

March 7, 2019

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:30 p.m. at the Ontario County Safety Training Facility, 2914 County Road 48 in the Town of Hopewell, with Chair Marren presiding.

The Pledge of Allegiance was led by Supervisor Lightfoote.

Upon roll call, all Members of the Board were present with the exception of Supervisors Bendzlowicz, and Ingalsbe, who were declared necessarily absent.

Minutes of the preceding session were approved without being read by motion of Supervisor Vedora, seconded by Supervisor Singer and carried.

A Public Hearing regarding Local Law No.1 (Intro.) of 2019 entitled, "A Local Law to Allow the Appointment of Alternate Members to the Ontario County Planning Board" was called to order at 6:31 p.m. with Chairman Marren presiding.

As no one wished to speak, the Public Hearing was closed at 6:32 pm.

Supervisor Tammie Hicks gave a brief report on what is going on in the Town of Naples:

- There is a Capital Project for a Waste Water Treatment Project that is going on in the village. The town is supporting this in every way they can. The initial project will serve Main Street; it is a modular treatment facility that can be added on as the system expands. It is using treatment that utilizes algae to treat the effluent. It is rather innovative; they are looking forward to starting soon. They have a couple more easements to get. The easements that are remaining are from corporate entities and religious institutions.
- The other CP is a water distribution upgrades. The town and village are working together on this as well. They had to form a water district which has been many decades in need. The Department of Health has encouraged them to do this. The biggest benefit that they have seen so far is that they could apply for funding separately. They did get a grant of over a half a million dollars on the town side. Working with the village, they will be implementing the project at the same time.
- They have a number of shared services: the Highway and the Public Works Department share management and oversight. They get better efficiency that way. They coordinate projects, workload and equipment use.
- In the town, in 2017, they bonded out \$600K to rebuild six roads in the Town of Naples. At that time the interest rate was low and the rate of materials was still low, so they did well on that project.
- They share code enforcement personnel with the village. This works especially well, since the Planning and Zoning Boards of Appeals have merged. They have one town and village planning board and one town and village Board of Appeals. They are working together with a holistic approach, updating the zoning in their gateway districts. They will have the recommendations with the help of County Planning this summer.
- They have gotten recent additions to the Naples business community. Hollerhorn Distillery on County Rd 36; they have already gained an impressive following. They also have Naples Valley Bar B-Que restaurant located in the village and Flint Creek Soap currently located in the village, but they are planning to build a significant facility just north of the village.

- The village and town have worked together on IT Equipment and Services. They recently purchased a server and are working on tying in all the pieces so that all applications are the same instead of a “hodge podge” of applications.
- They are looking at historic preservation. They received a grant and with the help of County Planning to do a cultural resource inventory. It will be the village and portions of the town. The Landmark Society has been contracted to conduct the inventory. They are taking photos and documenting their historic assets and will help with planning in the future.
- The town recently sold a park that was under-utilized. It was a 5 acre parcel. It is being reinvested back into the Naples Community Park. The park is well utilized; the school uses fields at the park for sports.

Mary Krause announced, with pleasure, that Holly Adams will be a recipient of Women Making America Award from WCNY on March 8, 2019. The Makers Award is awarded each year to member women in the community of an eleven county region that WCNY is broadcast in. In making the nomination, it was pointed out Ms. Adams expertise in child advocacy and the difficult work she has taken on for years to support children in cases of abuse and neglect in our child welfare cases and her support of other staff, attorneys, and case workers. She will be awarded as a child advocate but also for her public service as a Justice in the Village of Clifton Springs and the first female County Attorney.

Supervisor Singer requested privilege of the floor for Shelly Sayward, from Casella Management regarding the landfill status update. Ms. Sayward began by thanking the Board for the opportunity to be there. Also with her was Dennis Pantano, Regional Vice President, Mark Clinker, General Manager and Amy Dill, Environmental Engineer. She said she will share some of the challenges they have had over the last year and the way they are tackling those challenges. Their goal in 2019 is to rebuild trust and to ensure that the Ontario County Landfill Facility is the most permits compliant, environmentally sound landfill in the state of New York. They understand that it is important for the facility to fit in with the communities and not the other way around. They believe they have implemented a proactive approach to handling landfill related issues which she will share.

First, management changes; they understood last year they needed to make a management change and they firmly believe that Mark Clinker, General Manager, Wally Klinessmith, Operations Manager, and Amy Dill, Environmental Engineer have faced the operational and environmental challenges that are at the facility with a sense of urgency and they understand they are accountable for what happens at the site every day. There is very frequent communication between their management team and the Ontario County Sustainability and Solid Waste Management Department, the Planning Department, as well as Department of Environmental Conservation (DEC) personnel. Ms. Sayward said that Ontario County is also their top priority in Rutland, Vermont, which is where she is based. John Casella has been here a number of times over the last few months. He has made personal visits at three odor complaints last month as well. He is actively involved in setting a course for this scope of work for their gas and odor consultants. He has been on site the last two months and will remain fully engaged as they implement new best management practices around gas and odor management as well as decisions around bio solid management.

Secondly, construction and landfill gas management, as you may be aware the company received a notice of violation from the DEC last month as it pertains to gas well installation on the site. At the current elevation, the company installed eight of the sixteen

horizontal collector wells that were referenced in a plan submitted to the DEC. The horizontal wells were not installed for a number of reasons; including water saturation in that area of the landfill. They believed it could render those horizontal wells inoperable, but she said it was not an excuse. In December of 2018, they proactively submitted a plan to DEC to add vertical wells in this impacted cell. They have commissioned a well driller who has installed six vertical wells; they are currently all connected, operational, and are pulling gas this week. A second phase of that project will commence in May where an additional seven vertical wells will be installed in that area of the landfill. Vertical wells are more reliable and accessible for inspection and pumping purposes. However, a mix of both the horizontal and vertical wells is what they consider a best management practice in any type of landfill construction. That is what is in that particular cell of the landfill, both horizontal and vertical wells. The company has recently submitted to the DEC an evaluation of the entire landfill gas collection infrastructure, including engineering drawings that depict the entire landfill gas infrastructure, the wells, the landfill gas transmission lines, the flares, and any reject knockouts. Each of the wells on site have been inspected and rated for flow rate, pressure, temperature and oxygen content. They are monitoring all of the gas collectors every two weeks. As a check and balance for the future, they have added an additional scope for their third party engineering firms to prepare their gas infrastructure drawings. These engineers will be required to review all construction and gas infrastructure being installed and to report in on a monthly basis to ensure they are following the plans that are submitted to DEC. That information will be readily available and shared with the County as well as the DEC.

Another topic that has been frequently discussed within Ontario County is bio solids management or what is also referred to as sludge. The company is going to be providing the County and DEC a volume report monthly that will explain the number of loads, the generator information, and if there are any odorous loads that require special handling. In addition, they are making a commitment to the County that there will be no new contracts for Ontario County sludge deliveries here, until those generators have any odor related issues under control. In addition, they have changed their contracts to allow them to reject sludge loads and terminate those contracts in case of multiple odorous loads. Lastly, for 2019, there will not be more than 15% sludge excepted at the facility as a monthly average.

The final topic Ms. Sayward spoke on was odor management. They understand the odor related issues in Ontario County are two fold; those that are surrounding the site, so leaving the site and those that are coming in on trucks driving through the communities. It was very clear to them, based on last fall's increased odor complaints that something new and different needed to happen where odor management is concerned. She said she just explained their sludge commitment to Ontario County which is a piece of this. There are other steps which are underway and are being implemented with a sense of urgency. They have multiple engineering firms to address odor, including a company by the name of CEC who has been brought in to do a deep dive on their gas infrastructure. A company by the name of Odor Science and Engineering are in the process of performing an analysis of their odor footprint. The footprint will shrink over time as gas infrastructure is enhanced and best management practices are put into place. They are performing a full odor study today to create a baseline. They anticipate that work to be completed within the next few weeks. Ontario County has retained a company by the name of SCS Engineers as a consultant to look at gas management in Ontario County. Casella's consultants will be sharing all of their findings with the County's consultant. Other odor management items that have been implemented; there is an extensive misting system that was installed around the perimeter of the landfill. When the weather was warm enough, that is operating full steam. The company is looking closely at their construction projects; they are working with CEC to see if there are ways in the future that they can design cells

to reduce odor. One thing they are looking at is something called gabion baskets that will be implemented as they drill wells which will allow for control around odor. As they tie a completed cell to another cell, they are looking at creative and impactful ways to tie those landfill cells together to not allow for migrating gas. They have an 800 number in place, that has had challenges but they believe it is a good tool to gauge what is happening with odor compliance. They have retained a company by the name of Towpath Investigative Services. They are a third party. They have extensive experience in tracking odor based by what they have done at a nearby landfill. Their personnel have been trained by odor scientists and they utilize the n-Butanol scale which is the industry standard in determining both type and magnitude of odor. Towpath goes out every morning and every evening after operations and they conduct a perimeter survey looking for odor in addition, they take notes like weather observations. They are investigating all of their hotline complaints. In an effort to simplify complaint management further, they will have a web based platform that people can use either by their phone or computer in the next few weeks. They have asked Ontario County to publicize that on their website. They understand they will have to work hard over the next few months and year to regain trust, and she said they appreciate the opportunity to do so.

Supervisor Baker asked what Shelly Sayward's title was. She said it is Vice President and Assistant General Counsel. Supervisor Baker asked if Casella's latest management team comes from the waste industry. Ms. Sayward replied yes. He asked from what communities they come from. She replied that Mr. Clinker comes from Las Vegas, Nevada. She asked Mr. Clinker to explain about his history. Ms. Sayward said he had not previously managed a Casella site. Mr. Clinker said he had forty years of experience running landfills; he started in Cincinnati, Ohio where he ran three facilities there, he was overseas in Italy where he ran facilities there, he opened a site in California, and he ran 3 or 4 facilities in Louisiana, he was the Director of Operations for Public Services of Fort Lauderdale, and lastly he ran the Apex Landfill in Las Vegas, Nevada. Supervisor Baker explained that one of the reason there is a problem out in the landfill is there is a churn and burn management. The management team since the departure of the originally management aside from Mr. Kelley, has not operated properly. He trusts that Casella has hired the right team this time.

