



Minutes
WAYS AND MEANS COMMITTEE
Location: WebEx Meeting and 74 Ontario St.,
2nd Floor Committee Room, Canandaigua, NY 14424

September 27, 2023

**MEMBERS
PRESENT**

In Person: Supervisors David Baker, Andrew Wickham, Peter Ingalsbe, Dan Marshall, David Phillips, Robert Green, and Richard Russell.
Necessarily Absent: Supervisors Robert Green and Andrew Wickham.

A quorum was present.

OTHERS PRESENT

In Person: BOS Chairman Todd Campbell, County Administrator Chris DeBolt, Deputy County Administrator Alissa Bub, County Attorney Holly Adams, Finance Director Mary Gates, Manager of Financial Operations Nellie Puma, Human Resource Director Michele Smith, Chief Deputy John Falbo, Civil Engineer Chris Day, Assistant County Attorney Ben Gilmour, Assoc. Planner Tim Jensen, Safety Coordinator Mike Flatt, Sr. Fiscal Manager Kathleen Meyers, Fiscal Manager Barbra Sweet, MMB + Co, CPA, Partner Auditor Tom Zuber, Supervisor Bill Namestnik, Town of Manchester resident Abigail Marion, and BOS Deputy Clerk Diane Foster.

Via WebEx: Supervisor Marren, Manager of Specialized Finance Michael Wojcik, EMS Coordinator Deb Trickey, Sr. Fiscal Manager Rochelle Gray, and Fiscal Manager John Rizzo

CALL TO ORDER

Supervisor Baker called the committee meeting to order at 3:00 PM.

MINUTES

Motion to approve the minutes of the September 6, 2023 Ways and Means meeting was made by Supervisor Dan Marshall, seconded by Supervisor David Phillips, and carried.

**2022 ANNUAL
AUDIT**

Tom Zuber, CPA and Partner with MMB+CO gave a power point presentation on the results of the 2022 Annual Audit. He said there were no unqualified opinion, no material weaknesses, and no significant deficiencies with the financial statements.

**CAPITAL
PROJECTS/
PUBLIC WORKS**

Associate Planner Tim Jensen, presented the following resolution entitled, "Capital Project No. H033-16 – Space Reorganization and Security Enhancement of 3010 County Complex Drive – Contract and Budget Amendment Authorization for Architectural Design Services – QPK".

Motion to approve this resolution was made by Supervisor Andrew Wickham. The motion was seconded by Dan Marshall. The motion carried.

Assoc. Planner Tim Jensen, presented the following resolution entitled, "Authorizing Structure License Agreement with New Cingular Wireless PCS, LLC and Finger Lakes Community College".

Motion to approve this resolution was made by Supervisor Rich Russell. The motion was seconded by Supervisor Peter Ingalsbe. The motion carried.

Discussion took place regarding who's cost it is, if something goes wrong with the antenna and does damage to the building.

Chairman Baker requested that it be confirmed that if there is anything that is wrong and attributable to the antenna, the County would not be having property costs.

Civil Engineer Chris Day, presented a resolution entitled, "Capital Project No. H069-20, Replacement of Tileyard Road Bridge – Acceptance of Supplemental Agreement #3 to New York State Revenue Contract".

Motion to approve this resolution was made by Supervisor Dan Marshall. The motion was seconded by Supervisor Andrew Wickham. The motion carried.

PUBLIC SAFETY

Sr. Fiscal Manager Kathleen Meyers, presented a budget transfer for funds that were inadvertently omitted from 2023 budget and to account for an increase in Appellate rates.

Motion to approve this budget transfer was made by Supervisor Bob Green. The motion was seconded by Supervisor Rich Russell. The motion carried.

Supervisor Bob Green noted they covered the resolution entitled, "Authorize No-Cost Time Extension – Finger Lakes Communications, Co., Inc." at Public Safety and the Committee found no issues with it.

Motion to approve this resolution was made by Supervisor Bob Green. The motion was seconded by Supervisor Peter Ingalsbe. The motion carried.

Chief Deputy John Falbo presented the following resolutions entitled:

"Authorization for the Ontario County Sheriff to Accept a Grant from the New York State Governor's Traffic Safety Committee for the Police Traffic Services Program"

"Authorization for the Ontario County Sheriff to Accept a Grant from the New York State Division of Criminal Justice Services for Reimbursement of Livescan Equipment"

"Authorization for the Ontario County Sheriff to Accept a Grant from the New York State Governor's Traffic Safety Committee for Child Passenger Safety Incentive Program"

Motion to approve the three resolutions as a block was made by Supervisor Bob Green. The motion was seconded by Supervisor David Phillips. The motion carried.

EMS Coordinator Deb Trickey, presented a resolution entitled, "Acceptance of State Homeland Security Program Grant (SHSP FY23 ~ CFDA #97.067) – Emergency Management Office".

Motion to approve this resolution was made by Supervisor Bob Green. The motion was seconded by Supervisor Peter Ingalsbe. The motion carried.

HUMAN RESOURCES

Safety Coordinator, Mike Flatt, reviewed the Safety reports in the committee packet. He reported he has been visiting departments to go over safety regarding Slips, Trips, and Falls.

Motion to approve the safety reports was made by Supervisor Rich Russell. The motion was seconded by Supervisor David Phillips. The motion carried.

Human Resources Director, Michele Smith, presented a resolution entitled, "Authorization for Assignment of Contract with Discover eGov to NEOGOV for Civil Service Software and Maintenance".

