

October 27, 2022

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

The Pledge of Allegiance was led by Supervisor Todd Campbell, Town of West Bloomfield

Upon roll call, members of the Board were present with Supervisors Frederick Lightfoote, Mark Venuti, and Louis Guard who were declared necessarily absent.

Minutes of the preceding session was approved without being read by motion of Supervisor Andrew Wickham, seconded by Supervisor Tamara Hicks; motion carried.

Under reports of County Officials, County Administrator Chris DeBolt gave the following updates:

- They received a draft report of the Fire and EMS study at the end of September. It was circulated to the Public Safety Committee and the 911 Communications Task Force as well as the Fire and EMS advisory Committees. A joint meeting was held last Thursday to review, and the feedback was not good. They were disappointed in the lack of some of the detail and substance of the report. He is still waiting for a formal communication from the Fire Advisory board, the chiefs are currently editing. Mr. DeBolt apologized to the public, to Chairman Green of the Public Safety Committee and to the members of the board. Unfortunately, he thinks the message is they have a lot of work to do behind the scenes to hold the consultant accountable. This will inevitably lead to further delays.
- The 911 Communications Task Force met, and they have finished gathering solicitation of all the input from the various stakeholder groups that were identified by that task force. There were three potential solutions that were identified. They are compiling pros and cons to each of those to circulate with the Communications Task Force so they can begin drafting a draft report and recommendation from the Communications Task Force to the Board of Supervisors. The goal is to have that draft compiled, circulated, and then finalize at the end of November at the next task force meeting. Then with the report from the task force committee going through the committee cycle in December.
- The Shared Services Plan will be written and to you by November 7th. That will include the electronic contract system that was discussed earlier this summer and applied for a grant for.
- The Executive Order 18 continues through the Campbell Commission. They were successful in submitting that grant application and are halfway through writing that plan.

Chairman Marren said the Chairs and Vice Chairs meeting will not take place after the Board meeting but will be rescheduled.

Chairman Marren granted privilege of the floor to Supervisor Rich Russell. Supervisor Russell gave a shout out to the Ontario County Public Health Department who ran a vaccination clinic for the flu last week and they had representation at the pop up food pantry.

Chairman Marren granted privilege of the floor to Supervisor James Kennedy for Dr. Anthony (Tony) Shelton, Professor of Entomology, Emeritus of Cornell University. Dr. Shelton has worked at the NYS Agricultural Experiment Station since 1979.

Dr. Shelton said that he has spent decades in agriculture studying risk management for environmental practices and is a concerned citizen. He said Ms. Carla Jordan gave an extensive tour of the landfill and recycling center so he could better understand it. He said he asked a lot of question. After careful consideration, he urged the Board to close the landfill when the present permit expires in 2028. He said his decision is based on three things; the first is that an estimated 84% of the waste that comes to the landfill originates from outside Ontario County. He believes local communities should as best as possible to take care of the waste they generate. Secondly, he said he works a lot in risk assessment and a common rule is risk = hazard x exposure. He said the most obvious environmental hazard is the fumes that permeate the surrounding area, the leachate and other contaminants entering the soil and water and increase traffic to and from the landfill. The exposure is the more trash that comes to the landfill, the more we will be exposed to the hazardous substances. He said the environmental risk of a small landfill is lower than the environmental risk of the larger landfill. The final point is that if the landfill closes in 2028, Casella will be required to initiate a program custodial care for the landfill. This includes monitoring the landfill for harmful substances for years. This will be a costly process, especially if a new permit is granted and the landfill continues to grow for another then years. Will the county or the state have funds necessary to deal with the increased risk of the larger landfill? He believes Ontario County can do a better job dealing with the trash that it generates, and the challenge will be to develop a plan to do so.

Chairman Marren granted privilege of the floor to Supervisor Wille for Mr. Thomas Gillette, resident of the Town of East Bloomfield.

Mr. Gillette said the title of his talk is "How did we lose our way?" He reminded the board that last cycle his talk is to be continued. Mr. Gillette spoke of the missionaries who ended up giving their lives to their cause and the Declaration of Independence ends with a firm reliance on the protection of divine providence we mutually pledged to each other, our lives, our fortunes, and our sacred honor. He said he had been studying on why these men risked their lives for this declaration and later why some of them worked so hard on the Constitution. He said it seemed they worked so hard, knowing they were in a tough spot and still wanted their country to survive. They have built a good foundation that we have enjoyed, but now we do not appreciate it anymore. He said what were the original intentions of the creators of the Constitution. He went on to give some descriptions of events and its correlation or not to the first amendment. Mr. Gillette proposed that Ontario County designate a location for public debate, where the debaters must donate a copy of a book, they have read in its entirety in order to qualify for the debate. In this way, perhaps people would be encouraged to think again.

Copies of the following communications are on file with the Clerk of the Board:

Copies received of minutes of meetings held as follows:

- Health and Human Services Committee held on September 26, 2022
- Planning and Environmental Quality Committee held on September 26, 2022
- Public Works Committee held on September 26, 2022
- Public Safety Committee held on September 28, 2022
- Governmental Operations and Insurance Committee held on September 28, 2022
- Ways and Means Committee held on September 28, 2022
- Special Public Works Committee held on October 6, 2022
- Special Ways and Means Committee held on October 6, 2022

A letter announcing that Ontario County has been awarded \$13,506.53 in federal funding under the FY2020 Cyber Security Grant Program received from Jackie Bray, Commissioner, NYS Homeland Security and Emergency Services.

Resolution No. 270 entitled “Affirming Support for the Second Amendment to the United States Constitution and Opposing the Recently Enacted ‘Concealed Carry Improvement Act’ of 2022” received from Jefferson County

Resolution No. 396-22 entitled “Resolution Opposing the New York State Legislation Restricting 2nd Amendment Rights, Regulating Legally Authorized Concealed Carry Gun Permits, and Banning Concealed Carry in Public Places as Being an Unconstitutional Attack Upon the Rights of Law-Abiding Citizens” received from Yates County Legislature.

Resolution #235-22P entitled “Resolution Calling on the New York State Office of Alcoholism and Substance Abuse Services and the Governor to Provide State Funding to Support Treatment and Transition Services to Individuals with Substance Abuse Disorders (SUD) who are Incarcerated in County Jails” received from Chenango County.

Resolution #236-22P entitled “Resolution Calling for an Increase in Low Income Home Energy Assistance Program (LIHEAP) Funding” received from Chenango County.

Resolution #237-22 entitled “Resolution Opposing the Recently Passed Concealed Carry Improvement Act (CCIA)” received from Chenango County.

A letter informing Ontario County is awarded \$45,698 under the FY2022 Emergency Management Performance Grant (EMPG) received from Jackie Bray, Commissioner, NYS Homeland Security and Emergency Services.

A letter informing Ontario County is awarded \$170,714 under the State Homeland Security Program (SHSP) received from Jackie Bray, Commissioner, NYS Homeland Security and Emergency Services.

Resolution No. 253-22 and Resolution No. 254-22 both entitled “Board of Supervisors Approve Appointment to of Finger Lakes Workforce Investment Board Member” received from Seneca County Board of Supervisors.

Resolution 519-22 entitled “Authorization to Appoint Members to the Finger Lakes Workforce Investment Board received from Wayne County Board of Supervisors.

Resolution No. 382 entitled “Resolution Objecting to New York State Officials Recent Legislation that Restricts Citizens’ Second Amendment Rights” received from Fulton County Board of Supervisors.

An email regarding a resolution for CCIA received from Mr. Martin Buonanno.

A letter informing Ontario County that the 2022-2023 Annual Update to the Four-Year Plan (Plan) for Ontario County has been approved and official Notifications of Grant Awards for FFY 2022 each Title III and HIICAP, and the EISEP, CSE, WIN, CSI, CRC for the period of April 1, 2022-March 31, 2023, received from Karen Jackuback, Deputy Director, NYS Office for the Aging.

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

RESOLUTION NO. 607-2022
APPOINTMENT TO THE ONTARIO COUNTY ETHICS BOARD
TIMOTHY G. MCELLIGOTT

WHEREAS, Ethics Board Member Ms. Lea Nacca has left County employment;

and

WHEREAS, Ms. Lea Nacca's leaving County employment leaves a vacancy on the Board; and

WHEREAS, Chairman John (Jack) Marren has chosen Mr. Timothy G. McElligott to fill the remainder of Ms. Lea Nacca's term, expiring on December 31, 2023; and

WHEREAS, Mr. Timothy G. McElligott has expressed interest in being appointed to the Ethics Board; and

WHEREAS, The Governmental and Operations Committee recommends Mr. Timothy G. McElligott's appointment; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby appoint Mr. Timothy G. McElligott, to the Ontario County Ethics Board to fill the remainder of Ms. Lea Nacca's term, which is set to expire on December 31, 2023; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mr. McElligott and the County Clerk.