Supervisor Baker asked those Supervisors on the East side of the County if things smell better, do they smell worse over the last three weeks or do they smell the same.

Supervisor Lou Guard responded that Mr. Clinker has been very responsive to him and always follows up on calls. He could not say the smell has gotten better. Mr. Guard asked Ms. Sayward if they would commit to 0% of sludge acceptance at least until the violations are remedied or at least until the smell goes away. Ms. Sayward replied one of the issues with that is they have contractual relationships whereby they have committed to bringing sludge to the facility. That is something she will have to bring back and discuss. She said she would let them know.

Supervisor Venuti said the smell is very bad and had started last fall and it is pretty regular. He does not smell it every day, but it has not gotten better.

Supervisor Bateman noted he lives on 5&20, three or four miles upwind and he and his wife can smell it.

Supervisor Green said he is from the Town of Bristol and said he has had complaints from his citizens; when the wind is from the east, there is a smell.

Supervisor Vedora said the smell has not gotten better in the City of Geneva where he lives in the western part of the city. He said it did get worse last year. He is happy to hear about the sludge; he had been asking about that for six years and it is the first time he has heard a percentage mentioned.

Supervisor Gallahan asked what the timeline was for the “stench” to be under control. Ms. Sayward said she would need to ask the engineering team to reply about that.

Chairman Marren informed Ms. Sayward that he will expect her to report back to the next cycle of the Planning and Environmental Quality Committee the answers to the questions the Board members have asked.

Supervisor Russell asked if the prevention of installing horizontal wells was a temporary issue or a systemic problem that needs to be addressed. Ms. Sayward said when you have a spell of wet weather, it will affect the installation, having them watered in and not as functional as if it were a dry spell, so unfortunately it is a function of what happens with the weather. She said it doesn't really matter; they will have to install them and hope they operate as best as they can. They are looking at installing vertical wells, noting they are easier to manage from a moisture perspective. They are more expensive, but she believes that is what they will end up likely to do, installing more vertical wells.

Supervisor Bateman asked how they determine the sludge loads coming in are odorous. Ms. Sayward responded that they are working with a generator and are not letting loads in that are particularly odorous. She said on March 19th, they are having a training class at the landfill so their team understands how the n-Butanol scale works. They will be specifically trained on those scales to turn away or recognize odorous loads.

Supervisor Baker pointed out, maybe six or seven years ago, they were first starting to have odor problems. The session's room was full with citizens experiencing the odor problem and it was blamed on an exceptionally wet season then. They have had wet seasons since. He does not accept a wet season as an explanation as an excuse. When they first began with Casella, he believed they knew how to run a landfill, he believes they still know how to run a landfill. He trusts that Casella will do what they say, but does not want to hear any more about wet weather that you were unprepared for. That tends to be an excuse, not only here, but in other landfills.

Supervisor Venuti said that what needs to be understood is that the landfill has been growing for the fifteen years and there is another nine plus to go. He said Casella has to look forward to this expansion and plan for the future wells rather than reacting to the present need. Ms. Sayward responded that they are already looking into a five year gas management plan.

Chairman Marren noted Supervisor Guard's request for the reduction in the percentage of sludge and Ms. Sayward's response with the contractual obligation; he asked that Ms. Sayward review the contract and report back to the Committee, County Counsel, or the County Administrator.

Supervisor Guard requested privilege of the floor for Chris Whiteweather, a neighbor of his. Mr. Whiteweather said the landfill has a stink and he had pages and pages of complaints. However, he said that a lot of his complaints were just answered by Ms. Sayward. He said he has been using the hotline number more often, not because of more events but because he had heard there were only 30 calls logged the year previously. He

said the events for years have been affecting his home with the worst ones being several years ago before he even knew there was a number to call. The odor was so strong; he would wake up in the middle of the night. In addition to his concern about the odor and the value of his property, he wondered what he and the citizens could do to help. He calls the complaint line to log a date and a time with Casella so they can look at the data to determine if there it is a management, inherent or seasonal problem.

Supervisor Guard requested privilege of the floor for Michael Bersani, a neighbor and a local attorney. Mr. Bersani said he has lived in Geneva since 1995 and loves it. For him when he smells the odor, he thinks about what else is going on; underneath and around the area. He said that a bad smell is a warning; when a skunk smells, its saying to stand back; with natural gas, a bad odor is added to warn of danger. The odor is a warning that there is toxic leaching into the environment. The odor reminds us that a mountain of trash of toxic stuff is being left for our children's children. Also, in a place like Geneva and the Finger Lakes, there is tourism going on that is being jeopardized.

Supervisor Venuti requested privilege of the floor for Jim Hogan. Mr. Hogan said he hears all these excuses of reasons why there is a smell, and is sick of calling the hotline and being questioned what the smell smells like. He said the he feels that we cannot look to Casella for help. He knows we need them to help us, but he and the citizens of Ontario County are looking to the Board for help. He said he was at a similar meeting at least four years ago and nothing has been done. He said they hear about so many plans on paper or online, there are so many of them, that they don't even bother to listen to them anymore. He does not believe this Board will hold them accountable. The County has abdicated its responsibility. He noted four different consultants get hired and one of which the County is paying for, to discover what every resident knows; too much trash and not enough accountability. He implored the Board to clamp down on an operation that he feels has been run roughshod over this County and Board for too long. He is asking the Board to demand nothing less than success. He is asking to treat this as if the smell was brand new today, as if it were of the highest importance to get rid of it. Everyone deserves clean simple air in their community. He asks that fines and penalties be set for odors, noting if music is played too loud or there is a toxic spill in someone's front lawn a fine can be given, he asks why is there not one for this. They are doing it to him and he needs us to work on his behalf. He had an employee of Casella who he had gotten to know fairly well, who had been in the landfill industry a long time; tell him in all his years, he had never seen a landfill that smelled like this. Mr. Hogan said calls need to stop going to Casella. If you listen to the people who have made the calls and heard some of the things that are said to them, you lose their interest. The calls to the hotline are a low percentage to the number of people that encounter the odor. Mr. Hogan asked that the Board set a timeline for the fifteenth of this summer, that all odors would be eradicated and without the use of chemical masking sprays. He said his wife wants to move from a house they built, where they raised their children and went to school. He does not want to move because of the smell. He is asking please fix it.

Supervisor Venuti requested privilege of the floor for Charles Evangelista, a resident of Geneva. Mr. Evangelista said Mr. Hogan's comments echo his. He prefaced by saying for twenty years he was a Supervisor and also the fact that he was one of the original supervisors that voted for Casella to be the vendor at the County landfill. He also voted, when Casella wanted to increase the permit from 2,000 tons to 2,999 just enough that it wouldn't require a DEC change. He said he was also here and voted for the latest expansion. That is where he wants to drill down. He said over the years, he believes this Board was responsive when there was an outbreak, but it never got to the point where it is

now. There has been consistent, pervasive, and expanding odor. More concerning is that he is not confident that the current management is capable of reversing this odor issue. He said he took the time to review the Planning and Environmental Quality minutes for the last six months. He remarked on key points starting in October; noting it was said there was a 93% increase in sludge. In January, more hotline calls and more wells, noting all their responses are reactionary not proactive. He said all the reactions have nothing to do with why it smells and if there is no diagnosis there is no plan to attack it. Most recently, it was said there was a violation from the DEC, and it was not until they get a violation that they come to the committee to say the wells are only half in. His point is that either Casella does not know what the issues are or they deliberately know what the issues are and they are not necessarily talking to the Committee in a straight forward manner. He said he knows it is a difficult job, but let's be honest, proactive, let's not mask the odor, and let's not challenge the people taking the time to call the 800 number. He would submit, based on the conditions are getting worse and there is no definitive end to the situation; some options is to do something with the 800 number. Stop challenging those who call. The other is to support a strong message to Casella, until they can clear up the odor, to divert the sludge trucks to another landfill. The committee needs to find out whether they are in violation of the OML.

Supervisor Vedora requested privilege of the floor for Jean Cirone, a friend and neighbor to him. Ms. Cirone said she lives in Geneva near Hobart and William Smith Colleges, but teaches in Canandaigua. She takes County Road 4 to work to avoid Routes 5&20 so she does not have to drive by the landfill. She said, this fall, she could smell the landfill in her back yard. She said, as a kindergarten teacher, she knows her job; she has a plan, to help the kindergartner to get where they need to be by June. She believes the management of Casella is sincere; however she believes they have not done their job. She asked that the Board think ahead on what kind of sustainable management system can be put in Ontario County. She asked if it is known whether Casella is meeting their obligations within their contract. She warned that Towpath investigations did not do a good job for the citizens in Fairport, Perinton, and Macedon and as a result there are pending lawsuits.

Supervisor Marshall requested to defer privilege of the floor prior to adjournment.

Supervisor Marshall noted to the "folks" on the east side of the county, he "feels" their pain. As a kid he grew up near a sewage treatment plant. He said from the west side of the county, he is with them, he understands.

Supervisor Singer stated that the Board represents all the residents of Ontario County when they are addressing things; the towns support each other regardless of what is going on. She also asked for help with the solid waste management plan; to reduce what needs to go into any landfill. They have a plan to focus on "reduce and reduction" for the future. The Director of Solid Waste Management and Sustainability, is meeting regularly with the representatives of the DEC and Casella; they have management staff meeting with the County Administrator, Chair to the Planning and Environmental Quality Committee, and Casella trying to be proactive to keep the communication open and keep moving forward, knowing that the goal is to reduce odor around the landfill.

Chairman Marren noted the following:

- Chairman Marren, Supervisor Green, County Administrator Mary Krause and the former County Administrator John Garvey were able to attend the Celebration of Life for Mary Luckern. It was a beautiful celebration.

