Diamond Drugs, Inc.; and

WHEREAS, The Public Safety Committee recommends the award be made to Diamond Drugs, Inc.; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors approves an agreement with Diamond Drugs, Inc., 645 Kolter Drive, Indiana, PA 15701 at a 23% discount off “average wholesale price” for brand name drugs and a 94.5% discount off “average wholesale price” for generic brand drugs at a cost not to exceed \$300,000 for the term of July 1, 2021 through June 30, 2022 and may be renewed for up to two (2) additional (12) month periods if mutually agreeable by both parties and by annual resolution of the Ontario County Board of Supervisors; and further

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

RESOLUTION NO. 304-2021
AUTHORIZATION FOR SECOND AMENDMENT TO CONTRACT WITH
HELPS-CLIFTON SPRINGS (MIDLAKES) CENTRAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER SERVICES

WHEREAS, The Phelps-Clifton Springs Central School District (the “School”) located at 1490 State Route 488, Clifton Springs, NY 14432 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, Pursuant to Resolution No. 400-2020, The Ontario County Sheriff has contracted with the School to provide School Resource Officer Services for the period of September 1, 2020 through June 30, 2021, for an estimated \$40,175; and

WHEREAS, The School has requested that the term of the agreement be extended through June 30, 2023, and that the County shall submit a revised Schedule “A” to the School no later than March 1st annually; and

WHEREAS, The Public Safety Committee has reviewed this proposal and approves of amending said contract for the extended term with a revised Schedule “A” due to the School no later than March 1 annually; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff’s Office is authorized and empowered to amend the contract with the School for the provision of a School Resource Officer from September 1, 2020 through June 30,

2023, with a revised Schedule "A" provided to the School no later than March 1st annually; 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; and

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

RESOLUTION NO. 305-2021
AUTHORIZATION TO AMEND FY 2018 STATE LAW ENFORCEMENT
TERRORISM PREVENTION PROGRAM GRANT (C972282) FROM
DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, Pursuant to Resolution No. 616-2018, this Board of Supervisors authorized Ontario County to accept an award of \$175,428 from the State of New York Department of Homeland Security and Emergency Services FY18 State Law Enforcement Terrorism Prevention Program (SLETPP) (DHSES Project#LE18-1044-D00, Contract# C972282, CFDA# 97.067, MUNIS # G18022) for the purchase of encryption software, and for security equipment for 74 Ontario St. Canandaigua, NY; and

WHEREAS, The costs for encryption software came in lower than expected and Ontario County staff desire to utilize the remainder to support the purchase security equipment for 74 Ontario St.; and

WHEREAS, State of New York Department of Homeland Security and Emergency Services agree with and support this adjustment to the grant budget; and

WHEREAS, It is advantageous for Ontario County to utilize available funds in this grant to meet the goals of the original application with no county match requirement; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this request at their June 16th, 2021 meetings and recommend the grant amendment; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract budget amendment to Contract C972282 with State of New York Department of Homeland Security and Emergency Services FY18 State Law Enforcement Terrorism Prevention Program at no additional County cost; and

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 appropriate Standing Committee; and further

RESOLVED, That the County Administrator is authorized to sign contract documents with the New York State Department of Homeland Security and Emergency Services; and further

RESOLVED, That the following budget transfer is hereby approved, with unused portions flowing into future years:

Account/ Project String	Description	Current Appropriation	Adjustment	New Appropriation
Revenue				
G18022-44397-NA-97.067	Federal Aid, Capital Projects Public Safety	\$ 135,010.00	+\$ 822.50	\$ 135,832.50
G18022-44389-NA-97.067	Federal Aid, Other Public Safety	\$ 40,415.00	-\$ 822.50	\$ 39,592.50
	Totals:	\$ 175,428.00	+/- \$ 0.00	\$ 175,428.00
Expense				
G18022-54491	Construction	\$ 0.00	+\$ 822.50	\$ 822.50
G18022-54610	Supplies, Operating	\$ 822.50	-\$ 822.50	\$ 0.00
	Totals:	\$ 822.50	+/- \$ 0.00	\$ 822.50

and further

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

**RESOLUTION NO. 306-2021
AUTHORIZATION TO ENTER INTO A CONTRACT
WITH CARA A. WALDMAN, ESQ. FOR MENTORING SERVICES**

WHEREAS, This Board of Supervisors, by Resolution Nos. 50-2018, 578-2018, and 580-2018, accepted grant funds from the New York State Office of Indigent Legal Services for quality improvements and caseload relief in the provision of indigent legal services in Ontario County; and

WHEREAS, The approved contracts for these grants provide that the grant funds may be used for the hiring of mentoring services to the attorneys in the Office of the Conflict Defender and on the Assigned Counsel Panel; and

WHEREAS, Cara A. Waldman, Esq., has agreed to provide said services at the rate of \$150.00 per hour, not to exceed \$25,000 per year, for the period July 1, 2021 to June 30, 2023, on the terms and conditions contained in the contract, a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Public Safety Committee has reviewed and approves this contract; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Cara A. Waldman, Esq. for a term of 2 years at the rate of \$150.00 per hour, not to exceed \$25,000 per year, to be paid with said grant funds; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with Cara A. Waldman, Esq., and all other documents necessary to effectuate the purposes 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 appropriate Standing Committee; and further

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

RESOLUTION NO. 307-2021
AUTHORIZATION TO ENTER INTO AN
ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN
JM INVESTIGATIVE SERVICES, LLC, LICENSED PRIVATE INVESTIGATOR
AND CASS AND MORALES INVESTIGATIVE SERVICES, LLC

WHEREAS, That by Resolution No. 583-2020, the County Board of Supervisors awarded a contract to JM Investigative Services, LLC, for investigative services to attorneys in the Office of the Conflict Defender, and to attorneys on the Ontario County Assigned Counsel panel (the "Contract"); and

WHEREAS, JM Investigative Services, LLC desires to assign its rights and obligations under the Contract and to perform services under the name of Cass and Morales Investigative Services, LLC; and

WHEREAS, The parties have requested the County's consent to such assignment and assumption; and

WHEREAS, The County desires to grant its consent to such assignment and assumption subject to the terms of the Contract; and

WHEREAS, The Public Safety Committee has reviewed and approves this assignment and assumption; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves the assignment and assumption agreement effective immediately; and further

RESOLVED, That Cass and Morales Investigative Services, LLC shall assume and perform all duties and obligations of JM Investigative Services, LLC under the Contract, a copy of which is on file with the Clerk of this Board, and shall be bound by all of the provisions of the same; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Contract with Cass and Morales Investigative Services, LLC, and all other documents necessary to effectuate the purposes of this resolution; and further

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

The foregoing block of five resolutions was adopted.