RESOLUTION NO. 608-2022
AUTHORIZING A CONTRACT WITH THE ONTARIO COUNTY TOBACCO
ASSET SECURITIZATION CORPORATION FOR SUPPORT SERVICES

WHEREAS, Pursuant to the Master Settlement Agreement (hereinafter, the 11 MSA11) and the Consent Decree and Final Judgment in the class action entitled State of New York et al. V. Phillip Morris Incorporated et al., dated December 23, 1998, the County of Ontario (the "County") became entitled to receive payments ("Future Tobacco Revenues"); and

WHEREAS, Pursuant to Local Law 4 of 2001, the Ontario County Tobacco Asset Securitization Corporation (the "TASC") was incorporated as a New York 501(c)(3) not-for-profit corporation on July 2, 2001, to receive Future Tobacco Revenues in exchange for the County receiving a lump sum; and

WHEREAS, The TASC desires space and services to facilitate its powers pursuant to Local Law 4 of 2001 which provides that the power shall include, but not be limited to, the power to purchase from the County its right, title and interest in and to all or a portion of the Future Tobacco Revenues, to issue bonds, notes and other evidence of indebtedness and other securities and to incur other obligations, to create and transfer assets of the corporation to a trust or other entity, and to take all other actions as may be necessary in connection therewith; and

WHEREAS, The County desires to provide the TASC with space and support services at a total cost not to exceed \$15,000 per year for a term of January 1, 2021 through December 31, 2022; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed and recommends adoption of this resolution; now, therefore, be it

RESOLVED, That upon review and approval as to form by the County Attorney, the County Board of Supervisors hereby approves an agreement with the TASC to provide space and support for a cost not to exceed \$15,000 per year for a term of January 1, 2021 through December 31, 2022; and further

RESOLVED, That the County Administrator is hereby authorized and empowered to execute a contract on behalf of the County with the TASC and any and all other documents necessary to effectuate the purpose of this resolution; and further

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

**RESOLUTION NO. 609-2022
AUTHORIZATION TO RETAIN OUTSIDE COUNSEL**

WHEREAS, The Ontario County Board of Supervisors, pursuant to Resolution No. 285-2007, established a policy and program for the County to share in the costs of defending legal challenges to real property tax assessments; and

WHEREAS, Litigation has commenced against the County and the Town of East Bloomfield challenging the solar exemption; and

WHEREAS, Chalifoux Law, P.C. has proposed to represent the County in this matter upon accepted terms, pursuant to the County Attorney's authorization to retain counsel to defend the County; and

WHEREAS, Funds are available in the Real Property Tax Services current budget; and

WHEREAS, The Governmental Operations and Insurance Committee and the Ways and Means Committee have accepted the recommendation; now, therefore, be it

RESOLVED, That the County Attorney is hereby authorized to review and execute an engagement letter with Chalifoux Law, P.C. 15 Fishers Road, Suite 125, Pittsford, NY 14534 and that the initial funding for this representation shall be provided by the designated fund balance account "DFB Real Property Tax Defense"; and further

RESOLVED, That the County Finance Department is authorized and directed to make the 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 the Board to the County Attorney and Sheila Chalifoux.

**RESOLUTION NO. 610-2022
AUTHORIZING PRIORITY SERVICE AGREEMENT WITH
CERTAIN MUNICIPALITIES WITHIN THE COUNTY OF ONTARIO**

WHEREAS, The County owns and operates County facilities within the geographical jurisdiction of certain municipalities; and

WHEREAS, These municipalities provide a wide range of municipal services to said County facilities which are necessary for their daily operations; and

WHEREAS, For the past twenty-two (22) years the County has contracted with the City of Canandaigua and the Town of Hopewell for priority delivery of such services to its facilities and the public access routes leading thereto and desires to renew the agreements for another three (3) years; and

WHEREAS, The County will commence a contract with the City of Geneva for priority delivery of such services to its facilities and the public access routes leading thereto; and

WHEREAS, The municipalities involved have agreed to the compensation and terms herein authorized; and

WHEREAS, The Governmental Operations and Insurance and Ways and Means Committees have reviewed and recommend approval of the City of Canandaigua, City of Geneva, and the Town of Hopewell Priority Service contracts; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize priority service agreements with the City of Canandaigua, City of Geneva, and the Town of Hopewell, New York, commencing on January 1, 2023 and running for a period of three (3) years; and further

RESOLVED, That the priority services allocation for each participating municipality shall be:

	2023	2024	2025
City of Canandaigua	\$39,745	\$39,745	\$39,745
City of Geneva	\$3,285	\$3,285	\$3,285
Town of Hopewell	\$96,570	\$96,570	\$96,570

and further

RESOLVED, That the County Administrator is hereby authorized to execute such agreements; and further

RESOLVED, That this resolution shall take effect immediately.

**RESOLUTION NO. 611-2022
ACCEPTANCE OF GRANT FROM
NYS BOARD OF ELECTIONS ABSENTEE BALLOT PRE-PAID POSTAGE
GRANT BOE01-1110000**

WHEREAS, The NYS Legislature passed a resolution authorizing all NYS counties to prepay postage for absentee ballot returns on April 9, 2022; and

WHEREAS, There are increased costs to local Boards of Elections including the Ontario County Board of Elections for envelopes, postage, metered envelopes, mail opening and sorting machines; and

WHEREAS, The State of New York has provided a grant (BOE01-1110000) to reimburse Ontario County for said costs listed above; and

WHEREAS, Authorization by the Ontario County Board of Supervisors is required for acceptance of said NYS funds; and

WHEREAS, The Governmental Operations and Insurance and Ways and Means Committees have reviewed and recommends accepting a grant from NYS Board of Elections to pay for associated costs; and

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby accepts NYS grant funding for an amount up to \$31,067.04 for the period April 09, 2022 through March 31, 2023; and further

RESOLVED, That the Department of Finance is hereby directed to amend the 2022 Board of Elections Budget as follows:

Account Number	Account Description	Amount
ZZ1450 2218 43089	State Aid, Other	\$31,067.04
ZZ1450 2218 54140	Postage	\$31,067.04

and further

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

RESOLVED, That the Finance Department be authorized to make any budgetary and accounting entries to effectuate the intent of the resolution; and further

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

The foregoing block of five resolutions was adopted with one abstention from Supervisor David Baker on Resolution No. 608-2022.

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

RESOLUTION NO. 612-2022
UNIVERSITY OF ROCHESTER MEDICAL FACULTY GROUP
FOR PULMONOLOGIST TO SUPPORT
THE TUBERCULOSIS PROGRAM 2022-2026

WHEREAS, Ontario County Public Health Tuberculosis Program is desirous to contract professional pulmonologist services with University of Rochester Medical Faculty Group; and

WHEREAS, The authorized provider will diagnose and offer treatment for latent tuberculosis infection and active tuberculosis disease consistent with the most current NYSDOH and CDC recommendations for eligible persons presenting as Ontario County tuberculosis patients for the period of January 1, 2022 through December 31, 2026; and

WHEREAS, Funds have been appropriated in the budget to pay the provider for services; and

WHEREAS, The provider will be paid as specified in “Schedule A” of the contract; and

WHEREAS, The Director of Public Health and the Health and Human Services Committee recommend this contract; 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 with University of Rochester Medical Faculty Group, 601 Elmwood Avenue, Box: MFG, Rochester, NY 14642 for a term of January 1, 2022, through December 31, 2026; and further

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

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

Adopted.

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

RESOLUTION NO. 613-2022
2022 INTERMUNICIPAL AGREEMENT WITH

**MONROE COUNTY FOR MEDICOLEGAL DEATH INVESTIGATIVE AND
FORENSIC PATHOLOGY SERVICES**

WHEREAS, Resolution No. 435-2021 authorized a contract with the Monroe County Office of the Medical Examiner for the purpose of medicolegal death investigative and forensic pathology services for Ontario County; and

WHEREAS, The Monroe County Office of the Medical Examiner proposes a one-year contract to continue services; and

WHEREAS, The Public Health Director, Coroners, District Attorney, and the Health and Human Services Committee recognize the need for this service; 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 with the Monroe County Office of the Medical Examiner for a term of 12 months beginning January 1, 2022 through December 31, 2022 at a cost of \$26,100 for 13 full autopsy examinations, based on a rate of \$1,725 per full autopsy for which OME Toxicology Lab is not used, and for 3 Blood/Description type autopsies (also referred to as “Blood/Description exam”), based on a rate of \$1,225 per Blood/Description exam for which OME Toxicology Lab is not used. Any additional cases requiring a full autopsy beyond the initial 13 full autopsy examinations and 3 Blood/Description type autopsies per year will be accepted at a rate specified in the agreement and per the Public Health – Medical Examiner 2022 Fees and Charges schedule; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute this contract for the period of January 1, 2022, through December 31, 2022; and further

RESOLVED, That a certified copy of this resolution be forwarded by the Clerk of this Board to the Monroe County Office Building, 39 West Main Street, Rochester, New York 14614.

Adopted.

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

**RESOLUTION NO. 614-2022
REAPPOINTMENT OF MARSHA E. FOOTE
DIRECTOR OF ONTARIO COUNTY YOUTH BUREAU**

WHEREAS, The term of appointment for Ms. Marsha E. Foote, Director of Ontario County Youth Bureau, is to expire on November 11, 2022; and

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

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

RESOLVED, That the Board of Supervisors hereby reappoints Ms. Marsha E. Foote to the position of Director of Ontario County Youth Bureau for a term of two years to commence on November 12, 2022; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the County Clerk and Ms. Foote.

Adopted.

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

On motion of Supervisor Norman Teed, Resolution No. 617-2022 was laid over under the rules within this block.

**RESOLUTION NO. 615-2022
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING
Z-AXIS, INC. COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, The Ontario County Economic Development Corporation has requested that the Board of Supervisors assess the administration of a Community Development Block Grant (“CDBG”) from the New York State Office of Community Renewal (the “OCR”) for a loan to support the expansion of Z-Axis, Inc. operations located at 1916 Route 96, Phelps, New York; and

WHEREAS, Ontario County is required to hold two public hearings to provide information to the public and to consider citizen comments and feedback regarding community needs and the usage of CDBG funding; and

WHEREAS, The first public hearing was held on Aug. 22, 2019; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby calls for a second Public Hearing whereat all interested parties shall be heard regarding the CDBG program, the County’s community development and economic development programs, and the usage of funding. Such Public Hearing to be held on Nov. 17, 2022, at 6:30 P.M. at the Board of Supervisors meeting room, 74 Ontario Street, Canandaigua, New York and online via Webex; and further

RESOLVED, That at least eight (8) days' notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the Supervisors' bulletin board at the Ontario County Court House and County website, and by publishing such notice at least once in the official newspapers of the County; and further

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

**RESOLUTION NO. 616-2022
AUTHORIZATION TO AMEND A GRANT FROM
THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR CARES
ACT BLOCK GRANT FUNDING**

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

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

WHEREAS, These funds have been awarded to businesses throughout the County; and

WHEREAS, The OCEDC has eight additional applications for grants from 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, Both the Planning and Environmental Quality Committee and Ways and Means Committee approved the filing of an amendment of the grant from OCR for additional funding of the applications received but not yet awarded; now, therefore, be it

RESOLVED, That the Chairman of the Board of Supervisors submitted an amendment request to OCR; and be it further

RESOLVED, That the Chairman of the Board of Supervisors will request three hundred fifty – two thousand additional dollars (\$352,000) in CARES Act funds and modify the grant agreement between the County and 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 a copy of this resolution be sent by the Clerk of this Board to the Office of Economic Development.