- Chairman Marren attended the Traffic Safety Board Awards. Sue Cirencione and Supervisor Green were there; it was a great recognition for members of the Ontario County Sheriff's Department, the City of Geneva, the City of Canandaigua and our State Police. Chairman Marren congratulated Ms. Cirencione and Supervisor Green on a job well done.
- Hand out of the rankings for CFA Awards and funding totals per county from the Finger Lakes Regional Economic Development Council.
- Supervisor Menikotz and Chairman Marren will be guest servers and preparers of coffee at North Star Coffee, under the umbrella of ARC.

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

Copies received of minutes of meetings held as follows:

- Governmental Operations and Insurance Committee held on January 16, 2019
- Governmental Operations and Insurance Committee held on February 6, 2019
- Health & Human Services Committee held on February 4, 2019
- Planning and Environmental Quality Committee held on January 14, 2019
- Planning and Environmental Quality Committee held on February 4, 2019
- Public Safety Committee held on January 16, 2019
- Public Works Committee held on February 4, 2019
- Ways and Means Committee held on February 6, 2019
- Ontario County Alternative to Incarceration Advisory Board held on December 3, 2018
- VAVS/ Community Council Committee held on February 7, 2019
- Finger Lakes Visitors Connection Board of Directors held on February 6, 2019

The Clerk received a Revised Notifications of Grant Award (NGA) and budget pages for the Title III-B, Title III-D and Title III-E programs from Greg Olsen, NYS Office for the Aging.

The Clerk received the Amended Finger Lakes Community College Campus Plan from SUNY Start-Up NY.

The Clerk received the Ontario County Real Property Tax Services Agency 2018 Report from Robin Johnson, Director.

The Clerk received the Ontario County Planning Board 2018 Annual Report from Ontario County Planning Board.

The Clerk received a Notice of Obligational Authority (NOA) updating the funding that is used by the Local Workforce Development Area (LWDA) from Karen A. Coleman, Deputy Commissioner for Workforce Development, NYS Dept. of Labor.

The Clerk received Resolution No. 45 of 2019 entitled "Resolution Calling for New York State Legislative Action to Classify as Controlled Substances Certain Fentanyl "Analogues" that are Responsible for Opioid Overdose Deaths" from Orange County Legislature.

The Clerk received the Regulatory Compliance Committee Annual Report for the Year 2018 from Michelle Smith, Director of Human Resources.

The Clerk received the semi-annual PCB Inventory Report from Philip B. George, Manager – NY North Environmental, National Grid.

The Clerk received a Notice of Public Hearing regarding proposed Local Law “To Override the Tax Levy Limit Established in General Municipal Law Section 3-C” from Lorrie S. Naegele, Town Clerk, Town of Geneva.

The Clerk received a Notice of Public Hearing regarding proposed Local Law “Approving the Conditions the Rezoning of a Parcel of Land to PUD Planned Unit Development and Amending the Official Zoning Map of the Town of Geneva in Accordance with Such Approval” from Lorrie S. Naegele, Town Clerk, Town of Geneva.

The Clerk received a Notice of Public Hearing regarding the adoption of a Local Law of the Town of Richmond for the year 2019 which would amend the Zoning Law of the Town of Richmond from Town of Richmond.

The Clerk received Resolution No. 102-219 entitled “Opposing the Proposed and Amended 2020 Executive State Budget Impacting Aid and Incentives to Municipalities and State Cost Shifts to Counties” from Orleans County Legislature.

The Clerk received Resolution No. 103-319 entitled “Urging New York State to Fund All Costs Associated with new State-Enacted Voting Reforms Implemented at the County Level” from Orleans County Legislature.

The Clerk received Resolution No. 106-219 entitled “Opposing Assembly Bill A1413 an Act to Amend the General Municipal Law, In Relation to Prohibiting Firearms as Prizes in any Game of Chance” from Orleans County Legislature.

The Clerk received a letter of notification of retirement from Andrea J.Schoeneman, Conflict Defender.

The Clerk received an agenda for the Ontario TASC meeting on March 21, 2019 from Art James, Assistant County Attorney

The Clerk received a notification of approval for an Opioid National Dislocated Worker Grant award including Subrecipient Master Cover Page, Notice of Obligational Authority document, Subrecipient Application (including budget), USDOL Gran/Agreement, and Subrecipient Attestation from Karen Coleman, Deputy Commissioner for Workforce Development, NYS Department of Labor.

The Clerk received a notification of interest for reappointment to the Finger Lakes Community College Board of Trustees from Donald H. Cass.

The Clerk received a Notification of Grant Award and budget pages for the Medicare Improvements for Patients and Providers Act received from Greg Olsen, New York State Office for the Aging.

The Clerk received an Unaudited Financial Report for Year End 2018 from Mary Gates, Director of Finance, Ontario County.

Supervisor Green said that the Ontario County Traffic Safety Board met on February 21st and there were twenty voting members on that Board. They tackled the problem of

legalization of recreational marijuana. It was unanimous, twenty votes against legalization of marijuana. In response to that, the members asked that a letter be drafted that would go out to Governor Cuomo, Senator Helming, Senator Funke, and Assembly Minority Leader Brian Kolb stating the Ontario County Traffic Safety Boards position in opposition to the proposed legalization of marijuana and their reasons why.

Supervisor Campbell reported on the following:

- The Alternatives to Incarceration (ATI) Board had their quarterly meeting the week of March 4th and the Campbell Commission met on March 7th. The two go hand in hand with Supervisor Campbell stating the ATI Board is a reporting function that the County needs, to be able to continue to receive funding from the State for the jail. Every report was on target, meeting their objectives and on plan. Some of the interesting comments that he took away was from the CAT Court, some of the pre-trial release program, there is a little bit of an up-tick in the number of folks that pre-trial release is starting to see as a result of CAT Court. In the long run, it will be a good thing, he has heard a lot of positive feedback from CAT Court as far as the two Justices and the Campbell Commission and how they see and feel when they are in CAT Court.
- From the Campbell Commission, there was a guest presenter from the Center of Dispute Resolution that talked through the idea of going back to the community and having victims and perpetrators getting in a circle and having a discussion to try to get people a different kind of education of what their actions mean to different people. To reduce some impact of recidivism. They have been working in the jail for years; it was a different opportunity to hear how they work within school districts and across different places within the county.
- Erie Shores, as far as working with the opioid court and with their continued involvement with many of the programs through ATI, is a significant help to the County.
- FLACRA continues to be a huge partner for us. They continue to receive lots of grant funding.
- The trust account program that was started, almost two-thirds of the money taken in has been disbursed either to a victim or a business to receive restitution.

Supervisor Singer offered the following resolution and moved for its adoption, seconded by Supervisor Baker:

RESOLUTION NO. 112-2019
RESOLUTION OF SYMPATHY – MS. BONNIE DRAKE

WHEREAS, This Board of Supervisors was saddened to learn of the recent death of Ms. Bonnie Drake, a former Supervisor representing the Town of Canadice, from 2006 through 2007; and

WHEREAS, During her tenure on this Board, Ms. Drake diligently served on the following standing committees; Governmental Operations, Health and Medical Services, and Personnel; now, therefore, be it

RESOLVED, That this Board of Supervisors, on behalf of its members both past and present, mourns the death of Ms. Bonnie Drake and extends its sincere sympathy to her family; and further

RESOLVED, That this resolution be spread upon the minutes of this Board and a copy sent to the Drake family.

Adopted.

Supervisor Singer remarked that Bonnie Drake was a public servant in every sense of the word. She will be sadly missed.

Supervisor Marshall remarked that Bonnie Drake was a very classy lady. She worked hard and was fun to be with. He also said she will be missed.

Supervisor Baker echoed Supervisor Marshall's comments. She was a quiet and thoughtful woman on the board and she was a pleasure to work with.

Supervisor Gallahan offered the following block of twenty-six resolutions and moved for their adoption, seconded by Supervisor Wille:

RESOLUTION NO. 113-2019

**RENEWAL OF MICROFILM SERVICE CONTRACT - INSTREAM, LLC
DBA BIEL'S INFORMATION TECHNOLOGY SYSTEMS CORPORATION
AND ONTARIO COUNTY DEPARTMENT OF RECORDS, ARCHIVES AND
INFORMATION MANAGEMENT SERVICES (RAIMS)**

WHEREAS, The Ontario County Department of Records, Archives and Information Management Services (RAIMS) is in need of microfilming services and supplies; and

WHEREAS, Resolution No. 239-2018 authorized a contract with Instream, LLC, dba Biel's Information Technology Systems for the period May 15, 2018-May 14 2019; and

WHEREAS, Instream, LLC, dba Biel's Information Technology Systems is willing to renew the contract with Ontario County for one year at the same pricing structure as outlined in their bid for said services (B17007) and the Purchasing Department feels it is in the best interest of the County to renew this bid for another year; and

WHEREAS, The Department of RAIMS has sufficient funds in account A1460E4660 to pay for services and supplies; and

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

RESOLVED, Upon review and approval of the County Attorney as to form, that the Ontario County Board of Supervisors does hereby authorizes and empowers the County Administrator to execute a contract with Instream LLC dba Biel's Information Technology Systems, at a cost no to exceed 32,875.00 for the period May 15, 2019 through May 14, 2020; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with Instream LLC dba Biel's Information Technology Systems, and all other documents necessary to effectuate the purpose of this resolution; and further

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

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

RESOLVED, That a certified copy of this resolution be sent to Instream, LLC dba Biel's Information Technology 1201 Indian Church Rd, West Seneca, NY 14224.