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

**RESOLUTION NO. 308-2021
CAPITAL PROJECT H033-16
SPACE REORGANIZATION AND SECURITY ENHANCEMENT OF
3010 COUNTY COMPLEX DRIVE
AUTHORIZATION OF BUDGET TRANSFER AND
CONTRACT AMENDMENT FOR ARCHITECTURAL SERVICES**

WHEREAS, The County owns a 70,000 sf, two story facility at 3010 County Complex Dr (the Facility); and

WHEREAS, The adopted 2021-2026 Capital Improvement Plan includes funds for remodeling the Facility; and

WHEREAS, Resolution 375 of 2016 established Capital Project 02-2016 "Space Reorganization and Security Enhancement of Ontario County Human Services Building Project"; and

WHEREAS, Resolution 751 of 2020 authorized a budget transfer and contract with QPK Design, 450 South Salina St, Suite 500 Syracuse, NY 13201 (QPK) to provide architectural design services as described in their proposal dated 11/23/20 for a total

amount not to exceed sixty nine thousand five hundred and six dollars (\$69,506.00) (the Contract); and

WHEREAS, The Contract is set to expire on July1, 2021; and

WHEREAS, The County and QPK have identified the need to extend the term of the Contract to 12/31/21 and further amend the Contract to revise the project scope and budget to include programming services for the Ontario County Mental Health Center, as described in the 5/18/21 proposal provided by QPK, for an additional amount not to exceed six thousand two hundred dollars (\$6,200), (the Amendment); and

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

RESOLVED, The following budget transfer is approved:

Line Item	Description	Existing	Change	New Amount
Appropriations				
HHH03316 54260	Consultation & Professional	\$127,416.0 0	+ \$6,200.00	\$ 133,616.00
HHH03316 54865	Administration	\$4,000.0 0	\$ 0.00	\$4,000. 00
HHH03316 54731	Contingency	\$911,324.0 0	- \$ 6,200.00	\$ 905,124.00
Revenues				
HHH03316 45031	Interfund Transfers	\$1,042,740.00		\$1,042,740.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract amendment with QPK to include programming services for the Ontario County Mental Health Center, as described in the 5/18/21 proposal provided by QPK, for an additional amount not to exceed six thousand two hundred dollars (\$6,200); and further

RESOLVED, The Board hereby authorizes the County Administrator to execute the Amendment to the Contract subject to approval, as to form by the County Attorney; and further

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

**RESOLUTION NO. 309-2021
CAPITAL PROJECT H033-16
SPACE REORGANIZATION AND SECURITY ENHANCEMENT**

**OF 3010 COUNTY COMPLEX DRIVE
AUTHORIZATION OF A NO COST TIME EXTENSION TO THE CONTRACT
FOR CONSTRUCTION CONSULTING & COST ESTIMATING SERVICES**

WHEREAS, The County owns a 70,000 sf, two story facility at 3010 County Complex Dr (the Facility); and

WHEREAS, The adopted 2020-2025 Capital Improvements Plan includes funds for remodeling the Facility; and

WHEREAS, Resolution 375-2016 established Capital Project 02-2016 “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project” now known as Capital Project H033-16 (the Project); and

WHEREAS, Resolution 752-2020 authorized a contract with The Pike Company, 1 Circle, St, Rochester, NY 14607 (the Vendor) to advise the County on constructability, phasing, scheduling, and estimated cost of construction of the Project (the Contract); and

WHEREAS, The Contract has an expiration date of 7/1/21; and

WHEREAS, The County and the Vendor would like to execute a no cost time extension so that the Contract would expire on December 31, 2021; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes execution of a no cost time extension with the Vendor to extend the expiration date of the Contract to 12/31/21(the Amendment); and further

RESOLVED, That the County Administrator is hereby authorized to execute the Amendment and any and all other documents necessary to effect the intent of this Resolution.

**RESOLUTION NO. 310-2021
CAPITAL PROJECT H033-16
SPACE REORGANIZATION AND SECURITY ENHANCEMENT
OF 3010 COUNTY COMPLEX DRIVE
AUTHORIZATION OF A NO COST TIME EXTENSION TO THE CONTRACT
FOR SECURITY CONSULTANT SERVICES**

WHEREAS, The County owns a 70,000sf, two story facility at 3010 County Complex Dr (the Facility); and

WHEREAS, The adopted 2020-2025 Capital Improvements Plan includes funds for remodeling the Facility; and

WHEREAS, Resolution 375 of 2016 established Capital Project 02-2016 “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project” now known as Capital Project H033-16 (the Project); and

WHEREAS, Resolution 750 of 2020 authorized a contract with Business Protection Specialist Inc (BPS) of 1296 East Victor Rd, Suite B, Victor, NY 14564 (the Vendor) to advise the County on issues of facility and operational security related to the Project (the Contract), and

WHEREAS, The Contract has an expiration date of 7/1/21; and

WHEREAS, The County and the Vendor would like to execute a no cost time extension so that the Contract would expire on December 31, 2021; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes execution of a no cost time extension with the Vendor to extend the expiration date of the Contract to 12/31/21(the Amendment); and further

RESOLVED, That the County Administrator is hereby authorized to execute any and all other documents necessary to effect the intent of this Resolution.

Supervisor Frederick Lightfoote made the motion to amend Resolution Nos. 308-2021, 309-2021 and 310-2021, as follows:

**RESOLUTION NO. 308-2021
CAPITAL PROJECT H033-16
SPACE REORGANIZATION AND SECURITY ENHANCEMENT OF
3010 COUNTY COMPLEX DRIVE
AUTHORIZATION OF BUDGET TRANSFER AND
CONTRACT AMENDMENT FOR ARCHITECTURAL SERVICES
AS AMENDED**

WHEREAS, The County owns a 70,000 sf, two story facility at 3010 County Complex Dr (the Facility); and

WHEREAS, The adopted 2021-2026 Capital Improvement Plan includes funds for remodeling the Facility; and

WHEREAS, Resolution 375 of 2016 established Capital Project 02-2016 “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project”; and

WHEREAS, Resolution 751 of 2020 authorized a budget transfer and contract with QPK Design, 450 South Salina St, Suite 500 Syracuse, NY 13201 (QPK) to provide architectural design services as described in their proposal dated 11/23/20 for a total amount not to exceed sixty nine thousand five hundred and six dollars (\$69,506.00) (the Contract); and

WHEREAS, The Contract is set to expire on July 1, 2021; and

WHEREAS, The County and QPK have identified the need to extend the term of the Contract to 12/31/21 and further amend the Contract to revise the project scope and budget to include programming services for the Ontario County Mental Health Center, as described in the 5/18/21 proposal provided by QPK, for an additional amount not to exceed six thousand two hundred dollars (\$6,200), (the Amendment); and

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

RESOLVED, The following budget transfer is approved:

Line Item	Description	Existing	Change	New Amount
Appropriations				
HHH03316 54260	Consultation & Professional	\$127,416.00	+ \$6,200.00	\$ 133,616.00
HHH03316 54865	Administration	\$4,000.00	\$ 0.00	\$4,000.00
HHH03316 54731	Contingency	\$911,324.00	- \$ 6,200.00	\$ 905,124.00
Revenues				
HHH03316 45031	Interfund Transfers	\$1,042,740.00		\$1,042,740.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract amendment with QPK to include programming services for the Ontario County Mental Health Center, as described in the 5/18/21 proposal provided by QPK, for an additional amount not to exceed six thousand two hundred dollars (\$6,200); and further

RESOLVED, The Board hereby authorizes the County Administrator to execute the Amendment to the Contract subject to approval, as to form by the County Attorney; and further

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

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

**RESOLUTION NO. 309-2021
CAPITAL PROJECT H033-16
SPACE REORGANIZATION AND SECURITY ENHANCEMENT
OF 3010 COUNTY COMPLEX DRIVE - AUTHORIZATION OF
A NO COST TIME EXTENSION TO THE CONTRACT
FOR CONSTRUCTION CONSULTING & COST ESTIMATING SERVICES
AS AMENDED**

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes execution of a no cost time extension with the Vendor to extend the expiration date of the Contract to 12/31/21(the Amendment); and further