RESOLUTION NO. 617-2022
RESOLUTION OF RECOGNITION AND APPRECIATION - GLEN WILKES
L A I D O V E R

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, Pursuant to Resolution No. 519-1983 Mr. Wilkes served faithfully for 39 years as a member of the Ontario County Planning Board; and

WHEREAS, Mr. Wilkes'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 Phelps continue to rely on dedicated citizen volunteers like Mr. Wilkes 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 Mr. Wilkes 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 Mr. Wilkes for his years of service; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the County Planning Board, the Town of Phelps, and to Glen Wilkes.

RESOLUTION NO. 618-2022
AUTHORIZING A CONTRACT WITH
CANANDAIGUA LAKE WATERSHED COUNCIL
FOR CANANDAIGUA LAKE AND STREAM MONITORING – YEAR 9
FOLLOWPA SFY21-22

WHEREAS, Resolution No. 145-2022 authorized a contract between Ontario County and Oswego County Soil and Water Conservation District for transfer of State Fiscal Year 21-22 funding in the amount of Eighty-Nine Thousand Two Hundred Dollars (\$89,200) for the County's approved Finger Lakes-Lake Ontario Watershed Protection Alliance (FOLLOWPA) workplan and budget; and

WHEREAS, Said workplan and budget includes Ten Thousand Dollars (\$10,000) to continue a Canandaigua Lake and tributary water quality monitoring project overseen by the Canandaigua Lake Watershed Council (CLWC); and

WHEREAS, The CLWC has submitted a proposal and budget dated September 9, 2022 for said project in the amount of \$10,000, on file with the Clerk of this Board; and

WHEREAS, Adequate funding exists in Ontario County's NYS SFY 21-22 grant funded FLOWPA programs in budget line ZZ80202204 54260 (Agency Contracts); 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 CLWC's grants and funding maintained through the City of Canandaigua's accounting system, as fully described in a renewable agreement titled "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 Planning and Environmental Quality Committee recommends approval of this resolution; now, therefore, be it

RESOLVED, That subject to approval of the County Attorney as to form, this Board accepts CLWC's proposal to provide a Canandaigua Lake and tributary water quality monitoring project for a cost of \$10,000 and hereby authorizes and empowers the County Administrator to execute a contract with Canandaigua Lake Watershed Council for the not-to-exceed amount of \$10,000 in support of said Project; and further

RESOLVED, The Term of said agreement shall be April 1, 2022 through March 31, 2023; and further

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

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

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

**RESOLUTION NO. 619-2022
AUTHORIZATION TO AMEND CONTRACT WITH
THE TOWN OF RICHMOND FOR
PROVISION OF CODE ENFORCEMENT TECHNICAL ASSISTANCE**

WHEREAS, Resolution No. 496-2022 approved a contract whereby the County Planning Department would provide up to 100 hours of technical assistance to the Town of

Richmond related to administration of the New York State Uniform Fire Prevention and Building Code ('Building Code'); and

WHEREAS, The Town of Richmond has indicated a need for additional technical assistance related to administration of the Building Code; and

WHEREAS, The County Planning Department has proposed to provide up to an additional 250 hours of a County Code Enforcement Officer's time to provide technical assistance related to administration of the Building Code to the Town of Richmond as more fully described in the letter from the County Director of Planning dated October 6, 2022, a copy of which is on file with the Clerk of this Board; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the County Administrator or their designee be, and hereby is, authorized and empowered to execute an Amendment to the Intermunicipal Cooperation Agreement with the Town of Richmond wherein the County Planning Department shall provide up to an additional Two Hundred and Fifty (250) hours of technical assistance related to the Town's responsibilities in administering the Building Code bringing the total hours not to exceed Three Hundred Fifty (350) hours; and further

RESOLVED, That the County Planning Department shall provide said services to and invoice the Town for said services as rendered.

RESOLUTION NO. 620-2022
ONTARIO COUNTY AGRICULTURE ENHANCEMENT BOARD
REAPPOINTMENT OF ROBERT MCCARTHY

WHEREAS, Resolution No. 183-1993 created the Ontario County Farmland Protection Board and appointed members thereto; and

WHEREAS, Resolution No. 208-1997 changed the name of the Ontario County Farmland Protection Board to the Ontario County Agriculture Enhancement Board; and

WHEREAS, The initial term for Mr. Robert McCarthy, Vice President of Phelps Supply, Inc., a supplier of agricultural products and services throughout the Finger Lakes, expired on December 31, 2018 and Resolution No. 671-2018 reappointed him to the Ontario County Agriculture Enhancement Board; and

WHEREAS, Mr. McCarthy has served capably on the Ontario County Agriculture Enhancement Board as an agribusiness representative; and

WHEREAS, Mr. McCarthy was recommended for reappointment by the Ontario County Agriculture Enhancement Board by unanimous vote at its September 20, 2022 meeting; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed and recommends appointment based on the understanding that failure to submit an Oath of Office within the required 30-day period would necessitate reconsidering this nomination; now, therefore, be it

RESOLVED, That the following individual be reappointed to the Ontario County Agriculture Enhancement Board:

Name	Representing	Length of Term	Term Expires
Robert McCarthy	Agribusiness	4 years	12/31/2026

and further

RESOLVED, That a copy of this resolution be sent to the appointee and the County Clerk.

RESOLUTION NO. 621-2022
ONTARIO COUNTY AGRICULTURE ENHANCEMENT BOARD
REAPPOINTMENT OF JARED MARTIN

WHEREAS, Resolution No. 183-1993 created the Ontario County Farmland Protection Board and appointed members thereto; and

WHEREAS, Resolution No. 208-1997 changed the name of the Ontario County Farmland Protection Board to the Ontario County Agriculture Enhancement Board; and

WHEREAS, Resolution No. 498-2020 appointed Mr. Jared Martin, owner and operator of a three hundred acre dairy farm in the Town of Gorham, to the Ontario County Agriculture Enhancement Board; and

WHEREAS, Mr. Martin has served capably on the Ontario County Agriculture Enhancement Board; and

WHEREAS, Mr. Martin was recommended for reappointment by the Ontario County Agriculture Enhancement Board by unanimous vote at its September 20, 2022 meeting; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed and recommends appointment based on the understanding that failure to submit an Oath of Office within the required 30-day period would necessitate reconsidering this nomination; now, therefore, be it

RESOLVED, That the following individual be reappointed to the Ontario County Agriculture Enhancement Board:

Name	Representing	Length of Term	Term Expires
Jared Martin	Farmers	4 years	12/31/2026

and further

RESOLVED, That a certified copy of this resolution be sent to the appointee, the County Planning Director, and the County Clerk.

**RESOLUTION NO. 622-2022
APPROVAL OF FY2022 EXPENDITURE OF FUNDS ON
A PROJECT TO IMPLEMENT
THE ONTARIO COUNTY AGRICULTURAL ENHANCEMENT PLAN**

WHEREAS, The Ontario County Board of Supervisors adopted the Agricultural Enhancement Plan (Plan) for Ontario County pursuant to Resolution No. 204-2018; and

WHEREAS, The Ontario County Board of Supervisors provided financial resources to the Ontario County Agriculture Enhancement Board to undertake projects to implement the recommendations of the Plan through the Ontario County Planning Department's budget; and

WHEREAS, The Ontario County Agriculture Enhancement Board has reviewed proposals for projects and recommends that Five Thousand Dollars (\$5,000) be used to fund the following project that addresses implementation strategies included in the Plan:

Project Sponsor	2022 Implementation Project Summary	Project Cost
Ontario County Soil and Water Conservation District	Cover Crop Project – A multi-farm effort to increase resiliency by storing upland stormwater, increasing topsoil organic matter, and reducing the effects of erosion from extreme rainfall events.	\$5,000.00
	Total	\$5,000.00

and

WHEREAS, The Planning and Environmental Quality Committee has reviewed and recommends approval of expenditure of funds on said project; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby approves the contract with Ontario County Soil and Water Conservation District, 480 North Main St, Canandaigua, NY 14424 on file with the Clerk of this Board; and further

RESOLVED, That the term of the contract shall be October 28, 2022 through December 31, 2023; and further

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

RESOLVED, That the cost of said cost be paid from Planning budget line # AA8020 54260 - Consultation and Planning for the amount not to exceed Five Thousand Dollars (\$5,000); and further

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

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

RESOLVED, That a certified copy of this resolution be sent to the Executive Director of Ontario County Soil and Water Conservation District, 480 North Main St, Canandaigua, NY 14424.

The foregoing block of eight resolutions was adopted except for Resolution No. 617-2022 which was laid over on motion of Supervisor Norm Teed under the rules.

Supervisor Andrew Wickham offered the following resolution and moved for its adoption, seconded by Supervisor Christopher Vastola:

On motion of Supervisor Richard Russell, Resolution No. 623-2022 was laid over under the rules.

RESOLUTION NO. 623-2022
OPPOSING THE TRANSFER OF APPROXIMATELY 261 ACRES OF LAND BY
THE GENESEE VALLEY CONSERVANCY TO
THE NEW YORK STATE DEPARTMENT OF CONSERVATION
LAI D O V E R

WHEREAS, Ontario County was made aware that The Genesee Valley Conservancy has contacted the Town of Richmond regarding the conservation of the natural habitat and open spaces of 5 parcels consisting of approximately 261 acres along Allens Hill Rd in the Town of Richmond; and

WHEREAS, The Genesee Valley Conservancy acknowledged this land could be conserved through the transfer of title, of the property ultimately removing the property from the tax rolls, or through a conservation easement with the landowner retaining ownership; and

WHEREAS, At the September 13, 2022, Richmond Town Board meeting, the Genesee Valley Conservancy presented to the Richmond Town Board their plan to acquire the said 5 parcels through a real estate purchase contract; and

WHEREAS, The plan after the transfer to the Conservancy, of the said parcels would result in transferring ownership to the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, Ultimately the 5 parcels would be removed from the tax rolls of the Town of Richmond, thus putting the additional tax burden on the residents of the Town of Richmond, the residents of the County of Ontario and the Honeoye Central School District; and

WHEREAS, The Town Board of the Town of Richmond realizes the importance of conserving the natural resources of the community; and

WHEREAS, These natural resources can be conserved through a Conservation Easement thus reducing the financial impact on their small community; and

WHEREAS, The NYSDEC currently owns 755 acres in the Honeoye Creek Wildlife Management Area exempt from property taxes; and

WHEREAS, The Town Board of the Town of Richmond does NOT support the transfer of these parcels with the intent of removing them from the tax rolls of the Town of Richmond; and

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

RESOLVED, That the Ontario County Board of Supervisors supports the Town of Richmond in opposition of the land transfer to the New York State Department of Environmental Conservation; and further

RESOLVED, That the Ontario County Board of Supervisors urges the Genesee Valley Conservancy conserve these 5 parcels of land through a conservation easement and not through a transfer the land to the NYSDEC; and further

RESOLVED, That transfer of these parcels of land to the NYSDEC will place an additional tax burden on the residents of the Town of Richmond; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of the Board of Supervisors to the Town of Richmond and the Genesee Valley Conservancy.