RESOLUTION NO. 114-2019
RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF REVENUE
COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES

WHEREAS, New York County Clerks play an historic and important role as public servants. Along with the Sheriff and District Attorney, they are one of three county officials named in the State Constitution; and

WHEREAS, Over 240 years later, the role of the county clerk as the chief record and filing officer for the county have remained consistent, but their duties have grown much more complex with changes in population, technology, and the state's laws, policies and regulations; and

WHEREAS, Today 51 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, Under current law the State of New York takes 87.3 percent of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, The remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, The Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, Increasing the county DMV revenue sharing rate with the state will not result in any increased costs or fees to residents or taxpayers and will provide counties with revenue to support necessary local government services; and

WHEREAS, It is unfair when a county DMV provides all DMV services for our residents, including overhead and staffing, yet the State takes 87.3 percent of the revenue generated from these services; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the State Legislature to increase the county DMV revenue share; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 115-2019
RESOLUTION URGING THE STATE TO CLARIFY ITS
HOMELESSNESS PREVENTION GOALS BY MAKING
PERMANENT HOUSING THE CENTRAL FOCUS, WHILE DEVELOPING A
MORE EFFECTIVE EMERGENCY SHELTER MODEL

WHEREAS, Homelessness continues to be a major concern across the state; and

WHEREAS, The Governor continues to prioritize finding solutions for the homeless and affordable housing problems across the state; and

WHEREAS, While this commitment by the Governor is welcomed, there are still significant shortfalls in affordable housing and state and federal financial resources in many communities regarding emergency shelter; and

WHEREAS, Counties have a long-standing commitment to serve vulnerable children and adults in our communities; and

WHEREAS, The needs of those seeking emergency shelter continues to evolve with many having challenging family dynamics; and

WHEREAS, Regardless of family size and demographics, many of those facing homelessness or seeking emergency shelter can have challenging medical needs, mental health and substance abuse issues, some are registered sex offenders, and still others are state prison parolees or on probation; with some facing several of these challenges at the same time; and

WHEREAS, Local social service districts focus scarce resources on achieving permanent housing, preventing homelessness and providing temporary placement; and

WHEREAS, Counties maintain that preventing homelessness in the first place is the best way to keep families safe and secure; and

WHEREAS, Significant state funding cuts in a wide array of social service programs over the last decade, in conjunction with the state-imposed property tax cap has restricted counties' ability to pursue more aggressive prevention efforts that can reduce homelessness in the first instance; and

WHEREAS, Counties agree that providing safe, secure and sanitary emergency shelter is critically important; and

WHEREAS, Recent state directives, emergency rulemaking and data requests that focus on safety and security in emergency and temporary shelter situations as well as active outreach are causing significant administrative burdens for counties without providing any additional financial support from the state to assist and comply with these demands even though the state has increased its own staff significantly; and

WHEREAS, The new administrative needs are drawing resources away from services that are targeted to prevent homelessness in the first place and provide stability for families at risk; and

WHEREAS, Counties maintain that while it is important to provide help in a crisis, it is better policy to maintain stability and prevent emergencies by providing sufficient resources up front; and

WHEREAS, State policies are directing excessive attention on inspections of motels, hotels and shelters beyond what is required in state law to ensure health and safety, as well as conflict with inspections from the State Comptroller and local codes; and

WHEREAS, These increased state inspections are steering emergency shelter policy toward higher cost shelter options that do not currently exist in most counties in sufficient numbers, if at all; and

WHEREAS, Counties believe there is insufficient OTDA inspection training and a lack of clarity on inspection procedures; and

WHEREAS, The Governor has emphasized certain emergency homelessness measures to address public safety and health concerns such as the "Code Blue" initiative; and

WHEREAS, This special focus in cold winter months is creating unintended consequences because they are promulgated under different rules that do not require visitors to follow local and state social service districts eligibility rules designed to help them overcome barriers (such as, drug and alcohol abuse, mental health treatment and employment) which impede their ability over the long term to achieve permanent housing and stability; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls on the Governor and State Legislature to make permanency the central focus of statewide homelessness policy; and further

RESOLVED, The State should coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance abuse issues in collaboration with OTDA, other state agencies, and local social services districts; especially those that have been repeatedly homeless and in need of supportive placements overseen by OMH and OASAS; and further

RESOLVED, The State should target funding to counties that allows them to work with community partners to develop service models that achieve permanency through innovative and flexible approaches that meet local needs; and further

RESOLVED, The State should work with counties in developing a public education campaign to ensure the public better understands the plight of families and individuals struggling with homelessness and how everyone can benefit by helping them achieve stable housing in our communities; and further

RESOLVED, Counties are seeking more clarity and training on inspection procedures focused on significant criteria so that health and safety are addressed, and attention is not diverted to insignificant matters; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 116-2019
RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE
TO CONTINUE TO WORK WITH COUNTIES TO ENCOURAGE
SELF SUFFICIENCY AND LONG-TERM INDEPENDENCE FOR
RECIPIENTS OF TEMPORARY ASSISTANCE

WHEREAS, Temporary Assistance for Needy Families and the Safety Net Program are federal and state-designed programs administered by counties and New York City as a state-supervised, locally administered system and serve as a last line of services and support for low income families and individuals in the State of New York; and

WHEREAS, New York State continues to devolve away from its historic and constitutional responsibilities of providing social services and support for low income families and individuals, as demonstrated through significant reductions in State funding for Family Assistance and Safety Net Assistance programs and administrative costs; and

WHEREAS, The Governor's 2019-20 Budget includes new costs to New York City requiring them to pay a 10 percent share of the costs for their Family Assistance program with an expected cost of \$72 million on a full annual basis according to state estimates; and

WHEREAS, Targeting one social services district for higher costs is unacceptable and could be a precursor to expanded cost shifts statewide; and

WHEREAS, The current strong economy and low unemployment provide significant opportunities for recipients to connect with employment and gain valuable work skills that can lead to self-sufficiency and family independence; and

WHEREAS, Local Departments of Social Services have demonstrated significant success in achieving self-sufficiency when program resources are dedicated to employment and supporting the needs of individuals and families as they return, or connect, to the workforce; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls on the Governor and State

Legislature to prioritize employment as a key to achieving self-sufficiency and long-term independence for residents receiving Family Assistance and Safety Net Assistance; and further

RESOLVED, This Board is calling on the Governor and State Legislature to recognize that effective public assistance policies are grounded in accountability, integrity and supporting the needs of recipients in entering the workforce; and further

RESOLVED, This Board is calling on the Governor and State Legislature to limit new legislation and regulations that limit accountability for recipients in gaining employment, self-sufficiency and long-term independence from public assistance as we believe this can ultimately hinder the success of these recipients in achieving self-sufficiency; and further

RESOLVED, This Board is calling on the Governor and State Legislature to reverse the devolution of the State's fiscal support for public assistance programs and administration, and begin to restore state supported administrative costs to counties in order to maximize effective and efficient management of state programs and to help ensure the joint state and local goal of achieving long term independence from public assistance for families and individuals is attainable; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 117-2019
RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO
GRADUALLY ELIMINATE THE COUNTY FISCAL RESPONSIBILITY FOR
PRESCHOOL SPECIAL EDUCATION AND
SUMMER SCHOOL SPECIAL EDUCATION PROGRAMS

WHEREAS, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as 4410 of the Education Law; and

WHEREAS, The original law included a provision to limit the county fiscal responsibility to 25 percent by the 1993-94 school year; and

WHEREAS, A gubernatorial statewide Task Force on Reforming Preschool Special Education determined that counties should be removed completely from financing the State's preschool special education program; and

WHEREAS, The State has enacted legislation to provide universal prekindergarten for all four-year-old children in New York State to be financed 100 percent with State resources; and

WHEREAS, The State also requires counties to support 10 percent of summer school special education 4408 program costs for all children; and

WHEREAS, The fact that other states do not require county governments to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes directly to New York's highest in the nation property tax burden; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to implement a plan to gradually remove counties from the fiscal responsibility of paying for preschool and summer school special education programs; and further

RESOLVED, The first phase should include capping county fiscal liability for preschool special education and then implementing a three-year plan to incrementally reduce the county fiscal liability for this program to no more than 25 percent as intended at the inception of the program to help reduce pressure on property taxes; and further

RESOLVED, The second phase should gradually reduce the county fiscal responsibility to zero for both preschool and summer school special education costs; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

**RESOLUTION NO. 118-2019
RESOLUTION URGING THE GOVERNOR AND
THE NEW YORK STATE LEGISLATURE TO
ENACT REFORMS TO THE EARLY INTERVENTION PROGRAM THROUGH
REFORMS THAT ADDRESS THE LACK OF AVAILABLE PROVIDERS
IN MANY AREAS OF THE STATE**

WHEREAS, Previous reforms to the Early Intervention Program, including the establishment of the statewide fiscal agent, have provided administrative and contracting efficiencies, but this initiative is still in need of important refinements to address significant provider capacity shortfalls that have occurred in many communities since the transition to State administered provider agreements in April 2013; and

WHEREAS, Provider costs continue to escalate while the rates for reimbursement have not been changed or increased in over twenty years; and

WHEREAS, Counties are responsible for ensuring that services developed in an Individualized Family Service Plan (IFSP) begin in a timely fashion, namely thirty (30) days from the date of the authorization; and

WHEREAS, Counties are required to assign providers to a child's IFSP that have current provider agreements with the State Department of Health and are listed by county in the New York Early Intervention System (NYEIS) database; and

WHEREAS, Counties cannot accurately identify available providers due to the inadequacy of the NYEIS system such as untimely updates and regular maintenance; and

WHEREAS, Providers listed in the NYEIS database are frequently unavailable to provide services to a child due to a variety of factors, including the area in which the child resides, providers only accepting referrals for one or two children enrolled in the Early Intervention Program (EIP) due to other commitments, full caseloads, or outdated listings for providers who no longer participate with the Early Intervention Program; and

WHEREAS, Some providers left the Early Intervention Program due to implementation and payment delays related to the rollout of the statewide fiscal agent model, while others left the Early Intervention Program due to stagnant reimbursement rates; and

WHEREAS, Because of the decline of participating and available providers, resulting in counties not being able to provide the Early Intervention services required under the law, even to already enrolled eligible children, sometimes leading to placement on wait lists; and

WHEREAS, Research demonstrates that the growth and brain development of infants and toddlers is at its highest in years 0-2, and the developmental progress of children identified with special needs could be hampered by any delays in services; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls upon the Governor and New York State Legislature to implement reforms to the Early Intervention Program that hold the State responsible for ensuring there is sufficient provider capacity across the state to serve identified children in all types of early intervention services; and further