RESOLVED, That the County Administrator is hereby authorized to execute the Amendment and any and all other documents necessary to effect the intent of this Resolution; and further WHEREAS, The County owns a 70,000 sf, two story facility at 3010 County Complex Dr (the Facility); and

WHEREAS, The adopted 2020-2025 Capital Improvement Plan includes funds for remodeling the Facility; and

WHEREAS, Resolution 375-2016 established Capital Project 02-2016 “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project” now know as Capital Project H033-16 (the Project); and

WHEREAS, Resolution 752-2020 authorized a contract with The Pike Company, 1 Circle, St, Rochester, NY 14607 (the Vendor) to advise the County on constructability, phasing, scheduling, and estimated cost of construction of the Project (the Contract); and

WHEREAS, The Contract has an expiration date of 7/1/21; and

WHEREAS, The County and the Vendor would like to execute a no cost time extension so that the Contract would expire on December 31, 2021; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes execution of a no cost time extension with the Vendor to extend the expiration date of the Contract to 12/31/21(the Amendment); and further

RESOLVED, That the County Administrator is hereby authorized to execute the Amendment and any and all other documents necessary to effect the intent of this Resolution; and further

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

RESOLUTION NO. 310-2021
CAPITAL PROJECT H033-16
SPACE REORGANIZATION AND SECURITY ENHANCEMENT OF
3010 COUNTY COMPLEX DRIVE -AUTHORIZATION OF A NO COST TIME
EXTENSION TO THE CONTRACT FOR SECURITY CONSULTANT SERVICES
AS AMENDED

WHEREAS, The County owns a 70,000sf, two story facility at 3010 County Complex Dr (the Facility); and

WHEREAS, The adopted 2020-2025 Capital Improvements Plan includes funds for remodeling the Facility; and

WHEREAS, Resolution 375 of 2016 established Capital Project 02-2016 “Space Reorganization and Security Enhancement of Ontario County Human Services Building Project” now known as Capital Project H033-16 (the Project); and

WHEREAS, Resolution 750 of 2020 authorized a contract with Business Protection Specialist Inc (BPS) of 1296 East Victor Rd, Suite B, Victor, NY 14564 (the Vendor) to advise the County on issues of facility and operational security related to the Project (the Contract), and

WHEREAS, The Contract has an expiration date of 7/1/21; and

WHEREAS, The County and the Vendor would like to execute a no cost time extension so that the Contract would expire on December 31, 2021; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes execution of a no cost time extension with the

Vendor to extend the expiration date of the Contract to 12/31/21(the Amendment); and further

RESOLVED, That the County Administrator is hereby authorized to execute any and all other documents necessary to effect the intent of this Resolution; and further

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

The foregoing amendments were adopted.

Resolution Nos. 308-2021 as amended, 309-2021 as amended, and 310-2021 as amended, were adopted.

Supervisor Frederick Lightfoote offered the following ten resolutions as a block and moved for its adoption, seconded by Supervisor Peter Ingalsbe:

RESOLUTION NO. 311-2021
CAPITAL PROJECT NO. H068-20
AWARD OF CONTRACT FOR THE PURCHASE OF MEDICAL EQUIPMENT
FLCC NURSING EXPANSION CAPITAL PROJECT

WHEREAS, Resolution No. 302-2020 established Capital Project No. H068-20 as the FLCC Nursing Expansion Capital Project; and

WHEREAS, Renovation to the Wellness Center is included in the FLCC Nursing Expansion Capital Project and sufficient funds are available in this capital project to purchase the necessary furniture and equipment to operate the Wellness Center; and

WHEREAS, McKesson, 1690 New Britain Avenue, Farmington, CT 06032, submitted quote #CPQ-349591 dated May 26, 2021 for the purchase of exam room equipment in the amount of One Thousand Four Hundred Thirty-Two Dollars and Thirty-Seven Cents (\$1,432.37) per Sourcwell Contract 061417-MML, a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Public Works Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That subject to review and approval of the County Attorney as to form, this Board of Supervisors hereby accepts quote #CPQ-349591 and authorizes and empowers the County Administrator to execute a contract with McKesson for the purchase of exam room equipment for an amount not to exceed One Thousand Four Hundred Thirty Two Dollars and Thirty Seven Cents (\$1,432.37) as proposed in said quote; and further

RESOLVED, That the term of said contract shall commence on June 25, 2021 and terminate on December 31, 2021; and further

RESOLVED, That the cost of said contract be paid from budget line HHH06820 52100 – Furniture and Furnishings of Capital Project H068-20; 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 Seven Million Two Hundred Thirty-Two Thousand Two Hundred Seventy-Eight Dollars (\$7,232,278.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department and the President of Finger Lakes Community College.

RESOLUTION NO. 312-2021
CAPITAL PROJECT NO. H068-20
AUTHORIZE CONTRACTS FOR THE PURCHASE IT EQUIPMENT
AND MATERIAL
FLCC NURSING EXPANSION CAPITAL PROJECT

WHEREAS, Resolution No. 302-2020 established Capital Project No. H068-20 as the FLCC Nursing Expansion Capital Project; and

WHEREAS, A variety of computer monitors, laptops, phones, cable and miscellaneous IT equipment is needed to operate the facility; and

WHEREAS, FLCC staff have obtained quotes pursuant to state contract, OGS contracts, and various purchasing cooperatives for such equipment, copies of which are on file with the Clerk of this Board; and

WHEREAS, Sufficient funds are available in this capital project to purchase the necessary equipment to operate the facility after construction is complete; and

WHEREAS, The Public Works 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 the following quotes and authorizes and empowers the County Administrator to execute a contract with the following vendors for the following items in the following amounts:

1. Quote #00129472 from Carousel Industries of North America, 659 South County Trail, Exeter, RI 02822 for the purchase of closet switches and cabling in the amount of Twenty-Six Thousand Five Hundred Eighty-Two Dollars and

- Forty Cents (\$26,582.40) per NYS Contract PM68020, and
2. Quote #0237908935 dated May 11, 2021 from GraybaR, 425 Cayuga Rd., Suite 100, Cheektowaga, NY 14225 for network patch cables in an amount of Nine Hundred Sixty-Six Dollars (\$966.00) pursuant to US Communities Contract EV2370, and
 3. Quote #0511flcc-arU-515 dated May 11, 2021 from Vandis Inc., 1 Albertson Ave., Albertson, NY 11507 for Aruba network hardware in the amount of Six Thousand Eight Hundred Forty- Nine Dollars and Eighty Cents (\$6,849.80) pursuant to NYS OGS Contract PM20850, and
 4. Quote #22644567 dated June 2, 2021 from ePlus Technology Inc., 13595 Dulles Technology Drive, Herndon, VA 20171 for the purchase of phones and related equipment in the amount of One Thousand Four Hundred Seventy-Eight Dollars and Ninety-Nine Cents (\$1,478.99) pursuant to NY OGS contract PM20800; and
 5. Quote #21-0513 dated May 13, 2021 from Ergonomic Solutions Ltd., 678 Main St., East Aurora, NY 14052, for wall mount laptop arms and related equipment in the amount of Five Thousand Four Hundred Forty-Seven Dollars and Eighty Cents (\$5,447.80) pursuant to NCPA contract #01-97; and
 6. Quote #223385819 dated March 3, 2021 from Insight Public Sector Sled, 6820 S. Harl Ave., Tempe, AZ 85283, for Dynabook Tecra laptops in the amount of Five Thousand Thirty-One Dollars and Twenty-Four Cents (\$5,031.24); and
 7. Quotes from CWD Government Inc., 75 Remittance Dr., Suite 1515, Chicago, NY 60675 for desktop computers and monitors: CDW Government Inc. for four (4) Acer Veriton desktop computers (\$2,799.80) and eight (8) HP Smartbuy 27" monitors (\$1,716.24) for a total amount of Four Thousand Five Hundred Sixteen Dollars and Four Cents (\$4,516.04) per NIPA ESCR4 Tech & IWB solutions products/services contract; and further

RESOLVED, That the term of said contracts shall commence on June 25, 2021 and terminate on December 31, 2022; and further

RESOLVED, That the cost of said contracts be paid from budget line HHH06820 52300 – Equipment, Computer of Capital Project H068-20; 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 Seven Million Two Hundred Thirty-Two Thousand Two Hundred Seventy-Eight Dollars (\$7,232,278.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department and the President of Finger Lakes Community College.