Chairman Marren said he would allow for questions or comments from the Supervisors.

Supervisor David Baker asked if the County Attorney could explain the difference between the types of things that are being asked here in the easement versus the conservancy. County Attorney Holly Adams deferred the question to the County Administrator who has a better experience with that.

County Administrator Chris DeBolt explained that a non-profit, like the Genesee Valley Conservancy will buy property with the intent to then transfer that to the Department of Environmental Conservation (DEC). When it moves to the DEC, it moves

to a different section of the tax roll and becomes essentially tax exempt. What the Town of Richmond is asking for, is that the Genesee Valley Conservancy consider using a conservation easement. A conservation easement would keep the property on the tax roll because it doesn't get transferred to the state where it moves to a different roll section. There are implications to the imposition of a conservation easement when it comes to the value of the property because what you are doing is sequestering the development rights. There is an easement put on that property that dictates very strictly what can or cannot happen with that property since the property is assessed on both its current use and its potential use. Those potential uses are somewhat circumscribed by whatever easement is taken in place.

Supervisor Daryl Marshall explained that the Genesee Valley Conservancy reached out to him at the beginning of the year and made him aware they were working with a property owner on 5 different parcels within the Town of Richmond consisting of 261 acres. At that point he gave his concern to the Conservancy of removing this additional land from the tax roll. Supervisor Marshall said the Town of Richmond has had an insurge of land being acquired for public use and ultimately a portion of it is ending up on roll 3 which is a taxable section of the real property law. With roll 3, the DEC would acquire it, but they would set the value on the property. He said the whole end of Honeoye Lake has essentially fallen on to roll 3. The property discussed is in the northern part of the town. It does not immediately adjoin the Honeoye Creek Wildlife Management area. However, the Honeoye Creek Wildlife Management area is tax exempt, which currently consist of 6,934 acres amounting to \$1.6 million. This land is all public use property that is tax exempt, not solely by the DEC. The parcel discussed would bring them to close to \$2 million worth removed from the tax roll in the Town of Richmond which would affect the Honeoye Central School, Ontario County, and the Fire district. It would equate to approximately \$50,000 annually in property tax loss. He said his goal is asking that the DEC take the property and the property they already have and put it on roll 3 to allow for tax dollars. He said the residents of the small communities can't continue to fund this type of land acquisitions. He believes this is just a start that could be a financial burden on the community of Richmond and Ontario County.

Chairman Marren noted they have reached out to the Planning Director Tom Harvey and the Director of Real Property Donna LaPlant to get some guidance on the taxing and whole component of this. He said his conflict is his interest in supporting a colleague of this board and also the rights of a landowner to sell their land and to know why isn't the State of New York honing out some tax dollars.

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

**RESOLUTION NO. 624-2022
AUTHORIZATION FOR ONTARIO COUNTY PROBATION TO
ACCEPT FUNDING FROM
THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
FOR CERTIFIED PRETRIAL SERVICES**

WHEREAS, The New York State Division of Criminal Justice Services has awarded Ontario County's Probation Department funding in the amount of \$200,127 to offset costs associated with the provision of certified pretrial services including but not limited to screening, assessments, supervision, and reporting as enacted in the New York State budget; and

WHEREAS, It is desirable for the Ontario County Probation Office to accept this funding from the New York State Division of Criminal Justice Services, 80 S. Swan Street, Albany, NY, for the period April 1, 2022 through March 31, 2023; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this resolution at their recent meetings, and recommend that the full Board of Supervisors resolve to accept this NYS Division of Criminal Justice Services award; now, therefore, be it

RESOLVED, That the Board of Supervisors, hereby accepts the funding awarded to the Probation Department; and further

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

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

To:		Revenue	Appropriation
31402224 43389	State Aid, Other Public Safety	\$200,127	
31402224 54260	Consultation and Professional		\$200,127
TOTAL:		+\$200,127	+\$200,127

and further

RESOLVED, That a copy of this resolution be emailed by the Clerk of this Board to the Ontario County Office of Probation.

**RESOLUTION NO. 625-2022
 PHELPS CLIFTON SPRINGS (MIDLAKES) CENTRAL SCHOOL DISTRICT
 SCHOOL RESOURCE OFFICER SERVICES 2022-2023 SCHOOL YEAR**

WHEREAS, Resolution No. 541-2022 authorized termination of an existing contract with Phelps-Clifton Springs (“Midlakes”) Central School District (the “School District”) for part-time school resource officer (“SRO”) services and approval of an omnibus contract with Midlakes for both a part-time and a full time SRO for the 2022-2023 school year; and

WHEREAS, Authorization to terminate the part-time SRO agreement with Midlakes was conditioned upon the School District also passing a resolution terminating the part-time SRO agreement; and

WHEREAS, The School District has not passed such resolution; and

WHEREAS, The County and School District desire that the part-time SRO agreement entered into pursuant to Resolution No. 304-2021 remain in effect; and

WHEREAS, The Ontario County Sheriff and the Public Safety Committee recommend this resolution clarifying the status of the part-time SRO agreement with the School District; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, this Board of Supervisors hereby confirms that the part-time SRO agreement entered into pursuant to Resolution No. 304-2021 with the School District remain in effect through its term ending June 30, 2023.

RESOLUTION NO. 626-2022
AUTHORIZING INTERMUNICIPAL COOPERATION AGREEMENT WITH
MONROE COUNTY FOR COORDINATION OF
EMERGENCY RADIO COMMUNICATION SYSTEMS

WHEREAS, Both Monroe and Ontario Counties have deployed their own 700/800 MHz P-25 Digital Trunked radio communication systems; and

WHEREAS, The two County radio communication systems are currently linked through a single fiber optic connection that allows coordinated management of individual radios and user groups controlling access to and use of each County's communication system, backup of each County's database of subscriber units (portable and mobile radios and control bases), allows seamless interoperable communications between all emergency services in each county, provides seamless roaming of emergency services throughout both counties, and allows each county to enjoy coverage provided by the other county's system saving each county from having to build additional radio infrastructure; and

WHEREAS, Ontario County has been awarded state funding to cover 100% of the cost to construct a microwave connection between Ontario County and Monroe County's radio communication systems to serve as a backup to the single fiber optic connection in place now; and

WHEREAS, Due to the many benefits accruing to each County by continuing to have the two communication systems linked, Ontario County's Director of Planning and Chief Communications Officer have worked with Monroe County's Public Safety Communications Director and Deputy Director of Public Safety/Emergency Manager to draft an Intermunicipal Agreement to coordinate operations, the addition of user groups and access, and future modifications to each County's radio communication system, including the installation of the proposed microwave connection, a copy of which is on file with the Clerk of this Board; and

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

RESOLVED, That subject to the approval of the County Attorney as to form, the Intermunicipal Agreement with the County of Monroe for the coordination of emergency radio communication systems, on file with the Clerk of this Board, is hereby approved and the County Administrator is hereby authorized and empowered to execute said Intermunicipal Agreement on behalf of the County; and further

RESOLVED, That the Clerk provide a certified copy of this resolution to the Monroe County Executive, 39 West Main Street, Rochester, New York 14614.

RESOLUTION NO. 627-2022
AUTHORIZING CONTRACT WITH FINGER LAKES COMMUNICATION,
CO., INC. TO PROVIDE MICROWAVE LINK BETWEEN ONTARIO AND
MONROE COUNTIES AND ENVIRONMENTAL ANALYSIS

WHEREAS, Resolution No. 761-2018 granted authorization to accept a \$621,204.00 FY 2018 Statewide Interoperable Communications (SIC) Formula-Based Grant (Project SI18-1012-D00, Contract No. C198199; CFDA# n/a; MUNIS # G2225) from the New York State Division of Homeland Security and Emergency Services (NYS DHSES) for the purpose of improving interoperable radio communications throughout Ontario County and the surrounding region; and

WHEREAS, The term of said grant ends 12/31/2022; and

WHEREAS, Both Monroe and Ontario Counties have deployed 700/800 MHz P-25 Digital Trunked radio communication systems which are linked through a single fiber optic connection, providing seamless interoperable communications between all emergency services in each county; and

WHEREAS, Resolution No. 626-2022 authorized an Intermunicipal Agreement with Monroe County for Coordination of Emergency Radio Communication Systems to coordinate operations and improvements to both systems, including installation of a proposed microwave connection between the two County Communication systems; and

WHEREAS, NYSDHSES has approved establishment of said microwave connection between Ontario County and Monroe County's radio communication systems for 100% funding under aforesaid 2018 SIC grant; and

WHEREAS, Said microwave connection will involve erecting a 6 ft. diameter microwave dish located 148 ft. above ground level at the County's 5 & 20 Tower Site at 7750R Route 5 & 20, Bloomfield, NY 14469 and a 6 ft. diameter microwave dish located

131 ft. above grade at Monroe County's tower site located at 27 Willard Road, Pittsford, NY 14534; and

WHEREAS, The Ontario County Board of Supervisors conducted a coordinated review for the construction of its emergency communication system culminating in the acceptance of a Final Generic Environmental Impact Statement (FGEIS) and findings in Resolution No. 847-2010; and

WHEREAS, Said FGEIS and findings established guidelines for site selection, development, and modification of existing sites for which no further environmental review would be necessary as the County Emergency Communication System is built out; and

WHEREAS, The construction of a microwave connection between Ontario and Monroe Counties has been contemplated as part of the Ontario County Emergency Communication System since the inception of Capital Project No. 7- 2006 and has been awaiting the availability of funding; and