RESOLVED, These state responsibilities should include the implementation of a robust recruiting effort, focused orientation and training for new and existing providers, mentoring, and technical assistance to help providers operate efficiently and effectively in the new administrative model; and further

RESOLVED, The state shall work with county representation to develop incentive programs to address provider capacity in hard to recruit areas such as but not limited to travel reimbursement and partial reimbursement for no-shows; and further

RESOLVED, The Executive Budget proposal should include a 5% rate increase for all Early Intervention providers and all services; and further

RESOLVED, That the state should cap county costs, ensuring that the counties are held harmless by any increase in provider rates; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 119-2019
RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO
ELIMINATE THE COUNTY FISCAL CAP ON
PRESCHOOL SPECIAL EDUCATION TRANSPORTATION COSTS AND

**TO INCENTIVIZE THE USE OF EXISTING BUS FLEETS AND
TRANSPORTATION SYSTEMS**

WHEREAS, The county cost of transporting preschool special education students is significant and counties cannot recoup all of these costs due to state-imposed transportation reimbursement caps and stringent Medicaid interpretation for reimbursement; and

WHEREAS, The fact that other states do not require county government to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes to New York's high property tax burden; and

WHEREAS, A gubernatorial statewide task force on reforming preschool special education determined that counties should be removed completely from financing the state's preschool special education program; and

WHEREAS, School districts make decisions on programs for children, including travel to these programs, with limited input from the counties; and

WHEREAS, School districts already have infrastructure in place to transport school-age children, including children transported outside their own districts; and

WHEREAS, The safety of children, specifically children with special needs, is a priority; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to implement a plan to gradually remove counties from the fiscal responsibility of paying for transportation costs for preschool children; and further

RESOLVED, That the State needs to provide incentives that will help increase the utilization of existing school bus fleets and other transportation systems so that preschool special education is more cost effective for the State and the counties; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

**RESOLUTION NO. 120-2019
RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE STATE LEGISLATURE TO FUND UNATTENDED
DEATH INVESTIGATIONS INCLUDING COSTS ASSOCIATED WITH
PERFORMING AUTOPSY AND TOXICOLOGY SERVICES**

WHEREAS, Our State is grappling with a widespread opioid epidemic causing havoc on the lives of New Yorkers while placing a tremendous fiscal strain on county budgets; and

WHEREAS, Counties are responsible for investigating unattended deaths; violent deaths; a death caused by an unlawful act or criminal neglect; deaths occurring in a suspicious, unusual or unexplained manner; deaths caused by a suspected criminal abortion; a death of an individual confined in an institution (jail or nursing home); and

WHEREAS, Coroners and medical examiners are county officers who make official inquiries about the cause and manner of an individual's death, especially those that occur under unnatural, unexplained, or suspicious circumstances; and

WHEREAS, Coroners or medical examiners are required by law to investigate deaths by violence or accident and, due to the opioid epidemic, coroners and medical examiners are seeing a dramatic increase in their caseload; and

WHEREAS, In 2018, counties across New York State and New York City, seeing a dramatic increase in caseload due to the opioid epidemic, budgeted over \$122 million for coroner and medical examiner expenses; and

WHEREAS, Prior to 2011, county coroners and medical examiners were reimbursed up to 36 percent with state aid from Article 6 funding to local health departments; and

WHEREAS, In 2011, the State Budget shifted the reimbursement for medical examiners from the New York State Department of Health (NYSDOH) to the New York State Department of Criminal Justice Services (DCJS) and the funding was no longer available as the state deemed this activity to be a public safety and not a public health function; and

WHEREAS, Just recently one medical provider used by a sixteen-county region in eastern New York doubled their fee for autopsy services and cut toxicology services; and

WHEREAS, Many counties across New York State are forced to use one provider as many medical institutions have suspended autopsy and toxicology services; and

WHEREAS, In addition to a lack of affordable autopsy and toxicology providers, our state and nation is experiencing a dramatic shortfall in pathologists, particularly forensic pathologists; and

WHEREAS, The New York State Association of Coroner and Medical Examiners and NYSAC have partnered together to bring awareness to this problem; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors urges Governor Andrew M. Cuomo and State lawmakers to restore funding to counties to help offset the costs for state-mandated autopsy services, which are rapidly increasing due to the changing pathology landscape in NYS and the opioid epidemic; and further

RESOLVED, This Board of Supervisors further advocates that Governor Andrew M. Cuomo and the State Legislature shift coroner and medical examiner funding from the New York State Division of Criminal Justice Services back to the New York State Department of Health; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 121-2019
RESOLUTION TO EXPAND INFRASTRUCTURE FOR PUBLIC HEALTH AND
SAFETY THROUGHOUT NEW YORK STATE:
REINVESTING IN CORE PUBLIC HEALTH ACTIVITIES AND
RESPONSE TO UNFUNDED MANDATES AND EMERGING ISSUES
ADDRESSED BY LOCAL HEALTH DEPARTMENTS

WHEREAS, Core public health services are outlined in law as those that address family health, communicable disease, chronic disease, emergency preparedness/response and environmental health; and

WHEREAS, Local health departments are New York State's partners and operational extensions, working in the forefront of communities, addressing public health issues and serving as the first line of defense against all public health crises by protecting communities and residents; and

WHEREAS, Activities led by the 58 local health departments are paramount to our collective ability to achieve Prevention Agenda goals, address health disparities, improve health outcomes and ensure community safety and stability; and

WHEREAS, Unfunded public health mandates continue to emerge routinely, examples including: expansion of responsibilities for children's camps, Zika virus/mosquito surveillance, monitoring of unregulated contaminants in drinking water, technical assistance to schools to address lead in school drinking water and most recently, registration of cooling towers; and

WHEREAS, The state aid share for core public health services has not kept up with growing public health needs, nor has it supported the implementation of new and expanded state mandates; and

WHEREAS, The 2019-2020 Executive Budget proposes a substantial cut in State Aid Reimbursement to New York City Department of Health and Mental Hygiene which would reduce the percent of reimbursement above the base grant from 36% to 20%; and

WHEREAS, The justification provided for this is that NYC has access to other sources of funding, such as federal grants yet this statement does not align with the current Article 6 claiming process which requires that earned and grant revenue be subtracted from eligible costs and or expenditures and thus are already factored into the net eligible expenditures submitted for reimbursement; and

WHEREAS, Over time, we have seen an increase in emerging issues such as threats to water quality: harmful algal blooms, presence of PFOA/PFOS; opioid overdose deaths; vector borne diseases: rabies and tick-borne illnesses; communicable disease outbreaks: Ebola virus and Zika virus; environmental hazards: lead in housing stock and legionella; and natural disasters such as hurricanes or flooding; and

WHEREAS, New York State is preparing policy to legalize regulated marijuana, which will lead to increased response including education, public awareness, and oversight by local health departments; and

WHEREAS, Directors and Commissioners of public health are health strategists within their respective Counties, with the unparalleled expertise needed to apply knowledge, bridge competency gaps and lead multi-sector health improvements; and

WHEREAS, The public health workforce employed within local health departments are first responders, working at the forefront of communities during times of need and when emerging health issues occur; and

WHEREAS, Local health departments have not received an increase in core public health aid in more than six years, nor have they received adequate compensation needed to respond to emerging health issues; and

WHEREAS, State Budget appropriations for public health spending has been reduced year after year and new funding streams for emergency response activities are frequently accompanied with stringent federal spending or supplanting restrictions which impacts how funds can be utilized and reduces flexibility to respond to local community need; and

WHEREAS, The public health workforce is central to New York State's public health infrastructure, yet is dwindling due to public-sector budget restraints, competition, shortages of workers who are approaching retirement, ability to recruit new workers in all areas throughout the state, all of these factors culminate in significant workforce retention challenges; and

WHEREAS, New York State does not allow local health departments to recover any of its necessary or fringe expenses for local health department personnel under Article 6; and

WHEREAS, Now is the time for a call to action to reinvest in public health and safety infrastructure in New York State through bolstered funding of Article 6, Public Health Law and demonstrate the State's commitment to public health preparedness and safety measures aimed to protect residents in New York State; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the Governor and State Legislature to call to action and reinvest within the 2019-20 Budget by restoring COLA and expanding Article 6 State Aid for General Public Health Work base grants and reimbursement rates in the following ways:

1. Reject proposed cut in state aid reimbursement to NYC Department of Health and Mental Hygiene which would reduce the percent of reimbursement above the base grant from 36% to 20%;
2. Fully restore the COLA for DOH programs which was removed in the 2018-2019 state budget;
3. Allow reimbursement of fringe expenses under Article 6 state aid appropriation;

4. Increase base grants to ensure public health services are eligible for full reimbursement of local expenditures:
 - a. Increase the base grant to full service LHDS (i.e. those with environmental health units) from \$650,000 to \$750,000;
 - b. Increase the base grant to partial service LHDS (i.e. those without environmental health units) from \$500,000 to \$550,000;
 - c. Increase the per capita rate for the largest counties from 65 cents per resident to \$1.30;
 - d. Increase the beyond-base-grant state aid reimbursement rate from 36% to 40%.
5. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation;
6. Allow local health departments the increased flexibility in funding to respond to public health community needs; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

**RESOLUTION NO. 122-2019
PROPOSED RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM
AND SUBSTANCE ABUSE SERVICES AND THE GOVERNOR TO ESTABLISH
PERMANENT JAIL-BASED SUBSTANCE USE DISORDERS (SUD)
TREATMENT AND TRANSITION SERVICES PROGRAM
IN COUNTY CORRECTIONAL FACILITIES**

WHEREAS, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

WHEREAS, The SFY 2018-19 Enacted Budget included \$3.75M to fund County Mental

Hygiene /Departments Local Government Units (LGUs) to develop and expand substance use disorder treatment and transition services in county jails; and