**RESOLUTION NO. 313-2021
AUTHORIZATION TO MAKE TEMPORARY ADVANCES
TO CAPITAL PROJECT NO. H056-19
HONEOYE LAKE WASTEWATER TREATMENT PLANT IMPROVEMENTS**

WHEREAS, Resolution No. 299-2019 created Capital Project No. 05-2019, Honeoye Lake Wastewater Treatment Plant Improvements Project, (the "Project") now identified as Capital Project No. H056-19; and

WHEREAS, Resolution No. 201-2021 authorized bonding for said Project; and

WHEREAS, Due to the timing of the bond, it will be necessary for the General Fund to advance funds to Capital Project No. H056-19; and

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

RESOLVED, That the County Department of Finance is authorized to make temporary advances as needed, to Capital Project No. H056-19, Honeoye Lake Wastewater Treatment Plant Improvements, from the General Fund; and further

RESOLVED, Said advances will not exceed \$4,000,000; and further

RESOLVED, That the advances will be interest free and repaid to the General Fund by Capital Project No. H056-19 upon the receipt of bond proceeds; 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. 314-2021
CAPITAL PROJECT NO. H060-19
LAKESHORE DRIVE & NY ROUTE 364 SIDEWALK IMPROVEMENT
PROJECT PAYMENT FOR PURCHASE OF EASEMENT**

WHEREAS, Resolution No. 489-2018 authorized the Department of Public Works to submit a Transportation Alternatives Program (TAP) application in August 2018; and

WHEREAS, A project for sidewalk improvements at Lakeshore Drive and NY Route 364 in the Towns of Canandaigua and Hopewell and the City of Canandaigua, Ontario County, was selected to receive TAP funds; and

WHEREAS, Said project, P.I.N. 4461.23, (the "Project") is eligible for funding under TAP and Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such TAP projects to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, TAP projects are not eligible for funding under the New York State Municipal Streets and Highway Program (Marchiselli Program); and

WHEREAS, The total project costs are estimated to be \$2,260,500.00; and

WHEREAS, Resolution No. 593-2019 created Capital Project No. H060-19, Lakeshore Drive & NY Route 364 Sidewalk Improvement Project and authorized the acceptance of the New York State Revenue Contract for the preliminary engineering phase of said project; and

WHEREAS, Resolution No. 593-2019 authorized the execution of a contract with C & S Engineering, 150 State Street, Suite 120, Rochester, New York 14614 for the scoping, preliminary engineering and right-of-way incidental work of the Project for a cost not to exceed \$149,557.09; and

WHEREAS, Resolution No. 445-2020 authorized the execution of an amended agreement with C&S Engineering, Inc.; for professional services in connection with detailed design, right-of-way acquisition, and bid phase services related to project at a cost not to exceed \$83,831.42 for a total amended contract price not to exceed \$233.389; and

WHEREAS, Resolution No. 445-2020 established an initial budget of \$90,000 for the purchase of additional right-of-way; and

WHEREAS, Initial right-of-way acquisition budget was based on assessed valuations of properties without any provisions for true market valuation and costs associated with loss of useable lawn, trees, and other items affecting the property value; and

WHEREAS, C&S Engineering has completed the design and right-of-way incidental services; and

WHEREAS, Acquisition of a total of six easements is necessary for the continuation of said project; and

WHEREAS, Four of the six property owners have returned signed purchase agreements for said easements; and

WHEREAS, The Public Works Committee recommends the purchase of the following easements:

Map & Parcel No.	Easement Purchase Cost
Map TE01	\$900
Map TE02 & TE03	\$3,400
Map TE04	\$2,300
Map PE05 & PE06	\$15,800

and

WHEREAS, Total cost for the above referenced easements is \$22,400; and

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

WHEREAS, Estimated budget for said property acquisition is \$90,000, which leaves \$67,600 for a contingency; and

WHEREAS, Sufficient monies exist within Land Acquisition line of Capital Project No. H060-19, HHH06019 54820, for said expenditures; and

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

RESOLVED, The Ontario County Board of Supervisors hereby approves the purchase of said easements for a total cost not to exceed \$90,000; and further

RESOLVED, That the Department of Finance is hereby authorized and directed to make any and all budgetary and accounting entries to effect the intent of the Resolution; 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 easement 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 of Supervisors to the Department of Finance, C & S Engineering, 150 State Street, Suite 120, Rochester, New York 14614, and the NYSDOT, Regional Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

**RESOLUTION NO. 315-2021
AUTHORIZATION TO ACCEPT QUOTE (Q21046)**

FOR MAINTENANCE OF OIL-WATER SEPARATOR SYSTEMS

WHEREAS, The County buildings as well as FLCC buildings are in need of maintenance of oil-water separator systems; and

WHEREAS, The Purchasing Department has solicited and received quotes (Q21046) for the maintenance of said oil-water separator systems; and

WHEREAS, National Vacuum Environmental Services Corp. of 6389 Inducon Drive West, Sanborn, NY 14132 has been determined to be the low responsive, responsible quoter; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the acceptance of this quote from National Vacuum Environmental Services Corp. of 6389 Inducon Drive West, Sanborn, NY 14132 for the maintenance of oil-water separator systems per the tabulation sheets on file with the Clerk of this Board; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to National Vacuum Environmental Services Corp.

**RESOLUTION NO. 316-2021
AWARD CONTRACT FOR
UTILITY AUDITING AND CONSULTING SERVICES**

WHEREAS, Ontario County and Finger Lakes Community College is in need of professional services for Utility Auditing/Consulting Services; and

WHEREAS, The Ontario County Department of Public Works (DPW) and Finger Lakes Community College (FLCC) is in need of audit services of its energy purchases to assure charges are in conformance with approved rate structures and, requested proposals from utility auditing firms; and

WHEREAS, The team of reviewers from FLCC and DPW evaluated three proposals received and determined that it would be in the best interest of FLCC and Ontario County to contract with Troy & Banks, Inc., of 2216 Kensington Avenue, Buffalo, New York 14226 for Utility Auditing/Consulting Services; and

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

RESOLVED, That the Ontario Board of Supervisors hereby authorizes a contract with Troy & Banks, Inc., of 2216 Kensington Avenue, Buffalo, New York 14226 for Utility Auditing/Consulting Services; and further

RESOLVED, Troy & Banks will audit all utility invoices and should there be error resulting in money due to Ontario County and/or FLCC, once re-payment is made to Ontario County and/or FLCC, Troy & Banks will charge a fee of 24% of the proceeds received up to \$100,000, 23% of the proceeds received \$100,001-\$200,000, 22% of the proceeds received \$200,001-\$300,000 and 20% of the proceeds received \$300,001 and above.