WHEREAS, Said microwave connection project involves siting microwave dishes on existing communication towers owned by Ontario and Monroe County respectively, said dishes are to be located less than 250 ft. above grade, involves the minimum height above grade and microwave dish size necessary to provide the requisite microwave connection between Ontario County and Monroe County, and the proposed project parameters are below all other guideline thresholds established in said FEIS and findings in Resolution No. 847-2010; and

WHEREAS, Finger Lakes Communication, Co., Inc., 305 Clark Street, Auburn, NY 13021 has provided Quote # 108000372 in the amount of \$98,923.90 for equipment and labor to provide said microwave connection; and

WHEREAS, The revenue and expense in the Munis program closed in 2019 subsequent to grant expenditures in the amount of \$220,051.63, resulting in a zero budget, necessitating budgeting unspent grant funds in the amount of \$401,152.37; and

WHEREAS, The Public Safety Committee and Ways and Means Committee have reviewed and recommends adoption of this resolution; now, therefore, be it

RESOLVED, That this Board finds that the microwave connection proposed between Ontario County's 5 and 20 tower and Monroe County's Willard Road tower are necessary to ensure secure reliable emergency radio communications and interoperability between the two county radio systems; and further

RESOLVED, Said microwave connection involves construction within the limits established in Ontario County's Final Generic Environmental Impact Statement adopted

pursuant to Resolution No. 847-2010 meaning no further environmental review is necessary to implement said project; and further

RESOLVED, That the following budget be established to fund this expense and revenue:

ACCOUNT		REVENUE	APPROPRIATION
30202225 43389	State Aid	\$401,152.37	
30202225 52550	Communication Equipment		\$98,923.90
30202225 52550	Communication Equipment		\$302,228.47

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Finger Lakes Communication, Co., Inc. for a term of 10/28/2022 through 3/30/2023 at a cost not to exceed \$98,923.90; 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 or their designee be, and hereby is, authorized and empowered to execute said contract with Finger Lakes Communication, Co., Inc. to provide said microwave connection, and all other documents necessary to effectuate the purposes of this resolution; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mr. Grant Reade, President, Finger Lakes Communication, Co., Inc., grant@fingerlakescomm.com.

RESOLUTION NO. 628-2022
RESOLUTION URGING THE STATE TO PROVIDE COUNTIES
WITH FUNDING TO ADMINISTER MEDICATION ASSISTED TREATMENT
IN CORRECTIONAL FACILITIES

WHEREAS, Effective October 7, 2022, the State of New York requires all prisons and jails in New York State provide medication assisted treatment (MAT) to incarcerated individuals afflicted with a substance use disorder; and

WHEREAS, The State of New York has appropriated funding to cover the costs of MAT in state prisons, but not in county jails; and

WHEREAS, The scope of services required by the law far exceeds the furnishings of addiction medication, but also requires comprehensive counseling and discharge planning; and

WHEREAS, It is estimated that between thirty and forty percent of all new jail admissions would qualify for treatment; and

WHEREAS, There is currently \$8.25 million appropriated in the Aid to Localities section of the State Fiscal Year 2023 budget to support the 57 county jails outside of New York City in providing these services; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls on the State of New York to provide an additional \$20 million in state funding to support these new responsibilities that fall entirely on county government entities and Sheriffs; and

RESOLVED, That a certified copy of this resolution be forwarded to the Governor of the State of New York, the New York State Legislature, and all others deemed necessary and proper.

The foregoing block of five resolutions was adopted.

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

RESOLUTION NO. 629-2022
CAPITAL PROJECT NO. H057-19
AUTHORIZATION TO CONTRACT WITH CAMDEN GROUP FOR
REPAIR OF STORM DRAINS AT FLCC MAIN CAMPUS
2019 FLCC MAINTENANCE CAPITAL PROJECT

WHEREAS, Resolution No. 360-2019 established Capital Project No. H057-19 as the 2019 FLCC Maintenance Capital Project; and

WHEREAS, Said project includes funding for site work and repair at Finger Lakes Community College (FLCC); and

WHEREAS, FLCC staff have identified ten (10) failing storm drains at the FLCC Main Campus resulting in damage to surrounding pavement causing unsafe conditions that if left unrepaired the pavement damage will spread to larger areas; and

WHEREAS, Resolution No. 306-2022 renewed bid (B20011) for manhole rehabilitation with the Camden Group Inc., 9008 State Route 13, Camden, NY 13316; and

WHEREAS, The Camden Group, Inc. submitted proposal J-1405 dated September 23, 2022 to reset ten (10) frame drains to grade at a cost of \$3,250.00 each for a total

contract price not to exceed Thirty-Two Thousand Five Hundred Dollars (\$32,500.00), a copy of which is on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exist in the budget of the 2019 FLCC Maintenance Capital Project to fund said work; and

WHEREAS, The Public Works Committee recommends acceptance 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 proposal J-1405 dated September 23, 2022 from the Camden Group Inc., 9008 State Route 13, Camden, NY 13316 to reset ten (10) frame drains to grade for a total cost not to exceed Thirty-Two Thousand Five Hundred Dollars (\$32,500.00) and authorizes and empowers the County Administrator to execute a contract with said vendor for said work for said amount; and further

RESOLVED, That the cost of the contract shall be paid from line HH H05719 54491 – General Construction of Capital Project No. H057-19; and further

RESOLVED, That the term of said contract shall commence on October 28, 2022, and terminate on October 27, 2023; 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 for a total project budget of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); 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. 630-2022
CAPITAL PROJECT NO. H057-19
AUTHORIZATION TO CONTRACT FOR THE
EXTENSION OF FENCE AT THE GENEVA CAMPUS
2019 FLCC MAINTENANCE CAPITAL PROJECT

WHEREAS, Resolution No. 360-2019 established Capital Project No. H057-2019 as the 2019 FLCC Maintenance Capital Project in the amount of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); and

WHEREAS, Said project includes funding for site work and repair at Finger Lakes Community College (FLCC); and

WHEREAS, In 2016 New York State Fence, Inc. installed a fence between the Geneva Campus property and the Knights of Columbus property; and

WHEREAS, Recently the Knight of Columbus requested the fence be extended to prevent access from the FLCC Geneva Parking lot to address vandalism issues on their property; and

WHEREAS, New York State Fence, Inc., 858 Manitou Road, Hilton, NY 14468, submitted a quote dated September 22, 2022, to furnish and install black chain link fence with black privacy slats and a swing gate to match the existing fence for a total amount not to exceed Seven Thousand Four Hundred Eighty Dollars (\$7,480.00), a copy of which is on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exist in the budget of the 2019 FLCC Maintenance Capital Project to fund this contract; and

WHEREAS, The Public Works Committee recommends acceptance 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 September 22, 2022 quote from New York State Fence, Inc. to furnish and install an extension of black chain link fence with black privacy slats and a swing gate at the FLCC Geneva Campus in the amount not to exceed Seven Thousand Four Hundred Eighty Dollars (\$7,480.00) and authorizes and empowers the County Administrator to execute a contract with said firm for said amount; and further

RESOLVED, That the cost of said contract shall be paid from line HHH05719 54491 – General Construction of Capital Project H057-19; and further

RESOLVED, That the term of said contract shall commence on October 28, 2022, and terminate on October 27, 2023; 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 for a total project budget of One Million Two Hundred Seventy Nine Thousand Dollars (\$1,279,000.00); 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. 631-2022
CAPITAL PROJECT NO. H068-20
AUTHORIZATION TO AMEND CONTRACT WITH
LECHASE CONSTRUCTION SERVICES, LLC FOR
CONSTRUCTION MANAGEMENT SERVICES AND BUDGET TRANSFER
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, Resolution No. 407-2020 hired LeChase Construction Services LLC (LeChase) to provide construction management services for said project; and

WHEREAS, During the course of construction, LeChase has been able to significantly reduce the number of hours spent by the Project Manager from their original proposal; and

WHEREAS, LeChase has proposed to reduce the amount of their contract for this work by Thirty Four Thousand Dollars as reflected in their letter dated September 20, 2022, a copy of which is on file with the Clerk of this Board; and

WHEREAS, Resolution No. 191-2021 awarded bids and authorized contracts for the construction of the Nursing Expansion at FLCC; and

WHEREAS, The reduction in the LeChase contract is needed to fund the last change order to close out all of the construction contracts for said Nursing Expansion at FLCC; and

WHEREAS, The Public Works Committee and the Ways and Means Committee recommend adoption of this resolution; now, therefore, be it

RESOLVED, That subject to approval of the County Attorney as to form, the proposal dated September 20, 2022 from LeChase Construction Services LLC to reduce the cost of their contract for the FLCC Nursing Expansion Project by Thirty Four Thousand Dollars (\$34,000.00) is hereby accepted and the County Administrator be, and hereby is, authorized and empowered to execute a contract amendment with said firm bringing their contract total to Four Hundred Seventy Thousand Seven Hundred Fifteen Dollars (\$470,715.00); and further

RESOLVED, That the budget of Capital Project H068-20 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH06820 52100	Furniture & Furnishings	\$280,000.00	\$ 0.00	\$280,000.00
HHH06820 52300	Equipment, Computer	\$220,000.00	\$ 0.00	\$220,000.00
HHH06820 54053	Construction Tests/Inspections	\$20,000.00	\$ 0.00	\$20,000.00
HHH06820 54260	Consultation & Professional	\$504,715.00	-\$33,950.00	\$470,765.00
HHH06820 54444	Financing of Debt	\$82,122.00	\$ 0.00	\$82,122.00
HHH06820 54491	General Construction	\$3,872,486. 23	\$ 0.00	\$3,872,486. 23

HHH06820 54493	Electric Work	\$498,099.03	+ \$ 33,950.00	\$532,049.03
HHH06820 54494	Plumbing Work	\$573,169.00	\$ 0.00	\$573,169.00
HHH06820 54495	Architectural/Engineeri ng	\$ 523,000.00	\$ 0.00	\$ 523,000.00
HHH06820 54498	Asbestos and Related Testing	\$2,000.00	\$ 0.00	\$2,000.00
HHH06820 54521	HVAC	\$626,744.60	\$ 0.00	\$626,744.60
HHH06820 54731	Contingency	\$17,142.00	\$ 0.00	\$17,142.00
HHH06820 54743	Change Order Contingency	\$7,800.14	\$ 0.00	\$7,800.14
HHH06820 54865	Administration	\$5,000.00	\$ 0.00	\$5,000.00
Revenues:				
HHH06820 42397	FLCC Revenue	\$7,200.00	\$0.00	\$7,200.00
HHH06820 42705	Gifts and Donations	\$750,000.00	\$0.00	\$750,000.00
HHH06820 43297	State Aid	\$3,575,078. 00	\$0.00	\$3,575,078. 00
HHH06820 45710	Serial Bonds	\$2,900,000. 00	\$0.00	\$2,900,000. 00

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, LeChase Construction Services, LLC, and the President of Finger Lakes Community College.