WHEREAS, The Ontario County Board of Supervisors, NYS Association of Counties, Conference of Local Mental Hygiene Directors, NYS Sheriffs' Association and are pleased with and appreciate the Governor's support for the continuation of programs established under last year's funding by including an additional \$3.75M in the SFY 2019-20 Executive Budget proposal; and

WHEREAS, This is a significant first step in addressing the need, however this level of funding will not adequately sustain or create any additional programs in counties beyond March 31, 2019; and

WHEREAS, The Ontario County Board of Supervisors, NYS Association of Counties and its partners are requesting a total of \$7.2M in SFY 2019-20, increasing to \$12.8M in SFY 2020-21 annually thereafter to support comprehensive jail-based substance use disorder treatment and post-release transition service in all county correctional facilities; and

WHEREAS, A 2017 report entitled, "Completing the Recovery Treatment Continuum: Jail Based Substance Use Disorder Services" conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors discusses the vital need to address a gap in the Substance Use Disorder (SUD) treatment continuum by funding treatment and transition services in the jail setting; and

WHEREAS, Jail incarceration provides a unique opportunity to offer treatment supports during periods when people are experiencing abstinence while incarcerated and upon planning for discharge and may be more receptive to accepting treatment; and

WHEREAS, The cost of any SUD treatment and services provided inside the county jails is borne by the county, and it is an ever-increasing burden which the Counties cannot meet; and

WHEREAS, Annual OASAS State Aid funding to the LGUs for comprehensive jail-based SUD treatment and re-entry planning is critically important to reducing drug use, overdoses and overdose deaths, recidivism, crime, and will save taxpayer dollars money and most importantly, save lives; and

WHEREAS, Data from a July 2018 study published in the American Journal of Public Health now indicates that inmates were 40 times more likely to die of an opioid overdose in the first two weeks after release; and

WHEREAS, New York State's own analysis of the costs and benefits of jail-based SUD treatment found these services save taxpayers \$2,170 in criminal justice costs and victims \$676 per person, for a total impact of \$2,846 saved for each person served, as well as a reduction of 13 victimizations per 100 people served; and

WHEREAS, In the era of property tax caps and increasing workforce shortages, a dedicated annual State funding stream to the LGUs is desperately needed in order to provide jail-based SUD treatment and transition services, as well for supporting and retaining staff, including but not limited to, screening and assessments upon entry, education and counseling services, peer support, CASACs, supervising staff, and other SUD treatment providers, medication assisted treatment and discharge planners to facilitate treatment after release; and

WHEREAS, Securing \$7.2 million in SFY 2019-20 Enacted Executive Budget will provide the necessary resources for LGUs to sustain existing programs and create additional jail-based SUD treatment and transition services programs in counties without funding to address the existing gap in the SUD treatment continuum which will further support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, the State Office of Alcoholism and Substance Abuse Services and the New York State Association of Counties.

RESOLUTION NO. 123-2019
RESOLUTION CALLING ON THE OFFICE OF MENTAL HEALTH,
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES,
AND THE GOVERNOR TO ENSURE LONG TERM VIABILITY OF
HOUSING PROGRAMS FOR INDIVIDUALS WITH SERIOUS
MENTAL ILLNESS AND SUBSTANCE USE DISORDER

WHEREAS, Safe and affordable housing with supports is an essential component of recovery for many people with serious mental illness and substance use disorders; and

WHEREAS, Mental Hygiene housing program models were developed decades ago with much lower level requirements for types of services and levels of staffing than what is necessary to assist clients with much higher-needs today; and

WHEREAS, Supported & Supportive housing models are expected and required to serve the clients with the highest and most challenging needs, manage the health and mental health for many clients with a co-occurring substance use disorder, and manage complicated medication regimens to treat their behavioral and other co-morbid chronic conditions such as heart disease, diabetes, high blood pressure, high cholesterol and pulmonary disease; and

WHEREAS, Directors of Community Services throughout the State report significant waiting lists for mental health and addiction recovery housing and it is becoming increasingly more difficult to find units that offer both higher level services and the appropriate staffing to safely serve these medically-complex individuals; and

WHEREAS, It is critical that State policymakers recognize how maintaining outdated housing models and reimbursements for these higher-need clients negatively impacts a county's ability to provide appropriate access to care and drives up costs; and

WHEREAS, To illustrate the extent of these waiting lists, Suffolk County has approximately 589 clients (131 homeless), Sullivan County with over 200 (110 homeless), Orange County with over 800, and in the Finger Lakes – Seneca County with 97; and

WHEREAS, The State has a constitutional responsibility to provide stable, dignified, and affordable housing to these high-needs clients, and by continuing to provide insufficient reimbursement rates and inadequate funding, the counties will see further

reductions in capacity and limited access to care leading to increased homelessness in their communities; and

WHEREAS, Office of Mental Health (OMH) Supported Housing was introduced in 1990 as an initiative to facilitate an increase in long-term/permanent housing options for clients with mental illness coupled with individual supports; and

WHEREAS, There are approximately 19,000 OMH Supported Housing units statewide with per-unit reimbursement rates that provide for a minimal set of services, often as little as one staff to tenant contact per month which does not go far enough in providing stability for clients with extensive mental and physical health care needs; and

WHEREAS, OMH and OASAS Supportive Housing provides permanent and affordable housing with supportive services to individuals or families with disabilities (mental illness, SUD, domestic violence, etc.) who are homeless or at risk of homelessness; and

WHEREAS, These settings are typically comprised of two models; congregate and scattered-site with approximately 50,000 units statewide, 32,000 of which are located in NYC; and

WHEREAS, New York City Department of Health and Mental Hygiene currently contracts for 8,699 units of supportive housing for individuals and families; and

WHEREAS, On average over 80% of the total annual funding for scattered site apartments (\$29,897,960) is being used for apartment rents; and

WHEREAS, Being obligated to devote such a proportion of funding to apartment rents degrades the necessary social services to keep vulnerable clients housed with appropriate supports; and

WHEREAS, Vital supportive housing programs need the State to increase rates to address this immediate need that is getting worse every year and becoming untenable; and

WHEREAS, Without a funding increase, programs are at serious risk of closure, which will push clients into homelessness and higher risks of mental and physical health destabilization; and

WHEREAS, The State offers Permanent Supportive Housing (PSH) models for individuals suffering from addiction that include: Medicaid Re-Design PSH, NY/NY III PSH (NYC), Re-Entry for Parolees in NYC PSH, Upstate PSH, Empire State Supportive Housing Initiative (ESSHI), and Continuum of Care Case Management – all with varied admission requirements ranging from jurisdictional mandates to homelessness; and

WHEREAS, The Upstate PSH currently supports only 124 units (outside NYC and Long

Island) and does not address the current need; and

WHEREAS, The State's ESSHI program provides operational and service funding for housing developers/providers interested in developing new or rehabbed properties, and offers a payment structure resembling the actual cost of operating programs with a payment escalator; and

WHEREAS, The goal of OMH and OASAS housing programs is to assist and support participants in their achievement for housing stability, employment and self-sufficiency which requires substantial State investments to housing programs to meet the needs in every county; and

WHEREAS, Without appropriate State investments, these achievements will be unobtainable for a vast majority of individuals, resulting in increased costs of hospitalization, incarceration and homelessness; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the Governor, Office of Mental Health, and Office of Alcoholism and Substance Abuse Services to include funding in the 2019-20 Executive Budget to adequately maintain the current levels of housing programs across the state, and include additional appropriations for the expansion or creation of new housing program models that will fit the needs of every county; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, the State Office of Mental Health, the State Office of Alcoholism and Substance Abuse Services and the New York State Association of Counties.

RESOLUTION NO. 124-2019

**RESOLUTION CALLING FOR GOVERNOR ANDREW M. CUOMO AND THE
NEW YORK STATE LEGISLATURE TO CLASSIFY AS CONTROLLED
SUBSTANCES CERTAIN FENTANYL "ANALOGUES" THAT ARE
RESPONSIBLE FOR OPIOID OVERDOSE DEATHS**

WHEREAS, For nearly a decade, New York State and the rest of the United States have been experiencing an unprecedented epidemic in the abuse of legal and illegal opioid drugs, resulting in the addiction of millions of people and the overdose deaths of hundreds of thousands; and

WHEREAS, Fentanyl, a prescription opioid painkiller that is a controlled substance in the State of New York, is responsible for some of those overdose deaths, as are many substances known as fentanyl "analogues," drugs that have been designed to mimic the pharmacological effects of fentanyl, but that are not controlled substances in the State of New York because they are not listed on the appropriate schedules that classify controlled substances in Public Health Law Section 3306; and

WHEREAS, The ability of law enforcement officers in New York State to investigate and prosecute sellers of deadly opioid drugs is hampered by the gap in the law that results in some fentanyl analogues not being classified as controlled substances because the New York State Legislature has not acted to add those analogues to the appropriate Public Health Law schedules; and

WHEREAS, Under federal law, pursuant to 21 CFR Section 1308.11(h)(30)(i), the Administrator of the United States Drug Enforcement Administration has lawfully defined “fentanyl-related substance” to mean any substance related to fentanyl by certain specified chemical modifications; and

WHEREAS, If New York State classified as controlled substances any substances that meet the above federal definition of “fentanyl-related substance,” the aforementioned gap in the law with regard to fentanyl analogues would largely be closed, and law enforcement would be able to investigate and prosecute sellers of currently-legal fentanyl analogues that are responsible for many of the overdose deaths; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby urges the Governor and State Legislature to amend New York Public Health Law Section 3306 to include as a controlled substance any substance that meets the definition of “fentanyl-related substance,” as defined in 21 CFR Section 1308.11(h)(30)(i); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 125-2019
RESOLUTION IN SUPPORT OF STATEWIDE LEGISLATION CONCERNING
THE SALE AND POSSESSION OF SYNTHETIC DRUGS

WHEREAS, Communities throughout New York State have experienced increased crimes, emergency room cases, illnesses, and deaths linked to the use and abuse of synthetic drugs and other similar substances or compounds; and

WHEREAS, Such products are being openly sold and marketed through New York State and online; and