RESOLVED, That the County Administrator, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of this resolution, subject to review and approval by the Office of the County Attorney as to form.

**RESOLUTION NO. 317-2021
AUTHORIZATION TO AWARD CONTRACT FOR
ENERGY MANAGEMENT AND PROCUREMENT**

WHEREAS, Ontario County and Finger Lakes Community College is in need of professional services for Energy Management and the Procurement of electricity and natural gas for its facilities; and

WHEREAS, The Ontario County Department of Public Works (DPW) and Finger Lakes Community College (FLCC) is in need of more active management and advice in its procurement of Energy Resources and, requested proposals from energy brokerage firms; and

WHEREAS, The team of reviewers from FLCC and the DPW evaluated two proposals received and determined that it would be in the best interest of FLCC and Ontario County to contract with EGS Advanced Energy Solutions, Inc., of 343 North Main Street, Suite 105, Canandaigua, New York 14424 for Energy Management and Procurement related services for electricity and natural gas for FLCC and Ontario County and their facilities from notice of award, for a year term, with the option of three one-year renewals; and

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

RESOLVED, That the Ontario Board of Supervisors hereby authorizes a contract with EGS Advanced Energy Solutions, Inc., of 343 North Main Street, Suite 105, Canandaigua, New York 14424 for Energy Management and Procurement related services for electricity and natural gas for FLCC and Ontario County and its facilities from notice of award, for a year term, with the option of three one-year renewals; and further

RESOLVED, That the County Administrator, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of this resolution, subject to review and approval by the Office of the County Attorney as to form.

**RESOLUTION NO. 318-2021
RESOLUTION TO APPROVE SPECIAL USE APPLICATION FOR
DOWNTOWN CANANDAIGUA BID USE OF
ATWATER AND CANANDAIGUA INN PARKS FOR
DOWNTOWN CANANDAIGUA ARTS & MUSIC FESTIVAL**

WHEREAS, The Downtown Canandaigua BID (Business Improvement District), has made a Special Use Application to use Atwater and Canandaigua Inn Parks for an Arts & Music Festival July 15th through July 18th, 2021; and

WHEREAS, Under Section twenty eight (B) of the County's Park Law, the Commissioner of Public Works proposed regulations to issue Special Use Permits for certain activities that involve commercial type activities, like the one proposed by the Downtown Canandaigua BID; and

WHEREAS, These regulations were reviewed by the Public Works and Government Operations Committee and approved by the Board of Supervisors by Resolution 556-2017; and

WHEREAS, A Special Use Application by the Downtown Canandaigua BID was received and reviewed by the Commissioner of Public Works and is recommended to the Public Works Committee and Board of Supervisors that its permit be approved; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the application by the Downtown Canandaigua BID, 115 South Main Street, Canandaigua, NY 14424 to hold its Downtown Canandaigua Arts & Music Festival in Atwater and Canandaigua Inn Parks upon final review and approval by the County Attorney's Office; and further

RESOLVED, That a copies of this resolution be sent by the Clerk of this Board to the Downtown Canandaigua BID.

**RESOLUTION NO. 319-2021
ASSIGNMENT AND ASSUMPTION AGREEMENT
TRUCK AND EQUIPMENT REPAIR AND SERVICE
ALTA CONSTRUCTION EQUIPMENT**

WHEREAS, Resolution No. 517-2020 authorized an agreement with Vantage Equipment, LLC, having offices at 5985 Court Street, Syracuse, NY 13206 for Truck and Equipment Repair and Service for the County of Ontario (the “County”); and

WHEREAS, Effective December 21, 2020, Vantage Equipment, LLC has been sold and will now operate as Alta Construction Equipment New York, LLC d/b/a Vantage Equipment having offices at 5985 Court Street, Syracuse, NY 13206; and

WHEREAS, The County continues to require truck and equipment repair and service; and

WHEREAS, Vantage Equipment, LLC desires to assign it rights and obligations under its current contract with the County and Alta Construction Equipment New York LLC desires to accept such assignment and assume Vantage Equipment, LLC rights and obligations under its contract with the County; and

WHEREAS, The County desires to grant its consent to such an assignment and assumption subject to the terms of the proposed agreement; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; 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 an assignment and assumption agreement between Vantage Equipment, LLC and Alta Construction Equipment New York, LLC for Truck and Equipment Repair and Service for County of Ontario through October 1, 2021; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Alta Construction Equipment New York, LLC d/b/a Vantage Equipment, LLC.

RESOLUTION NO. 320-2021

**RESOLUTION TO ENTER INTO AGREEMENT WITH ASPIRA FOR ITS
ASTRA/RESERVE AMERICA CAMPGROUND RESERVATION SYSTEM**

WHEREAS, The park reservation system for the Ontario County Park at Gannett Hill needs to be upgraded to improve ease-of-use and expand capabilities; and

WHEREAS, County staff have reviewed the reservation software product provided by ASPIRA for its ASTRA/Reserve America program and recommends its adoption for use of Ontario County Park; and

WHEREAS, The product by ASPIRA is used by the New York State Park System; and

WHEREAS, The ASPIRA provides all setup, management, camp reservations, system maintenance, collects all fees and sends weekly receipts to the County; and

WHEREAS, All costs associated with this service is borne by the facility users; and

WHEREAS, The Public Works Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors approves to contract with ASPIRA for its ASTRA/Reserve America Campground Reservation system; and further

RESOLVED, That the County Administrator be hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of this resolution hereof with ASPIRA, 717 N. Harwood Street, Suite 2400, Dallas, Texas 75201, subject to review and approval of County Attorney; and further

RESOLVED, Term of said contract shall be for a period of three years from time of contract execution with an additional three-year term unless terminated by either party, starting May 13, 2021 through May 12, 2024.

The foregoing block of ten resolutions was adopted.

Supervisor Andrew Wickham offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Daniel Marshall:

**RESOLUTION NO. 321-2021
ADOPTION OF FINGER LAKES COMMUNITY COLLEGE OPERATING
BUDGET FOR THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2021**

WHEREAS, The Tentative Operating Budget for the Finger Lakes Community College, for the fiscal year beginning September 1, 2021, has been duly presented to this Board; and

WHEREAS, A Public Hearing on the Tentative Operating Budget was duly advertised and, in accordance with the advertisement, was duly held on June 24, 2021; now, therefore, be it

RESOLVED, That said Tentative Operating Budget in the amount of \$47,418,148.00 be, and hereby is, adopted as the Operating Budget of the Finger Lakes Community College for the fiscal year beginning September 1, 2021; and further

RESOLVED, That the appropriation by the County of Ontario in support of the Finger Lakes Community College will be set at \$3,704,228 .00; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the President of Finger Lakes Community College and the Senior Vice President of Administration & Finance of Finger Lakes Community College.