**RESOLUTION NO. 632-2022
AUTHORIZATION TO CONTRACT FOR
ONTARIO COUNTY ENERGY EFFICIENCY STUDY**

WHEREAS, Ontario County wishes to conduct a study of energy efficiency and usage across County buildings and identify opportunities for construction of photovoltaic (solar) generation facilities; and

WHEREAS, The New York State Energy Research and Development Authority (NYSERDA) offers 50% funding of such studies through its Flexible Technical Assistance Program (aka "FlexTech") and provides a list of consultants eligible to provide services under this program; and

WHEREAS, Wendel Energy Services, LLC. (Wendel), a firm eligible to provide consultant services under NYSEDA's FlexTech program, has submitted a proposal

dated September 19, 2022 to perform an energy efficiency study including evaluating the need and possible location for solar facilities on County buildings and properties for a fee of One Hundred Seventy Six Thousand Eight Hundred Dollars (\$176,800.00), a copy of which is on file with the Clerk of this Board; and

WHEREAS, Said NYSEERDA Flex Tech Program is not a reimbursement grant, meaning NYSEERDA would pay 50% of the cost of said study directly to Wendel leaving the County cost not to exceed Eighty-Eight Thousand Four Hundred Dollars (\$88,400.00); and

WHEREAS, The County’s American Rescue Plan Act (ARPA) steering committee has recommended the use of ARPA funds to cover the costs of this effort; and

WHEREAS, The Public Works, Planning and Research, and Ways and Means Committees have reviewed and recommend approval of this resolution; now, therefore, be it

RESOLVED, The following budget transfer is hereby authorized:

AA1340AR 4089	Federal Aid - ARPA	+ \$ 88,400.00
AA1340AR 54260	Consultation & Professional	+ \$ 88,400.00

and further

RESOLVED, Upon approval of the County Attorney as to form, the Ontario County Board of Supervisors accepts the proposal dated September 19, 2022 from Wendel Energy Services, LLC., 375 Essjay Road, Buffalo, NY 14221 in the amount of One Hundred Seventy Six Thousand Eight Hundred Dollars (\$176,800.00) on file with the Clerk of this Board, with the County paying an amount not to exceed Eighty Eight Thousand Four Hundred Dollars (\$88,400.00) for the completion of the Ontario County Energy Efficiency Study and hereby authorizes and empowers the County Administrator to execute a contract with said firm for said amount and execute any other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the term of this contract shall commence on October 28, 2022 and end on September 30, 2023; and further

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

RESOLVED, That the County Administrator is hereby designated as being administratively in charge of this project; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of the Board of Supervisors to Wendel Energy Services, LLC.

**RESOLUTION NO. 633-2022
ESTABLISH CAPITAL PROJECT NO. H088-22
COURTHOUSE IMPROVEMENTS**

WHEREAS, The 2022 Capital Improvement Plan includes the following projects for the Ontario County Courthouse:

CIP Project Description	CIP Project Number	Tax Levy
Dome Restoration & Lighting	B01-16	\$12,008
Exterior Lighting – Building	B02-16	\$73,646
Staircase	B02-17	\$17,611
Public Bathroom Renovations	B03-17	\$24,015
HVAC Improvements – Basement	B04-17	\$70,000
Strobes/Horns Building Wide	B01-19	\$38,824
Total		\$236,104

and

WHEREAS, Public Works staff recommends transferring said funds to a capital project; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby establishes Capital Project No. H088-22, Courthouse Improvements; and further

RESOLVED, That the following budget transfer is approved:

Line	Description	Change
AA162099 54031	B&G CIP – Renovations	-\$236,104.00
AA995099 59000	Transfer to Capital Project	+\$236,104.00

and further

RESOLVED, That the Capital Project budget be, and hereby is, established as follows:

Appropriations:		
HHH08822 54731	Contingency	\$236,104.00
Revenue:		
HHH08822 45031	Interfund Transfers	\$236,104.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this Resolution for a total project budget of Two Hundred Thirty-Six Thousand One Hundred Four Dollars and Zero Cents (\$236,104.00); and further

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

**RESOLUTION NO. 634-2022
CAPITAL PROJECT NO. H087-22
COUNTY ROAD 25 REHABILITATION PROJECT
AWARD CONTRACT TO GEOSTABILIZATION INTERNATIONAL LLC**

WHEREAS, Resolution No. 586-2022 created Capital Project No. H087-22, County Road 25 Rehabilitation; and

WHEREAS, County engineering staff are advancing the design of the Project; and

WHEREAS, The embankment stabilization portion of the Project needs to be done in advance of the primary highway construction work scheduled for 2023; and

WHEREAS, Highway engineering staff has obtained a quote from Geostabilization International LLC (GSI) in the amount of \$584,057.03 for the embankment stabilization work in accordance with Delaware County’s Slope Stabilization -Soil proposal No. 31-22; and

WHEREAS, The embankment stabilization portion of the Project is estimated to cost \$627,861.31 which includes a 7.5% construction contract contingency of \$43,804.28; and

WHEREAS, Resolution No. 586-2022 transferred \$200,000 into the project and budgeted \$20,350 for tree removal; and

WHEREAS, There are sufficient 2022 CHIPS funds to cover the balance of \$450,211.31 needed for this contract; and

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

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

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH08722 54491	General Construction	\$20,350.00	+\$627,861.31	\$648,211.31
HHH08722 54865	Administration	\$2,000.00	\$0.00	\$2,000.00
HHH08722 54731	Contingency	\$177,650.00	\$177,650.00	\$0.00
Revenue:				
HHH08722 45031	Interfund Transfers	\$200,000.00	+\$450,211.31	\$650,211.31

and further

RESOLVED, That upon review and approval of the County Attorney as to form, this Board hereby authorizes a contract with GSI to complete said embankment repairs in

accordance with rates bid under Delaware County's Slope Stabilization -Soil proposal No. 31-22 for a cost not to exceed \$584,057.03; and further

RESOLVED, That the contract shall start October 28, 2022 and expire May 31, 2023; and further

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

RESOLVED, That the County Administrator is authorized to execute the contract with GSI and any other documentation necessary to effectuate the purpose of this resolution; and further

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

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

RESOLUTION NO. 635-2022
CAPITAL PROJECT NO. H069-20
REPLACEMENT OF TILEYARD ROAD BRIDGE
PAYMENT FOR PURCHASE OF EASEMENT
DEPARTMENT OF PUBLIC WORKS

WHEREAS, A project for the Replacement of Tileyard Road Bridge, Town of Gorham, Ontario County, P.I.N. 4ON0.06 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such safety projects to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, Resolution No. 375-2020 created Capital Project No. H069-20, Replacement of Tileyard Road Bridge, authorized the acceptance of the New York State Revenue Contract for the Preliminary Engineering, Detailed Design, and Right-of-Way Incidentals Phase for the Project, and awarded a contract to Popli Architecture & Engineering & LS DPC for design; and

WHEREAS, Resolution No. 649-2021 authorized the acceptance of Supplemental Agreement #1 which added Marchiselli funding for the design phase of the project; and

WHEREAS, Resolution No. 62-2022 authorized the acceptance of Supplemental Agreement #2 which provided additional funding for the Right-of-Way phase of the project; and

WHEREAS, Popli Architecture & Engineering & LS DPC has nearly completed the right-of-way incidental services; and

WHEREAS, Acquisition of easement is necessary for the continuation of said project; and

WHEREAS, Just compensation to property owners is established through formal property appraisals to arrive at the initial offer amounts; and

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

Map & Parcel No.	Est. Easement Cost
Map 1-Parcel 1-PE	\$700
Map 2-Parcel 1-PE	\$500
Map 3-Parcel 1-PE	\$500
Map 4-Parcel 1-PE	\$3,000

and

WHEREAS, Estimated easement cost for said project is \$4,700; and

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

WHEREAS, Estimated budget for said property acquisition is \$10,000 which includes a contingency of \$5,300; and

WHEREAS, Sufficient monies exist within the Capital Project No. H069-20, for said expenditures; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby approves the purchase of said easements for a total cost not to exceed \$10,000; and further

RESOLVED, That the budget of Capital Project No. H069-20 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH06920 54495	Engineering	\$265,000.00	-\$10,000.00	\$255,000.00
HHH06920 54820	Land Acquisition	\$0.00	+\$10,000.00	\$10,000.00
HHH06920 54865	Administration	\$2,000.00		\$2,000.00
HHH06920 54731	Contingency	\$81,000.00		\$81,100.00
Revenue:				
HHH06920 43089	State Aid	\$41,100.00		\$41,100.00
HHH06920 44597	Federal Aid	\$246,600.00		\$245,600.00

HHH06920 45031	Interfund Transfer	\$61,400.00		\$61,400.00
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and further

RESOLVED, That the Department of Finance is hereby authorized and directed to make any and all budgetary and accounting entries to affect 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 as to form; and further

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

**RESOLUTION NO. 636-2022
CAPITAL PROJECT NO. H077-21
COUNTY ROAD 4 AT COUNTY ROAD 20 INTERSECTION IMPROVEMENTS
PURCHASE OF EASEMENTS**

WHEREAS, A project for the County Road 4 at County Road 20 Intersection Improvements, Town of Seneca, Ontario County, P.I.N. 4ON0.05 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such safety project to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 159-2021 created Capital Project No. H077-21, County Road 4 at County Road 20 Intersection Improvements and authorized an agreement with Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, for Preliminary Engineering and ROW Incidentals (PE-ROWI) services for a cost not to exceed \$192,230; and

