

September 9, 2021

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A special meeting of the Ontario County Board of Supervisors was called to order at 6:02 p.m. at 74 Ontario Street, Canandaigua, NY 14424, with Chairman John (Jack) Marren presiding.

The Pledge of Allegiance was led by Supervisor Jack Marren of the Town of Victor.

Upon roll call, members of the Board were present with Supervisor Todd Campbell via phone. Supervisor Tamara Hicks and David Phillips were declared necessarily absent.

At 6:04 pm, Supervisor Richard Russell made the motion, seconded by Supervisor David Baker, to go into executive session regarding discussion on the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 8:22 pm, Supervisor Norman Teed made the motion, seconded by Supervisor David Baker, to leave executive session; motion carried.

At the request of Supervisor Robert Green, 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 Robert Green offered the following resolution and moved for its adoption, seconded by Supervisor Gregory Bendzlowicz:

**RESOLUTION NO. 432-2021
INVESTIGATION COMMITTEE POWERS AND APPOINTMENTS
PURSUANT TO COUNTY LAW §209**

WHEREAS, County Law §209 empowers a board of supervisors to conduct an investigation into any subject matter within its jurisdiction; and

WHEREAS, Resolution No. 400-2021 commenced an investigation pursuant to County Law §209, into the conduct and performance of official duties of an officer or employee paid from County funds, and delegated the power to conduct such investigation to a committee of the Board; and

WHEREAS, Rule 4 of the Ontario County Board of Supervisors Rules and Order of Business provides for the establishment of special committees and authorizes the Chair of the Board to appoint members to such committees; and

WHEREAS, Following receipt of numerous compliance complaints in late 2020 concerning activities within the Sheriff's Office, the Board of Supervisors retained outside counsel who, in turn, hired an independent investigator to fully investigate the allegations; and

WHEREAS, A detailed and thorough independent investigation was conducted, and based upon corroboration by Sheriff's Office employees and other evidence, it was

concluded that acts of wrongdoing by the Sheriff and certain members of his administration did occur; and

WHEREAS, While the results of the investigation are troubling in and of themselves, the Sheriff refused to participate in the independent investigation, leaving certain important questions unanswered and preventing the County from fulfilling its legal obligation to fully investigate all of the allegations of workplace misconduct; now, therefore, be it

RESOLVED, That a special Investigation Committee, consisting of five members of this Board, is hereby established to conduct an investigation pursuant to County Law §209 into the aforementioned matters, including the conduct and performance of the Ontario County Sheriff and certain members of his administration, all of whom are paid from County funds; and be it further

RESOLVED, That, pursuant to Rule 4 of the Rules and Order of Business of this Board, the following individuals be appointed to the Investigation Committee for the duration of the County Law §209 investigation referenced herein:

Todd D. Campbell

Supervisor, Town of West Bloomfield, to serve as Chair of the Investigation Committee

Peter V. Ingalsbe

Supervisor, Town of Farmington

Daniel Q. Marshall

Supervisor, Town of South Bristol

Kristine A. Singer

Supervisor, Town of Canadice

Dominick T. Vedora

Supervisor, City of Geneva

and be it further

RESOLVED, That the Chair of the Board and/or the Chair of the Investigation Committee shall have the power to issue subpoenas requiring a person to attend before the committee and be examined in reference to any matter within the scope of the investigation, and in a proper case to produce all books, records, papers and documents material or relevant to the investigation; and be it further

RESOLVED, That subpoenas issued hereunder may be regulated by the Civil Practice Law and Rules, pursuant to County Law §209; and be it further

RESOLVED, The Chair of the Board and/or the Chair of the Investigation Committee may administer the oath to any witness and adjournments may be taken from time to time; and be it further

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

Adopted, with Supervisor Louis Guard voting nay.

Supervisor Robert Green offered the following resolution and moved for its adoption, seconded by Supervisor Gregory Bendzlowicz:

RESOLUTION NO. 433-2021
ESTABLISH AN EMERGENCY COMMUNICATION TASK FORCE

WHEREAS, Ontario County is committed to a culture of transparency, accountability and responsiveness in the provision of public safety services; and

WHEREAS, Ontario County, in its capacity as an Employer, works to ensure that its employees work in a safe environment where they are valued, treated with respect, and appreciated; and

WHEREAS, The provision of enhanced 911 communications is a county-wide emergency service that impacts multiple agencies in terms of police, fire, and ambulance responses; and

WHEREAS, The management of 911 communications in Ontario County may be better served if such services were not connected to the Office of the Sheriff, but instead worked independent of any one public safety agency; and

WHEREAS, The County Administrator and the Board of Supervisors believe it would be beneficial for County employees and for the public safety services to explore alternative means of providing enhanced 911 communications; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby direct the County Administrator to establish an Emergency Communication Task Force to address the management of the 911 communications division, its services, and recommended changes and improvements including creation of a 911 Communications Department; and be it further

RESOLVED, That at a minimum the Task Force must include a representative of the Cities of Canandaigua and Geneva police and fire departments and ambulance services, representatives of each of the Fire Districts, and a representative of the Ontario County Sheriff's Office; and be it further

RESOLVED, That the Emergency Communications Task Force may request and collect information from the 911 Communications division to guide its discussions and aid in the formulating of its recommendations; and further

RESOLVED, That this Emergency Communication Task Force must submit a final report of recommendations to the Ontario County Public Safety Committee by July 1, 2022 at the latest and thereafter the Task Force will be dissolved.

Adopted.

On motion of Supervisor David Baker, seconded by Supervisor Andrew Wickham, the meeting was adjourned at 8:26 pm.