WHEREAS, While New York State has continued to update its schedule of controlled substances, many new variants of these substances are able to avoid prohibition by slightly changing their chemical composition; and

WHEREAS, The health, safety, and well-being of all New York State residents is furthered by prohibiting the sale, use, or possession of these substances; and

WHEREAS, Synthetic drugs are more effectively regulated on a statewide basis through a comprehensive regulatory plan that covers existing and newly created drug variants, rather than through a patchwork of regulations enacted by localities; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby urges the Governor and State Legislature to introduce, support, and enact statewide legislation banning the sale and possession of synthetic drugs; and further

RESOLVED, That this Board of Supervisors hereby respectfully urges the Governor to sign said bill(s) forthwith upon passage; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 126-2019
RESOLUTION SUPPORTING EFFORTS TO ALLOCATE
NEW YORK STATE RESOURCES AND FUNDING TO REGIONS OR
COUNTIES ESTABLISHING “FULL COUNT” COMMITTEES

WHEREAS, The US Census Bureau is preparing for the 2020 decennial census; and

WHEREAS, Decennial census counts help the federal government distribute more than

\$400 billion in funds annually for infrastructure, programs, and services; and

WHEREAS, The decennial census helps communities plan for future needs and deal with population-based programs; and

WHEREAS, Decennial population counts affect state and federal congressional representation and redistricting; and

WHEREAS, New York State and Ontario County is committed to ensuring that every resident in the state is counted in the 2020 Census; and

WHEREAS, Last year, every county in New York State participated in the Local Update of Census Addresses Program (LUCA), which is the only opportunity for states and municipalities to review and comment on the U.S. Census Bureau’s residential address list for their jurisdiction prior to the 2020 Census; and

WHEREAS, Now the State of New York is encouraging counties and other regional and community entities to create “Full Count” committees; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors encourages New York State to provide resources and funding to counties, municipalities, and regional planning commissions as incentives and seed funding to create “Full Count” committees; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 127-2019
RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND
ALTERNATIVES TO INCARCERATION IN

**NEW YORK STATE TO PROTECT THE PUBLIC AND
REDUCE RELIANCE ON PRISONS, JAILS, AND DETENTION**

WHEREAS, County Probation Departments are an integral part of the criminal justice system and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, It is the mission of Probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, State funding for Probation has been drastically reduced since 1990 from a 53.5 percent State share in 1990 to less than 10 percent in 2017, putting a huge strain on counties and costs to county property taxpayers; and

WHEREAS, At the same time there have been increases in the number of mandated programs and services county probation departments are required to provide; and

WHEREAS, The New York State Council of Probation Administrators, representing New York State Probation Directors, Administrators and Commissioners, has diligently worked with State leaders to bring more awareness to the important work that probation does to protect the public; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve probation and alternatives to incarceration in the following ways:

1. To support the Raise the Age law:
 - Raise the minimum age that a youth can be charged as a Juvenile delinquent from seven to twelve years old.
 - Increase the maximum time frame for diversion services from four to six months for juvenile delinquents.
 - Mandate that the state's evidence-based criteria should account for existing local best programs.
 - Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
2. Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence based programming associated with the Raise the Age law.
3. Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment.
4. Ensure that local probation departments receive 100% of all costs including but not limited to probation personnel associated with bail reform/cashless bail.
5. Authorize law enforcement agencies to issue appearance tickets, instead of physical arrests, when AO's and JO's are charged with D felonies.

6. Allow law enforcement agencies to deliver AO, JO, and JD to detention facilities after business hours without a securing order until the next business day or until court is in session.

7. Eliminate mandate that pre-sentence investigation must be conducted when a sentence of up to one-year in jail has been negotiated.

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 128-2019
RESOLUTION URGING SUPPORT FOR INCREASED FUNDING TO
LOCAL TRAFFIC SAFETY BOARDS IN ORDER THAT SUCH
TRAFFIC SAFETY BOARDS CAN DEVELOP AND IMPLEMENT
PROGRAMS AND ACTIVITIES THAT WILL
MAKE OUR LOCAL ROADS SAFER

WHEREAS, Under the authority of Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, a county not wholly included within the City of New York may establish a local traffic safety board for such respective county; and

WHEREAS, Under Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, a traffic safety board shall, among other things:

- Promote and encourage street and highway traffic safety,
- Formulate county-wide programs and coordinate efforts of interested parties and agencies engaged in traffic safety education,
- Corporate with local officials within the respective county in the formulation and execution of traffic safety programs and activities,
- Study traffic conditions on streets and highways within the respective counties, study and analyze reports of accidents and causes thereof, and recommend to the appropriate legislative bodies, departments or commissions, such changes in rules, orders, regulations, and existing laws as deemed advisable,
- Promote safety education for drivers and pedestrians,
- Obtain and assemble motor vehicle accident data and analyze, study and consolidate such data for educational and informational purposes; and

WHEREAS, Many counties have established local traffic safety boards and parity between the use of funds programmed for traffic safety on state and local roadways is necessary; and

WHEREAS, In order for local traffic safety boards to fully carry out their duties, greater involvement in and coordination between the local traffic safety board and the transportation planning process is necessary for monitoring crash data on the local roadway; and

WHEREAS, Increased funding is necessary for local traffic safety boards to continue the development and implementation of programs and activities as aforesaid and in accordance of the statutory mandate under state law; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby calls on the Governor and State Legislature to support funding to local traffic safety boards in order that such traffic safety boards can develop and implement programs and activities that will make our local roads safer; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 129-2019
RESOLUTION CALLING ON THE STATE OF NEW YORK TO
FULLY REIMBURSE COUNTIES FOR
DISTRICT ATTORNEY SALARY INCREASES THAT
ARE SET AND CONTROLLED BY THE STATE

WHEREAS, On December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, On April 1, 2016 the State Legislature funded the Commission's recommendation and placed Supreme Court judges' salaries at \$193,000 in 2016 and approximately \$207,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

WHEREAS, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries, requiring them to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS, Historically, and prior to this increase, the State fully funded all District Attorney salary increases that they imposed on the counties; and

WHEREAS, The District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and requested in correspondences with state officials that the state fund this salary increase; and

WHEREAS, In 2016, 2017, and 2018 the State Legislature enacted separate \$150 billion State Budgets but did not include State funding for the \$1.8 million in costs for the increase in District Attorney salaries; and

WHEREAS, The State has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state-imposed property tax cap; and

March 7, 2019

WHEREAS, The Governor and State Legislature have recognized lowering property taxes is the main priority to ensure a healthy Upstate New York Economy; and

WHEREAS, For some counties, the D.A. salary increase represented approximately one third of their total allowable property tax growth for all government operation in 2016, 2017 and 2018; and

WHEREAS, In 2019 and beyond this annual unfunded mandate will continue to increase as Judicial salaries, and the D.A. salary tied to them, receive annual COLA raises; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the State of New York to fully fund this mandated salary increase as part of the 2019-20 budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 130-2019
RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE NEW YORK STATE LEGISLATURE TO ADDRESS
THE LACK OF CELLULAR PHONE COVERAGE FOR
ALL NEW YORK STATE RESIDENTS AND VISITORS

WHEREAS, Cellular service and the ability to use individual wireless devices is no longer a luxury, but rather a public necessity; and

WHEREAS, Every area of the State, irrespective of financial means or the economics of the individual community, has a right to this critical piece of infrastructure; and

WHEREAS, Cell phones and the requisite cell phone coverage are in many cases the first link of our emergency response chain for first responders including fire, EMS, and law enforcement; and

WHEREAS, This infrastructure also drives commerce and tourism, and is a critical component to the success of our education system and our students; and

WHEREAS, There are many large tracts of New York that do not have access to this public utility; and

WHEREAS, Government has an obligation to provide for the public safety, education, and equal treatment and opportunity for all of our citizens; and

WHEREAS, The Governor in his 2019 State of the State address called for the creation of an Upstate Cellular Coverage taskforce to identify solutions and develop policies addressing the lack of cellular coverage throughout New York State; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby calls upon Governor Andrew M. Cuomo and the State Legislature to invest in cellular infrastructure, and push providers to invest in counties and communities throughout the State; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming and the New York State Association of Counties.

RESOLUTION NO. 131-2019
RESOLUTION URGING THE GOVERNOR AND STATE LAWMAKERS TO
EXCLUDE LOCAL COSTS FOR ROAD, BRIDGE,
AND INFRASTRUCTURE CAPITAL CONSTRUCTION PROJECTS FROM
THE ANNUAL PROPERTY TAX CAP CALCULATION

WHEREAS, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

WHEREAS, In 2011 the State Legislature enacted a state-imposed local property tax cap, which requires local governments and schools to limit their property tax increases to two percent or the rate of inflation, whichever is less; and

WHEREAS, Counties direct 90 percent of the property taxes collected statewide to fund state mandated programs and services, and they must pay for the mandates first before funding local quality of life programs; and

WHEREAS, At the time of passing the property tax cap, State Lawmakers pledged that they would provide extensive mandate relief to help counties and local governments meet the new property tax requirements; and

WHEREAS, State Leaders lowered the cost of future mandated costs by capping local Medicaid costs and enacting a new pension tier, but did not reduce the costs of state mandates on counties; and

WHEREAS, Since the enactment of the property tax cap counties and local governments have delayed or avoided critical infrastructure capital projects because they did not want to exceed the state-imposed property tax cap; and

WHEREAS, The longer these capital projects are ignored and forestalled, the more likely they will turn into emergencies and result in even greater costs to local taxpayers; and

WHEREAS, The current property tax cap law allows an exclusion for the local funds used in school district capital obligations but does not include a comparable exclusion for counties and other local governments that use local funds for capital projects; now, therefore be it

RESOLVED, The Ontario County Board of Supervisors hereby calls on the Governor and State Legislature to amend the property tax cap to exclude local expenditures used

for town and county highway, bridge, and other infrastructure capital projects with a design life of no less than 10 years, including but not limited to water, sewer, and storm water from the state's property tax cap calculation; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, and the New York State Association of Counties.