**RESOLUTION NO. 322-2021
APPROPRIATION RESOLUTION FOR THE CONDUCT OF
FINGER LAKES COMMUNITY COLLEGE FOR
THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2021**

WHEREAS, The Board of Supervisors on June 24, 2021, adopted an Operating Budget for the FingerLakes Community College for its fiscal year beginning September 1, 2021; and

WHEREAS, Section 6304 of the Education Law provides that after this budget for a community college has been adopted, the Board of Supervisors shall provide for the raising of taxes required by such budget without any decrease in the amounts, in the same manner, and at the same time prescribed by law for the annual levy of taxes by the County; now, therefore, be it

RESOLVED, That the amount of \$3,704,228.00 for the Operating Budget be levied and assessed upon the property of the County liable therefore, in the same manner, and at the same time prescribed by law for the annual levy of taxes by the County for the Finger Lakes Community College Operating Budget for 2021-22 in the amount of \$47,418,148.00; and further

RESOLVED, That certified copy of this resolution be sent by the Clerk of this Board to the Vice President of Administration & Finance of Finger Lakes Community College.

The foregoing block of two resolutions was adopted.

Supervisor Andrew Wickham offered the following eight resolutions as a block and moved for its adoption, seconded by Supervisor Kristine Singer:

**RESOLUTION NO. 323-2021
ELECTION INSPECTORS PER DIEM RATE OF PAY**

WHEREAS, All employees of the Board of Election are unclassified in Civil Service, they are excluded from the bargaining unit, and the Ontario County Board of Supervisors establishes the rate of pay for all Election Inspector positions; and

WHEREAS, The rate of pay for Election Inspectors was recently amended by Res #562-2020 to address the new Early Voting laws requirements; and

WHEREAS, Commissioner Evangelista and Commissioner Northrup have requested that the Election Inspector daily rate of pay be increased for 2022 to properly compensate for the 15 hours worked on the Primary and General Election days; and

WHEREAS, The Government Operations and Insurance Committee and the Ways and Means Committee have reviewed and recommended that the rates of pay for this group of employees be established according to the attached schedule; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby adopt the below pay schedule for Election Inspectors, effective January 1, 2022; and further

RESOLVED, That the positions shall be paid the appropriate rate rather as follows:

2022 ELECTION INSPECTORS	
General Elections	\$225.00 per day
Primary Elections	\$225.00 per day
Training	\$45.00 per day
Early Voting Day	\$15.00 per hour

and further

RESOLVED, That a copy of this resolution be provided to the Department of Human Resources and the Department of Finance, which is authorized to make the necessary budgetary and accounting entries to effect the intent of this Resolution.

**RESOLUTION NO. 324-2021
2022 RATES OF PAY FOR PART-TIME
HOURLY/DAILY PERSONNEL**

WHEREAS, There are part-time hourly/daily employees who are not represented by employee organizations under the Taylor Law; and

WHEREAS, The Ways and Means Committee has reviewed and recommends that the rates of pay for this group of employees be established according to the attached schedule; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby adopt the attached pay schedule entitled, "2022 Rates of Pay for Part-Time Hourly/Daily Personnel," effective January 1, 2022.

2022 Rates of Pay for Part-Time Hourly/Daily Personnel

TITLE	DEPARTMENT	WAGE/ hr effective 1/1/21	WAGE/ hr effective 1/1/22	COMMENTS
Human Services Worker, Seasonal	Social Services	\$17.04	18.78	Comparable to A08, Step 2 (CSEA)
Community Aide & Com Aide, P-T	Workforce Development	\$12.50	TDB	NYS Minimum Wage rate (upstate non-fast food)
Examination Monitor, Part-Time	Human Resources	\$12.50	\$15.00	NYS Minimum Wage (fast food) rate
Student Aide	HR/Public Works	\$12.50	\$15.00	NYS Minimum Wage (fast food) rate
IT/HR/Public Works Student Intern	IT/HR/PW	\$16.39	18.89	
Legal Aide	County Attorney	\$16.54	19.04	
Fire Training Aide, part-time	Emergency Management	\$18.54	18.89	
Motor Equipment Operator I, Seasonal	Public Works	\$18.18	20.21	Grade HH2, Step 2 (CSEA)
Aquatics Supervisor	Public Works	\$14.90	18.63	+\$1.50 over Sr. lifeguard
Senior Lifeguard	Public Works	\$14.00	17.13	+\$1.50 over lifeguard
Lifeguard	Public Works	\$13.50	15.63	Comparable to Grade A02, Step 2 (CSEA)
Laborer, Seasonal	Public Works	\$14.40	18.01	Grade HH1, Step 2 (CSEA)
Weed Harvester Operator, Seasonal	Planning	\$19.97	20.21	Grade HH2, Step 2 (CSEA)

Client Transportation Driver, on-call sub	Social Services	\$15.92	18.40	
Bus Driver, Substitute	Office for the Aging	\$14.04	15.63	Comparable to Grade A02, Step 2 (CSEA)
Food Site Aide, PT	Office for the Aging	\$12.50	\$15.00	NYS Minimum Wage (fast food) rate
Election Clerk	Board of Elections	\$12.50	\$15.00	NYS Minimum Wage (fast food) rate
Election Custodian	Board of Elections	\$15.01	\$17.51	
Election Technician	Board of Elections	\$17.15	\$19.65	
Election Inspector	Board of Elections	Per Res.	Per Res.	3 daily rates (\$45/training day; \$225/primary or general election day; \$15.00/hour early voting days)
Clerk, Part-Time	Public Health/Rabies	\$12.50	\$15.00	NYS Minimum Wage (fast food) rate
Medical Director, Part-Time	Public Health	\$100.00	120.00	
Psychiatrist	Mental Health	\$162.00	175.00	
Clerk, Seasonal	Social Services	\$14.04	15.63	Comparable to Grade A02, Step 2 (CSEA)
Registered Prof. Nurse, On-call, Substitute	Sheriff	\$26.70	27.36	Comparable to Grade SP2, Step 2
Part-time hours for titles in MCP Plan	Various	Varies by title		Hourly rate is calculated based on full-time position annual salary at step 1.

**RESOLUTION NO. 325-2021
CREATE ONE CORRECTION OFFICER POSITION AND
ABOLISH A COUNTY POLICE OFFICER, PART-TIME POSITION AND A
CORRECTION OFFICER, PART-TIME POSITION**

WHEREAS, Sheriff Kevin Henderson has requested to abolish a Correction Officer, Part-Time position and a County Police Officer, Part-Time position and create one full-time position to be funded by the Office of Court Administration (OCA); and

WHEREAS, Sheriff Henderson has filed the necessary paperwork with the Director of Human Resources to classify a position of Correction Officer to be assigned to the Court Security Division; and

WHEREAS, Human Resources has classified a Correction Officer position according to Personnel Officer Classification Certification No. 46-2021; and

WHEREAS, The Management Compensation Committee and the Ways and Means Committee have reviewed and recommend the creation of this additional position for Court Security and the abolishment of the two part-time positions; and

WHEREAS, The creation and retention of this position is subject to funding being provided by OCA through a contract; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby create a position of Correction Officer (5000094) for the Office of Sheriff to provide court security, effective upon adoption, but subject to OCA continuing to contract for this court security and continuing to fund said position; and further

RESOLVED, That the two OCA funded vacant positions of County Police Officer, Part-Time (6501022), and Correction Officer, Part-Time (5501010), will be abolished upon adoption; and further

RESOLVED, That this full-time created position will be subject to the sunset clause and shall be abolished at such time as the OCA funding is no longer available; and further

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

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

RESOLUTION NO. 326-2021
CREATION OF ASSISTANT DISTRICT ATTORNEY POSITION

WHEREAS, James Ritts, District Attorney, has filed a New Position Duties Statement with the Director of Human Resources for a position he would like to create; and

WHEREAS, Said position has been classified, pending jurisdictional classification, as Assistant District Attorney by Personnel Officer Classification Certification No. 45-2021; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee recommend the creation of this position; now, therefore, be it