WHEREAS, Resolution No. 532-2021 authorized a contract amendment with Bergmann Associates for additional archeological studies in the amount of \$9,901, which increased the total PE-ROWI budget to \$202,131; and

WHEREAS, Resolution No. 305-2022 authorized the execution of an amended agreement with Bergmann Associates, 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 \$166,900 for a total amended contract price not to exceed \$369,031; and

WHEREAS, Resolution No. 305-2022 established an initial budget of \$23,000 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, Bergmann Associates has completed the right-of-way incidental services and determined that three (3) permanent easements (Maps PE02, PE04 & PE06) and three (3) temporary easements (Maps TE01, TE03, TE05) are required from a single property owner; and

WHEREAS, Just compensation to the property owner was established through formal property appraisals to arrive at an initial offer of \$8,800; and

WHEREAS, Acquisition of easement is necessary for the continuation of said project; and

WHEREAS, The Public Works Committee recommends the purchase of the required easements; and

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

WHEREAS, The budget for said property acquisition is \$23,000 which allows for a contingency of \$14,200; and

WHEREAS, Sufficient monies exist within Land Acquisition line of Capital Project No. H077-21, HHH07721 54820, for said expenditures; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby approves the purchase of said easements (TE01, PE02, TE03, PE04, TE05 & PE06) for a total cost not to exceed \$23,000; and further

RESOLVED, That the Department of Finance is hereby authorized and directed to make any and all budgetary and accounting entries to affect 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 as to form; and further

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

**RESOLUTION NO. 637-2022
AWARD OF BID (B22065) TO ELMER W. DAVIS INC
70-74 ONTARIO ROOF REPLACEMENTS**

WHEREAS, The Purchasing Department solicited bids (B22065) for the 70-74 Ontario Roof Replacements project and found the apparent low, responsible, responsive bidder for this project to be Elmer W. Davis Inc with a bid price of \$45,646.00; and

WHEREAS, With a 7.5% project contingency of \$3,423.45 the total project cost is estimated to be \$49,069.45; and

WHEREAS, The 2022 Capital Improvement Plan includes funding for 70 & 74 Ontario Inverted Roofs (CIP Project # B08-11); and

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

RESOLVED, That the Ontario County Board of Supervisors hereby awards the bid for the 70-74 Ontario Roof Replacements project (B22065) to Elmer W. Davis Inc, 1217 Clifford Avenue, Rochester, NY 14621 for a cost of \$45,646.00 per the bid tabulation sheet on file with the Clerk of the Board; and further

RESOLVED, That the Commissioner of Public Works is authorized, to make necessary adjustments and to initiate field changes to complete the proposed work, within the fund limits of the contract's contingency, and to report such use of the contract contingency to the Public Works Committee and to the Finance Office; and further

RESOLVED, That the Commissioner of Public Works, prior to authorizing a single work item financed with the project's contingency that exceeds \$7,500, shall request review by the Public Works Chairperson, and if by review, the Committee Chairperson determines such field change is critical to the timely progression of the project, the Chairperson, at their discretion, will approve said change; 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 adjustments or change orders to the original contract within the limits agreed to in this resolution, subject to review and approval by the Office of the County Attorney; and further

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

RESOLVED, That nothing herein shall be construed as having transferred to any officer or employee of the County any power of the Board of Supervisors, which retains

absolute authority to discontinue by majority of the weighted vote any action taken without prior authorization of the Board; and further

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

**RESOLUTION NO. 638-2022
RENEWAL OF QUOTE (Q21084) FOR LEASE OF COUNTY PROPERTY**

WHEREAS, Resolution No. 588-2021 awarded quote (Q21084) for lease of county property to Mike Goodman Farms; and

WHEREAS, Mike Goodman Farms has agreed to renew the existing lease for an additional 12 months; and

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

RESOLVED, That the renewal of this lease be made to Mike Goodman Farms, 2987 Algerine Street, Stanley, New York 14561 at a rate of \$1,800/yr; and further

RESOLVED, That said lease renewal shall be effective starting on January 1, 2023 and ending on December 31, 2023; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mike Goodman Farms.

The foregoing block of ten resolutions was adopted.

Supervisor David Baker offered the following resolution and moved for its adoption, seconded by Supervisor James Kennedy:

**RESOLUTION NO. 639-2022
AUTHORIZING CONTRACT WITH BONADIO & CO., LLP FOR
FORENSIC AUDIT SERVICES AND AUTHORIZING BUDGET TRANSFER
TO COVER ASSOCIATED COSTS**

WHEREAS, It was recently discovered that there were fraudulent charges made against a financial account controlled by Ontario County; and

WHEREAS, As part of the investigation into these activities, it was recommended that the County engage a qualified firm to conduct a forensic audit of this account and the internal controls and procedures governing its administration; and

WHEREAS, Bonadio & Co. LLP of Pittsford, New York was selected to conduct these forensic audit activities; and

WHEREAS, It has subsequently come to the attention of the County that there are other accounts within the County that are similarly outside the normal internal audit and other internal control provisions in place for other financial accounts; and

WHEREAS, In order to ensure the security and integrity of these other financial accounts, the Ways and Means Committee has recommended conducting similar forensic audit and internal control and protocol review for these, and any other subsequently discovered accounts that meet these criteria; and

WHEREAS, Payments for these services will be made from the County Attorney’s budget; and

WHEREAS, There are currently insufficient appropriations available to cover these expected costs; now, therefore, be it

RESOLVED, The County Attorney is hereby authorized to execute a contract with Bonadio & Co. LLP of Pittsford, New York for the provision of forensic audit and internal control and protocol review services for any and all accounts in existence that are known, or are made to be known, to fall outside the normal internal audit and control structure implemented by the Finance Department; and further be it

RESOLVED, The Finance Department is hereby authorized to make the following budget transfer to provide for adequate appropriations to fund the services outlined above:

Increase Appropriation:		
AA1420.54270	Service Contracts	\$16,000.00
Decrease Appropriation:		
AA1340.54731	Contingency	\$16,000.00

and further be it

RESOLVED, The County Attorney and the Director of Finance are hereby authorized to execute any and all documents and accounting entries required to carry out the intent of this resolution.

Adopted.

Supervisor David Baker offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Robert Green:

**RESOLUTION NO. 640-2022
AMENDED CREATE COUNTY POLICE OFFICER POSITION TO
SERVE AS SCHOOL RESOURCE OFFICER FOR
MIDLAKES SCHOOL DISTRICT**

WHEREAS, Sheriff Philip Povero, has filed a New Position Duties Statement with the Department of Human Resources to create a full-time position specifically to act as School

Resource Officer under contract with the Midlakes School District beginning January 1, 2023; and

WHEREAS, The position has been classified as County Police Officer according to POCC # 79-2022; and

WHEREAS, The Midlakes School District currently participates in the County's School Resource Officer Program with a part-time County Police Officer position; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee have reviewed and recommend the creation of a County Police Officer position to serve as a full-time School Resource Officer for the Midlakes School District beginning January 1, 2023; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby create a full-time position of County Police Officer, effective immediately but subject to the Midlakes School District entering into a contract for participation in the School Resource Officer Program with a full-time position beginning January 1, 2023 and fully funding said position; and further

RESOLVED, That the vacancy of this new position is authorized to be filled immediately with the understanding that the candidate will be placed on a leave of absence until 2023; and further be it

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

RESOLVED, That the creation and continuation of this position is subject to the Midlakes School District continuing to participate in the County's School Resource Officer Program for a full-time County Police Officer position and the position shall be abolished at such time as funding from the school district is no longer available.

RESOLUTION NO. 641-2022
SALARY ADJUSTMENT – FRANK SNYDER

WHEREAS, Mr. William Wright, Commissioner of Public Works, has recommended a step adjustment for Mr. Frank Snyder, Building Maintenance Assistant (Grade A06), from Step 1 (\$18.04/hr.) to Step 3 (\$21.24/hr.) based on his years of experience; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee have reviewed and approved the step adjustment for Mr. Frank Snyder, effective upon his date of appointment; and

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

RESOLVED, That the rate of pay for Frank Snyder, Building Maintenance Assistant, be set at Grade A06, Step 3 (\$21.24/hour), effective upon his date of appointment; and further

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

**RESOLUTION NO. 642-2022
AMEND SALARIES FOR MANAGERIAL/CONFIDENTIAL PERSONNEL FOR
2023 MANAGEMENT COMPENSATION PLAN**

WHEREAS, The Board of Supervisors by Resolution 484-2022 adopted the 2023 Management Compensation Plan (the Plan) for Full-Time Managerial/Confidential Personnel at its meeting on August 4, 2022; and

WHEREAS, The adopted 2023 Management Compensation Plan did not include step increases at Band MA for the Psychiatrist position; and

WHEREAS, The Ways and Means Committee has reviewed and recommends that the Plan be amended to include step increases in Band MA and the Amended Plan be adopted; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby amend and adopt the salary and step schedules entitled, “Amended 2023 Management Compensation Plan” for Salaried, Exempt and Non-Exempt Employees, which is hereto annexed and made a part of this resolution, effective January 1, 2023; and be it further

RESOLVED, That all Ontario County full-time managerial/confidential employees who are employed as of December 17, 2022 shall receive a one-time payment of \$5000 in the first pay period of 2023 as a retention payment.