Motion to approve this resolution was made by Supervisor Peter Ingalsbe. The motion was seconded by Supervisor David Phillips. The motion carried.

Human Resources Director, Michele Smith, presented a resolution entitled, "Award RFP R23069 for Employee Benefits and Health Insurance Consultant to OneGroup NY, Inc.".

Motion to approve this resolution was made by Supervisor Rich Russell. The motion was seconded by Supervisor David Phillips.

Michele Smith noted an amendment on the resolution in the table, where it says "IMA" under the provider column, should read "Smola Consulting, LLC".

Supervisor David Phillips motioned to accept the amendment, seconded by Supervisor Rich Russell. The motion to the amendment carried.

The resolution as amended carried.

Human Resources Director, Michele Smith, presented a resolution entitled, "Award RFP R23063 for Workers' Compensation Plan Third Party Administration to NCAComp, Inc.".

Michele Smith said she had an amendment to this resolution to add in the first RESOLVED before the semicolon "*with an option of two additional one-year terms*".

Motion to approve this resolution with the added change was made by Supervisor Rich Russell. The motion was seconded by Supervisor Dan Marshall. The motion carried.

Michele Smith discussed the option to produce a draft local law in regards to the Clean Slate Act. She explained this is intended to go to the Governor's Office, but she does not know when. She said it is basically a law that would say that no employer could even ask about or find out or know about criminal convictions and take into consideration. She said for hiring, there is an exception to that, for when it is required by local law, such as for police officers or peace officers. Another exception is, if there is a local law in place, to allow other finger printing and background checks to find out that information in order to decide for hiring. She said it amended things like executive law and some other laws, but did not amend Civil Service Law.

In addition, in 2018, the County adopted an FTI back-ground policy. Michele Smith asked if the Committee was interested in adopting a local law that would be in place if the Clean Slate Act were to be signed by the Governor. Holly Adams said there has not been a lot of guidance. She has tried to get information regarding the Act. She said it would be the prudent thing to do.

There was unanimous support by the Committee to go forward in drafting a local law.

**WAYS AND
MEANS**

Finance Director, Mary Gates, presented a budget transfer to provide funding for anticipated unemployment claims for the remainder of 2023.

Motion to approve this budget transfer was made by Supervisor Dan Marshall. The motion was seconded by Supervisor Rich Russell. The motion carried.

Chair Baker said if Committee agrees, the following two resolutions can be moved: “Fixing Date and Notice for the Public Hearing on Proposed Capital Improvement Plan”

“Fixing Date and Notice for the Public Hearing on the Tentative Budget for the Fiscal Year Beginning January 1, 2024”

Motion to approve the two resolutions as a block was made by Supervisor David Phillips. The motion was seconded by Supervisor Bob Green. The motion carried.

Finance Update

Chairman Baker noted, at the Workshop Budget meeting, the Committee had asked Mary Gates to look at the budget to reduce the tax rate from 6.03% to 6.01% and come back with the reduction. He said it is primarily in the medical and insurance side.

Mary Gates handed out and reviewed a packet with the list of changes and some of the summaries.

Supervisor Andrew Wickham made a motion to accept the changes to a 6.01% tax rate. Supervisor Dan Marshall seconded the motion.

A lengthy discussion took place.

Supervisor Peter Ingalsbe made a motion to reduce the tax levy from 6.01% to 5.99% for approximately \$275K re-appropriated from the general fund. Supervisor David Phillips seconded the motion.

The motion for setting the tax levy rate at 5.99% failed.
Supervisors’ Ingalsbe and Phillips voting yes.
Supervisors Baker, Dan Marshall, Green, Russell, and Wickham voting no.

The motion to accept the 6.01% tax levy rate passed.
Supervisors’ Baker, Dan Marshall, Green, Russell, and Wickham voting yes.
Supervisors’ Ingalsbe and Phillips voting no.

Mary Gates addressed some of the errors that were said when the auditor was speaking and clarified numbers.

**COUNTY
ADMINISTRATOR**

County Administrator, Chris DeBolt, presented a resolution entitled, “Authorization to Contract for ARPA Community Grant Awards”.

Motion to approve this resolution was made by Supervisor Bob Green. The motion was seconded by Supervisor Andrew Wickham. The motion carried.

County Administrator, Chris DeBolt, presented a resolution entitled, “Resolution Accepting the Ontario County Housing Needs Assessment Report”.

Motion to approve this resolution was made by Supervisor Dan Marshall. The motion was seconded by Supervisor Peter Ingalsbe. The motion carried.

Chris DeBolt noted the Threat Assessment Training that has been mentioned at all the committees.

**PRIVILEGE OF
THE FLOOR**

**EXECUTIVE
SESSION**

At 4:30 pm, Supervisor Rich Russell made the motion, seconded by Supervisor Dave Phillips to go into executive session regarding discussions of collective negotiations pursuant to Article 14 of the Civil Services Law (the Taylor Law) and 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; motion carried.

At 5:14 pm, Supervisor Bob Green made the motion, seconded by Supervisor Andrew Wickham, to leave executive session; motion carried.

ADJOURNMENT

Motion to adjourn made at 5:14 pm by Supervisor Dan Marshall, seconded by Supervisor Dave Phillips, and carried.

**RESPECTFULLY
SUBMITTED**

Diane R. Foster, Deputy Clerk to the Board

Approved