RESOLVED, That the position of a full-time Assistant District Attorney (1004004) be and hereby is created, effective upon adoption; and further

RESOLVED, That the vacancy of this new position is authorized to be filled immediately at Band 10, step 1; and further

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

**RESOLUTION NO. 327-2021
CREATION OF SOCIAL WELFARE EXAMINER POSITION AND
SENIOR SOCIAL WELFARE EXAMINER POSITION**

WHEREAS, Ms. Eileen Tiberio, has filed New Position Duties Statements with the Director of Human Resources for positions she would like to create to address the increased need for services as COVID relief programs cease; and

WHEREAS, Said positions have been classified as Social Welfare Examiner by Personnel Officer Certification No. 44-2021 and Senior Social Welfare Examiner by Personnel Officer Certification No. 43 -2021; and

WHEREAS, There are two positions that are being held vacant for the Early Retirement program that will be abolished; and

WHEREAS, The Management Compensation Committee and the Ways and Means Committee recommend the creation of these positions; now, therefore, be it

RESOLVED, That the position of Social Welfare Examiner (3063014) and the position of Senior Social Welfare Examiner (3077009) be created and are authorized to be filled immediately; and further

RESOLVED, That the two positions being held vacant for the Early Retirement program will be abolished; and further

RESOLVED, That sufficient funding exists within the Department of Social Services' budget for these positions; and further

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

**RESOLUTION NO. 328-2021
CREATE FINANCE CLERK II POSITION AND
ABOLISH FINANCE CLERK I POSITION**

WHEREAS, Mary Gates, Director of Finance, would like to create a Finance Clerk II position to address administrative finance needs in the Department of Public Works; and

WHEREAS, Said position has been classified as Finance Clerk II by Personnel Officer Certification No. 40-2021; and

WHEREAS, A vacant Finance Clerk I position (3028016) will be abolished; and

WHEREAS, Sufficient funding exists within the Department of Finance and the Public Works budgets for this position; and

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

RESOLVED, That the position of Finance Clerk II (3029010), be created and authorized to be filled on or after July 1, 2021; and further

RESOLVED, That the vacant Finance Clerk I (3028016) position will be abolished; and further

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

**RESOLUTION NO. 329-2021
ASSISTANT COUNTY ATTORNEY SALARY ADJUSTMENT**

WHEREAS, Holly Adams, County Attorney, has made a request to the Management Compensation Committee to fill a recent vacancy at above the entry-level salary for an attorney; and

WHEREAS, Said vacant position has been created by the recent retirement of an attorney with over 20 years of experience in litigation; and

WHEREAS, Resolution No. 536-2006, as amended by Resolution 456-2018 provides that all new attorneys are designated “associate level” for compensation purposes and placed on Band 10 of the Management Compensation Plan salary schedule and advance to Band 5 upon their third anniversary with Ontario County; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee support the hiring of an experienced attorney at Band 5, Step 1 in this instance; now, therefore, be it

RESOLVED, That the vacancy of an Assistant County Attorney position may be advertised with the salary of Band 5, Step 1 and is authorized to be filled immediately at that salary; and further

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

**RESOLUTION NO. 330-2021
AMENDMENT TO AND ADOPTION OF THE ONTARIO COUNTY
CASH MANAGEMENT AND INVESTMENT POLICY**

WHEREAS, New York State General Municipal Law (Section 39) requires all counties, cities, towns, villages, school districts and district corporations to adopt, by resolution, a comprehensive investment policy; and

WHEREAS, Resolution No. 694-87, adopted December 11, 1987, established an Ontario County Cash Management and Investment Policy; and

WHEREAS, That Policy stipulates that at least annually, the Board of Supervisors shall review and amend, if necessary, the established Guidelines; and

WHEREAS, Changes are needed to the Policy as recommended by the Finance Department and have been reviewed and approved by the Ways and Means Committee; now, therefore, be it

RESOLVED, That the attached Ontario County Cash Management and Investment Policy is hereby amended; and further

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

The foregoing block of eight resolutions was adopted.

**ONTARIO COUNTY
CASH MANAGEMENT AND INVESTMENT POLICY**

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**I. SCOPE**

This investment policy applies to the investment and deposit of all funds, excluding the investment of employees' retirement, Deferred Compensation (457) and Savings Match Plan (401a) funds.

Except for cash in certain restricted and special funds, Ontario County will consolidate cash and reserve balances from all funds to maximize interest earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Interest income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

**II. OBJECTIVES**

- The primary objectives of the Ontario County's investment activities are, in priority order,
- to conform with all applicable federal, state and other legal requirements.
- to adequately safeguard principal.
- to provide sufficient liquidity to meet all operating requirements that may

be reasonably anticipated.

- to obtain a reasonable rate of return.

### **III. DELEGATION OF AUTHORITY**

The Board of Supervisors' responsibility for administration of the investment program is delegated to the Manager of Financial Operations who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability and record keeping. These may be based on records in any form which incorporate descriptions, amounts of invoices, transaction dates, and any other relevant information.

### **IV. ETHICS AND PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that places County funds at unreasonable risk.

Investments shall be made with judgment and care under circumstances prevailing at that time. Investments shall be made for safety of principal and probable income to be derived, but not for speculation.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

### **V. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The County shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments that can be made with each financial institution or dealer. All financial institutions with which Ontario County conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of Ontario County. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The Manager of Financial Operations is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners, and custodians. Such listing shall be evaluated at least annually.

The Ontario County Board of Supervisors authorizes only banks and trust companies that are located and authorized to do business in New York State to be designated as depositories.

### **VI. DESIGNATION OF DEPOSITORIES**

The following banks and trust companies are authorized for the deposit of money up to the maximum amounts:

| Depository Name                         | Maximum Amount |
|-----------------------------------------|----------------|
| Canandaigua National Bank and Trust Co. | \$45,000,000   |
| JP Morgan Chase Bank, N.A.              | \$95,000,000   |
| Five StaR Bank                          | \$50,000,000   |
| The Lyons National Bank                 | \$5,000,000    |
| Community Bank, N.A.                    | \$5,000,000    |
| Bank of the Finger Lakes                | \$20,000,000   |
| Chemung Canal Trust Company             | \$10,000,000   |
| Genesee Regional Bank                   | \$10,000,000   |
| Generations Bank                        | \$10,000,000   |
| Key Bank**                              |                |

\*\*The DSS Adoption Subsidy Program account will be opened at Key Bank effective February 2016. JP Morgan Chase will discontinue their Adoption Subsidy Direct Deposit and Prepaid Card service effective May 31, 2016. Key Bank will be providing these services for New York State.

#### **VII. DIVERSIFICATION**

It is the policy of Ontario County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

#### **VIII. INTERNAL CONTROLS**

It is the policy of Ontario County for all money collected by any officer or employee of the County to deposit or transfer those funds to the Finance Office - Cash Unit within two business days of receipt, or within the time period specified in law, whichever is shorter.

The Manager of Financial Operations is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

#### **IX. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the County, regardless of the type of account, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

§ By a pledge of "eligible securities" with an aggregate "market value" as provided by GML, Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

§ By an eligible surety bond payable to Ontario County for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

§As provided by GML, Amended Sections 10 and 11, Ontario County is authorized to use “reciprocal deposit” programs for their deposits and investments; it provides an additional option for Ontario County to obtain coverage from the Federal Deposit Insurance Corporation.