Amended - 2023 Management Compensation Plan - Salaried - Exempt - 5%
in 2023

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Band 0	159,600	162,066	164,537	167,001	169,471	171,940	175,230	178,519
Band 1	145,615	148,079	150,546	153,018	155,485	157,952	161,246	164,537
Band 2	131,627	134,095	136,566	139,032	141,501	143,969	147,258	150,546
Band 3	122,579	125,046	127,512	129,982	132,450	134,919	138,210	141,501
Band 4	113,164	115,485	117,803	120,124	122,693	124,764	127,249	

REGULAR MEETING

Band 5	108,366	110,684	113,008	115,325	117,648	119,967	122,454
Band 6	100,898	103,218	105,540	107,860	110,180	112,501	114,988
Band 7	93,497	96,180	98,863	101,550	104,230	106,915	
Band 8	86,789	89,304	91,820	94,337	96,853	99,365	Eligible for Longevity
Band 9	80,079	82,509	84,942	87,375	89,807	92,238	Eligible for Longevity
Band 10	76,023	78,252	80,483	82,714	84,942	87,171	Eligible for Longevity
Band 11	61,566	64,680	65,970	67,302	69,308	72,450	Eligible for Longevity
Band 12	59,316	61,671	63,533	66,093	67,424	71,130	Eligible for Longevity
Band MA	250,000	255,003	258,828	262,711	265,994	268,654	271,341 274,054

Band 0	County Administrator
Band 1	County Attorney; Public Defender; Conflict Defender
Band 2	Director of Finance; Director of Human Resources
Band 3	Comm. of Public Works; Chief Information Officer; Deputy County Administrator; Director of Community Mental Health Services; Commissioner of Social Services
Band 4	Asst. County Attorney McFadden; Asst. District Attorney Eggleston; Asst. Public Defender Walsh; Asst. Conflict Defender Chambers; Director of Community Public Health Services; Economic Developer
Band 5	Manager of Financial Operations; Undersheriff; Asst. County Attorney; Asst. District Attorney; Asst. Public Defender; Asst. Conflict Defender; Supervising Psychologist; Director of Planning; Dep Comm. of Social Services; Dep Comm. of Public Works; Dep Director of Human Resources; Chief Deputy; Deputy Director of Sustainability and Solid Waste; Deputy Dir. of Mental Health
Band 6	Professional Engineer; Economic Development Specialist; Chief Dispatcher; Chief Corrections Officer
Band 7	Dir. of Real Property Tax Services; Dir. of Emergency Mgmt. Services; Probation Director II, Sr. Fiscal manager; Sr. human Resource Analyst; Manager of Audit and Financial Projects
Band 8	Dir. of Office for the Aging; Purchasing Director; Supervisor, Bureau of Buildings & Grounds; Supervisor, Bureau of Highways; Supervisor, Bureau of Wastewater management; Manger of Strategic Assets; Compliance Investigator Associate Level Attorney (licensed); Nursing Director (Corr. Facility); Dir. of Preventive Health Services
Band 9	Supervising Social Worker; Director of Veterans' Services
Band 10	Director of Weights & Measures II; Deputy County Clerk; Director of Youth Bureau; Director of Children with Special Needs; Human Resource Analyst; Elections Commissioners; Records Management Officer; Clerk to the Board of Supervisors; Deputy Director of Real Property Tax Services; Assistant Purchasing Director
Band 11	Confidential Secretary to the County Administrator; Associate Level Attorney (not licensed)

Band 12	Deputy Clerk to the Board of Supervisors; Conf. Secretary to the County Attorney; Conf. Secretary to the District Attorney; Conf. Secretary to the Sheriff; Deputy Comm. of Elections; Conf. Secretary to the Public Defender; Conf. Secretary to the Conflict Defender
Band MA	Psychiatrist

2023 Management Compensation Plan for Salaried-NonExempt Positions

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	
Sal-NonEx 9	72,420	75,327	77,579	78,750	79,958	82,863	Eligible for Longevity
Sal-NonEx 10	70,188	72,298	73,731	75,204	76,720	79,013	Eligible for Longevity
Sal-NonEx 11	61,566	64,680	65,970	67,302	69,308	72,450	Eligible for Longevity
Sal-NonEx 12	59,316	61,671	63,533	66,093	67,424	71,130	Eligible for Longevity
Sal-NonEx 13	51,268	53,337	54,934	57,145	58,292	61,507	Eligible for Longevity

Sal-NonEx 9	(This salary used as an exempt salary for Human Resource Analyst Trainee)
Sal-NonEx 10	Sr. Investigator (Public Defender)
Sal-NonEx 11	Paralegal Specialist (SS); Investigator (Public Defender); Investigator (DA)
Sal-NonEx 12	Sec. to the Director of Human Resources; Sec. to the Comm. of Social Services; Secretary to the Director of Finance
Sal-NonEx 13	

*NOTE: Positions that are filled or are only authorized to work half-time hours, or less, per year shall be paid an hourly rate determined by dividing the corresponding full-time salary by 1950 hours and the position shall be treated as a part-time hourly position with salary established by Resolution for such positions and the employee shall be paid on an hourly basis. The appropriate hourly rates for the salary non-exempt grades are set forth in the below chart. Other part-time positions will be determined by HR. Other benefits will be provided in the same manner as the part-time/hourly personnel consistent with the CSEA General Unit.

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	
PT hrly NonEx 9	\$37.14	\$38.63	\$39.78	\$40.38	\$41.00	\$42.13	Eligible for Longevity
PT hrly NonEx 10	\$35.99	\$37.08	\$37.81	\$38.57	\$39.34	\$40.52	Eligible for Longevity
PT hrly NonEx 11	\$31.57	\$33.17	\$33.83	\$34.51	\$35.54	\$37.15	Eligible for Longevity
PT hrly NonEx 12	\$30.42	\$31.63	\$32.58	\$33.89	\$34.58	\$36.48	Eligible for Longevity
PT hrly NonEx 13	\$26.29	\$27.35	\$28.17	\$29.31	\$29.89	\$31.54	Eligible for Longevity

**RESOLUTION NO. 643-2022
2023 SALARY FOR COUNTY HISTORIAN**

WHEREAS, There is currently one part-time salaried employee of Ontario County who is not represented by an employee organization under the Taylor Law, and whose salary has not been or will not be fixed under an employment contract between the County and an employee organization; and

WHEREAS, The Ways and Means Committee recommends that the County Historian salary be increased in 2023 to \$19,177; now, therefore, be it

RESOLVED, That the Board of Supervisors establishes the 2023 salary for the County Historian at \$19,177, to be effective January 1, 2023; and further

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

The foregoing block of four resolutions was adopted.

Supervisor David Baker offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Daniel Marshall:

**RESOLUTION NO. 644-2022
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
THE TENTATIVE BUDGET FOR
THE FISCAL YEAR BEGINNING JANUARY 1, 2023**

WHEREAS, There has been presented to this Board of Supervisors, and on file with the Clerk of this Board of Supervisors, the tentative budget of the County of Ontario for the fiscal year beginning January 1, 2023; now, therefore, be it

RESOLVED, That a public hearing shall be held on November 17, 2022, at 6:30 p.m. at the Supervisors' Chambers, 74 Ontario Street, City of Canandaigua, Canandaigua, New York, at which time all persons may be heard concerning said budget; and further

RESOLVED, That pursuant to Section 359 of the County Law of the State of New York, notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of said County Court House and by publishing such notice at least once in the official newspapers of the County; said notice to contain, among other things, the maximum salaries that may be fixed and payable during said fiscal year to member of said Board of Supervisors and to the Chairman thereof, respectively.

**RESOLUTION NO. 645-2022
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
PROPOSED CAPITAL IMPROVEMENT PLAN**

WHEREAS, That the County Administrator has submitted to the County Board of Supervisors and filed with the Clerk of this Board of Supervisors a proposed Capital Improvement Plan 2023 – 2028; now, therefore, be it

RESOLVED, That a public hearing on said Capital Improvement Plan shall be held on November 17, 2022, at 6:30 p.m. at the Supervisors’ Chambers, 74 Ontario Street, City of Canandaigua, Canandaigua, New York, at which time all persons may be heard concerning said Capital Improvement Plan; and further

RESOLVED, That at least ten days’ notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of said County Court House, and by publishing such notice at least once in the official newspapers of the County.

**RESOLUTION NO. 646-2022
TRANSFER OF FUNDS – 2022 COUNTY BUDGET
SHERIFF, DPW AND IT**

WHEREAS, Budget Transfer Request Forms have been received by the Ways and Means Committee after being reviewed and approved by the appropriate standing committee overseeing each department; and

WHEREAS, The Ways and Means Committee has reviewed and approved the following transfers; now, therefore, be it

RESOLVED, That the following transfers be made:

2022 Budget	EXPENSES	REVENUES	NET DIFFERENC E
SHERIFF - ROAD PATROL			
Lease Agreements	AA311099 54332		122,318.10
Appropriated Fund Balance		AA30599	122,318.10
SHERIFF - FLEET			
Equipment - Automotive	AA311099 52200		188,533.60
Equipment - Automotive	AA311099 52200		269,451.91
Equipment - Automotive	AA311099 52200		146,884.12
Appropriated Fund Balance		AA30599	604,869.63
FUEL ISLAND			
Maint/Repair Operating Equip	AAR102 54520		5,000.00

App Reserve - Fuel Island		AA30511 BR102	5,000.00
BUILDING AND GROUNDS			
Equipment - Building & Maint	AA1620 52450		5,750.00
Electricity	AA1620 54056		-5,750.00
AMERICAN RESCUE PLAN			
Consult and Professional	AA1340AR 54260		325,496.88
Federal Aid Other		AA1340AR 44089	325,496.88

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.

The foregoing block of three resolutions was adopted.

At the request of Supervisor Peter Ingalsbe, 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 item at this meeting.

Supervisor Peter Ingalsbe offered the following resolution and moved for its adoption, seconded by Supervisor David Phillips:

**RESOLUTION NO. 647-2022
AUTHORIZATION TO ORDER VEHICLES**

WHEREAS, Two new positions have been approved for the Sheriff Department for 2023; and

WHEREAS, Due to the current unpredictable conditions associated with ordering vehicles, the Commissioner of Public Works requests authority to place the order for (2) patrol sedans for said new positions for a budget not to exceed \$76,986.26; and

WHEREAS, The funding for these vehicles will remain in the 2023 proposed budget so they can be returned to fund balance; and

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

RESOLVED, The Commissioner of Public Works and his designee are authorized to order (2) additional patrol cars for the (2) new positions approved for the Sheriff department for 2023 for a budget not to exceed \$76,986.26; and further

RESOLVED, The following budget transfer is hereby approved:

AA3110 52200	Equipment – Automotive	+ \$76,986.26
AA 30599	Appropriated Fund Balance	+ \$76,986.26

and further

RESOLVED, Funds will remain in the 2023 proposed budget and will be returned to fund balance; and further

RESOLVED, The Department of Finance is hereby directed to make the necessary budgetary and accounting entries to affect the intent of this resolution.

Adopted.

On motion of Supervisor Todd Campbell, seconded by Supervisor David Baker, the meeting was adjourned at 7:05 pm.

Draft