NOTE: The market value of total obligations shall not fall below 102% at any given time; if such occurrence exists additional obligations will need to be pledged.

#### **X. SAFEKEEPING AND COLLATERALIZATION**

Eligible securities used for collateralizing deposits shall be held by the depository bank, and/or a third party bank, or trust company subject to security and custodial agreements at the discretion of the county.

The security agreement shall provide that eligible securities are being pledged to secure Ontario County's deposits together with agreed upon interest, if any and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

The Ontario County Board of Supervisors that has designated one or more banks or trust companies for the deposit of public funds may, in its discretion, authorize the designated bank or trust company to arrange for the redeposit of Ontario County's funds in one or more banking institutions for the account of Ontario County, through a deposit placement program.

#### **XI. PERMITTED INVESTMENTS**

As authorized by General Municipal Law, Section 11, Ontario County, the Manager of Financial Operations is authorized to invest money not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts; including money market accounts;
- Certificates of deposit;
- Obligations of the United States of America, including but not limited to Treasuries;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to Local Finance Law, Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Ontario;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investments.
- Certificates of Participation (COPs) issued pursuant to GML Sec. 109-b.
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sections 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

**All investment obligations shall be payable or redeemable at the option of Ontario County within such times as the proceeds will be needed to meet expenditures for purposes for which the money was provided.**

## **XII PURCHASE OF INVESTMENTS**

The Manager of Financial Operations is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board of Supervisors.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Board of Supervisors.
4. J P Morgan Securities is an authorized depository for investment purchases.

All purchased obligations, unless registered or inscribed in the name of Ontario County, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written

authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Ontario County by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for Ontario County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide Ontario County a perfected interest in the securities.

### **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed without the knowledge/agreement of Ontario County.
- The custodian shall be a party other than the trading partner.

### **XIV. OPERATING PROCEDURES**

The Manager of Financial Operations is responsible for the investment of County funds. The Department of Finance staff authorized by the Manager of Financial Operations will make investments based upon projections of the County's cash flow needs, so that investments shall mature at such times when funds are estimated to be needed for the orderly payment of County obligations.

Investments will generally be made based upon competitive bids solicited by telephone and e-mail by the County's Department of Finance staff authorized by the Manager of Financial Operations and shall be awarded to the highest bidder who has and is willing and able to pledge sufficient and acceptable collateral.

The Department of Finance is authorized to transfer county funds using any electronic transfer system(s) that reasonably assures the safety of county funds.

Electronic transfer procedures and guidelines will be established between the county and the banking institutions with whom the county intends to use electronic means to transfer funds between or within banks. The Manager of Financial Operations will establish internal control procedures that will provide reasonable assurance that the county deposits are safeguarded against loss.

Funds will only be transferred between institutions in the name of the County of Ontario by using the Federal Reserve Wire Transfer (Fed Wire) system, the Automated Clearing House or by County check and only by staff as authorized in writing by the County Treasurer or his/her designee. Funds may be transferred within the same institution only between County accounts and by authorized County staff. A listing of authorized staff will be maintained by the Department of Finance and will be forwarded to the authorized depositories and investment trading partners.

The Department of Finance will maintain an investment log detailing the specific information relative to each investment. All investment transactions will be promptly reported to the Manager of Financial Operations for entry into the County's accounting system. Comparisons of the existing investments to those recorded in the accounting system will be performed routinely. A monthly report will be provided to the Manager of Financial Operations who will compare existing investments to those recorded in the County's accounting system.

The Department of Finance will compare the collateralized deposits with the bank deposits monthly to ensure sufficient coverage is in place.

The Department of Finance shall prepare and submit a quarterly investment report to the Ways and Means Committee.

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the County, they shall audit the investments for compliance with the provisions of these investment guidelines.

At least annually, the Board of Supervisors shall review and amend, if necessary, the Investment Policy.

## **Appendix A**

### **General Municipal Law Section 10 ELIGIBLE LIST OF SECURITIES FOR COLLATERALIZATION OF DEPOSITS**

1. Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.
2. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the InterAmerican Development Bank, the Asian Development Bank, and the African Development Bank.
3. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
4. Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation

of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.

5. Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
6. Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
7. Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
8. Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
9. Commercial paper and bankers' acceptance issued by a bank, other than the Bank rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
10. Zero coupon obligations of the United States Government marketed as "Treasury STRIPS"
11. Municipal Line of Credit issued by a Federal Home Loan Bank of New York as an accepted form of collateralization with a value of at least 102% of the aggregate value of deposits.

At the request of Supervisor Wickham, 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 addendum items at this meeting.

Supervisor Andrew Wickham offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Richard Russell:

**RESOLUTION NO. 331-2021**  
**APPROVAL OF AGREEMENT TO USE SPACE AT FLCC GENEVA CAMPUS**

WHEREAS, Resolution No. 591-2020 created Capital Project No. H071-20 as the Geneva Server Room Upgrade Project; and

WHEREAS, Said Project is intended to provide power and fire suppression systems in the server room at Finger Lakes Community College's Geneva Campus Center in compliance with the New York State Building Code and allow it to be used to house both FLCC and Ontario County's backup IT data and servers in separate, locked areas in said server room; and

WHEREAS, Both Finger Lakes Community College and Ontario County need to ensure the security of their data networks and control access to said server room and clearly state their respective insurance and operational obligations; and

WHEREAS, The FLCC Chief Information Officer, the County Chief Information Officer, and the County Director of Planning recommend adoption of the draft agreement for the County's use of space in the server room at the FLCC Geneva Campus Center, 63 Pulteney St., Geneva, NY on file with the Clerk of this Board; and

WHEREAS, The Public Works Committee and the Governmental Operations and Insurance Committee recommend adoption of this resolution; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby establishes Capital Project H071-20, entitled Geneva Server Room Upgrade Project and assign it budget number H071-20; and further

RESOLVED, That subject to approval of the County Attorney as to form, the draft Agreement between the County and Finger Lakes Community College permitting the County's use of a portion of the server room at the FLCC Geneva Campus Center is hereby approved and the County Administrator be and hereby is authorized and empowered to execute said agreement on behalf of the County; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the President of Finger Lakes Community College and County Finance Department; and further

RESOLVED, That this resolution take effect immediately.

**RESOLUTION NO. 332-2021  
ADOPTING LOCAL LAW NO. 2 (INTRO.) 2021  
AFTER PUBLIC HEARING**

WHEREAS, A public hearing having been held on June 3, 2021 during the meeting of this Board, for public input on a proposed local law entitled "A Local Law Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2022"; and

WHEREAS, No public objection having been made, although Ontario County residents were duly notified by publication in print and via the Internet; now, therefore, be it

RESOLVED, That Local Law No. 2 (Intro) of 2021, Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2022, is hereby adopted.

The foregoing block of one resolution and one Local Law was adopted.

Local Law No. 2 (Intro.) of 2021 was adopted.

**NOTE:** This Local Law was subsequently renumbered Local Law No. 1 of 2021.

At 7:06 p.m., Supervisor Fred Lightfoote made the motion, seconded by Supervisor Dan Marshall to move into executive session to discuss the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body but only when publicity would substantially affect the value thereof.

At 7:38 p.m., motion was made by Supervisor Kris Singer, seconded by Supervisor Greg Bendzłowicz to move out of executive session; said motion was carried.

On motion of Supervisor Robert Green, seconded by Mark Venuti, the meeting was adjourned at 7:39 p.m.