RESOLUTION NO. 132-2019
RESOLUTION URGING THE ENACTMENT OF AN INCREASE IN
THE STATUTORY CHIPS BIDDING THRESHOLD

WHEREAS, Under current law, the local assistance funds allocated for local street or highway projects under the Consolidated Local Street and Highway Improvement Program (CHIPS) are used to undertake work on projects either with the municipality's own resources and work forces or by competitively-bid contracts; and

WHEREAS, When the estimate for the contract work exceeds \$250,000, the work must be performed by contract let by competitive bid in accordance with the provisions for competitive bidding in the General Municipal Law; and

WHEREAS, Regular incremental raises in the competitive bidding threshold for highway projects are necessary to compensate for increases in inflation impacting material, transportation, labor, equipment and other highway construction costs; and

WHEREAS, The last increase in the competitive bidding threshold was in 2011 to bring the threshold up from \$100,000 to the current \$250,000 level; and

WHEREAS, Legislation has been proposed by both houses of the State Legislature to increase the amount of the current cost threshold from \$250,000 to \$500,000 over which local highway and bridge construction work under the CHIPS program must be contracted through a competitive bid; and

WHEREAS, Under the proposed legislation, projects which have construction contract work in excess of \$500,000 would continue to be subject to the mandatory competitive bid process; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors supports the enactment of legislation or budget language that increases the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform in-house projects that cost less than \$500,000. This will allow more opportunities for local governments to act to minimize the cost of its transportation projects on behalf of local taxpayers; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, and the New York State Association of Counties.

RESOLUTION NO. 133-2019

**RESOLUTION URGING THE GOVERNOR AND STATE LAWMAKERS TO
GRANT DESIGN-BUILD CONSTRUCTION AUTHORITY TO
COUNTIES AND NEW YORK CITY**

WHEREAS, Current road, bridge, building, and infrastructure construction projects are cumbersome and expensive for local governments and taxpayers in New York State; and

WHEREAS, Design-build contracting saves time and money by eliminating time in procuring design services separately from construction services, and by making a single entity responsible for a project, reducing the possibility of contract claims related to design errors or omissions; and

WHEREAS, Design-build is a method of construction project delivery in which one entity works under a single contract to provide design and construction services; and

WHEREAS, Design-build projects minimize project risk for the owner, increase the accountability of contractors and streamlines the delivery schedule by compressing two procurements into one, eliminating one full procurement cycle; and

WHEREAS, Design-build further streamlines the delivery schedule by overlapping the design and construction phases of a project, and

WHEREAS, New York State already has granted itself the authority to use design-build on their construction projects with great success; and

WHEREAS, The State has proven this method saves both time and taxpayer spending all while minimizing project risk; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby calls on the Governor and State Lawmakers to grant New York City and county governments the authority to use design-build construction to achieve these needed construction project results; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, and the New York State Association of Counties.

**RESOLUTION NO. 134-2019
RESOLUTION CALLING ON THE STATE TO
INCREASE THE SALARY CAP FOR RETIRED PUBLIC EMPLOYEES
SEEKING COUNTY EMPLOYMENT**

WHEREAS, Under current state law a retired public employee may earn up to \$30,000 if retained/rehired to a state or local government position without this salary impacting their retirement benefits; and

WHEREAS, Any retired public employee salary amount over \$30,000 will result in a decrease in pension payments for the employee; and

WHEREAS, The \$30,000 cap was set in 2007, with the intent of minimizing misuse, while at the same time providing enough incentive for employees with broad experience and institutional knowledge to be retained in a government service capacity; and

WHEREAS, This cap has not been adjusted since 2007 and has eroded in value due to inflation over the last decade; and

WHEREAS, Every county has unique challenges when hiring for certain skilled or knowledge-based positions due to each county having different populations, economics, and demographics including but not limited to retired corrections deputy sheriffs, school resource officers, public health nurses, registered nurses, caseworkers, mental health professionals, and other critical positions; and

WHEREAS, County governments are being asked to provide more services with less funding, a goal that becomes more difficult when those that best understand local government service needs are retiring and their continued connection to public service in a limited fashion is being deterred by state policies; and

WHEREAS, In 2018 a bill was introduced (S.3576 (Tedisco)/A.3327 (McDonald)) that recognizes adjusting this cap modestly to \$35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduces health insurance costs as the person is already retired; and

WHEREAS, Following said adjustment, future increases shall be tied to the ERS COLA for retirees and staff occur annually; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby calls on the Governor and the Legislature to enact legislation supporting an increase in this earnings rate as part of their 2019-20 state budget negotiations; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, and the New York State Association of Counties.

RESOLUTION NO. 135-2019
RESOLUTION CALLING UPON THE GOVERNOR AND
THE NEW YORK STATE LEGISLATURE TO REFRAIN FROM ENACTING
NEW PUBLIC EMPLOYEE BENEFITS MANDATES

WHEREAS, New York State has one of the highest state and local tax burdens in the nation; and

WHEREAS, The Governor and legislative leaders have all pledged on numerous occasions to reduce the burden of local property taxes on businesses and home owners, including a cap on property taxes, as a way to stimulate the state's economy; and

WHEREAS, In 2012 the State enacted a property tax cap in order to help reduce and maintain tax levels throughout the State and the Governor is seeking to make the tax cap permanent in 2019; and

WHEREAS, New York counties have stepped up to meet the challenge with the vast majority staying under the cap level every budget year but it is becoming increasingly more difficult to do so; and

WHEREAS, The provisions of the Taylor Law and the Triborough Amendment, and mandates for new employee leave benefits contribute to higher personnel costs to counties; and

WHEREAS, The Ontario County Board of Supervisors and New York State Association of Counties recognizes and supports recent efforts by the Governor to decrease the costs associated with binding arbitration; and

WHEREAS, These mandated personnel cost increases directly lead to budget increases for counties and translate to added burdens to local taxpayers who have to pay the costs of these new benefits; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls on the State to refrain from creating any new public employee benefits that would result in increased county cost unless these changes are fully funded by the State; and further

RESOLVED, This Board of Supervisors hereby calls upon the Legislature not to enact and the Governor not to approve any new personnel cost mandates as a first step in achieving their promised reduction in the local property tax burden; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, and the New York State Association of Counties.

RESOLUTION NO. 136-2019
RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
REFORM THE FORMULA FOR FUNDING THE STATE SHARE OF
COMMUNITY COLLEGE

WHEREAS, Under state law, funding for community colleges is to be provided through

state aid, a county sponsor contribution, and student tuition and fees; and

WHEREAS, The establishment and continued operation of a statewide community college system was based on an ongoing state aid funding commitment of at least one-third, and up to 40%, of community college operating costs; and

WHEREAS, The state funding amount has declined over the years and is now below their historic one-third commitment, and far short of 40%; and

WHEREAS, The Legislature and Governor have been providing modest increases in state aid the last few years, but this year the state reduced community college base aid by \$11.6 million; and

WHEREAS, The State University of New York has proposed a new funding formula that requires the state to adhere to a maintenance of effort for funding community colleges, which will prohibit cuts to base aid and institute a funding “floor” for each campus; and

WHEREAS, The SUNY plan also calls for the increase of state funding for full time equivalent (FTE) students by \$125, from \$2,847 to \$2,972 per student; and

WHEREAS, These proposals are supported by the associations representing the community college presidents and community college faculty; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls on the Governor and State Legislature to adopt the State University of New York’s proposed new formula for funding the state share of community colleges; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, and the New York State Association of Counties.

RESOLUTION NO. 137-2019
RESOLUTION CALLING ON THE GOVERNOR AND
STATE LEGISLATIVE LEADERS TO PROVIDE COUNTIES WITH
PERMANENT LOCAL AUTHORITY OVER THEIR SALES TAX RATES,
WHILE ALSO REFORMING THE ENTIRE HOME RULE REVENUE PROCESS
BY ENACTING LONGER EXTENSION PERIODS WITH THE GOAL OF
MAKING MOST OF THESE MEASURES PERMANENT

WHEREAS, Counties continue to face significant challenges in balancing their budgets while also meeting the goals of the property tax cap; and

WHEREAS, The Governor has indicated his desire to make the property tax cap permanent; and

WHEREAS, Counties must administer and pay for more than 40 state programs that can consume up to 85 percent of a county’s entire budget; and

WHEREAS, Locally-raised revenues are necessary to implement and deliver State mandated programs as well as local public health and safety, economic development, and “quality of life” services demanded and expected in our communities; and

WHEREAS, Local elected officials rely on their home rule authority to determine what mix of local taxes is the least burdensome in their community; and

WHEREAS, In recent years five different counties have seen their home rule revenue authority held hostage in unrelated state policy fights, resulting in the lapsing of local sales tax and mortgage recording tax authority; and

WHEREAS, The loss of these revenues causes fiscal stress and budget uncertainty for counties, while increasing pressure on property tax rates; and

WHEREAS, In the case of sales tax, counties often share the revenues with cities, towns, and villages to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, The pass through of local sales tax revenue from counties to cities, towns, and villages will likely exceed \$1.9 billion in 2018; and

WHEREAS, Enacting longer home rule revenue authorizations, or making them permanent, still allows for appropriate state legislative review in the future upon any change; and

WHEREAS, New York City was granted permanent local authority over their sales tax rate nearly a decade ago, while county requests for the same authority have been repeatedly denied; and

WHEREAS, Permanent home rule sales tax authority would provide more budget certainty and stability, while reducing administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the state and local levels; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors calls upon the Governor and State Legislature to provide parity with New York City by granting permanent home rule sales tax authority to counties; and further

RESOLVED, That counties urge State leaders to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the state and local level, while retaining state legislative review; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, and the New York State Association of Counties.

RESOLUTION NO. 138-2019
RESOLUTION OPPOSING THE PROPOSED AND
AMENDED 2020 EXECUTIVE STATE BUDGET
IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND
STATE COST SHIFTS TO COUNTIES

WHEREAS, On February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2020 Executive Budget making impacted towns and villages whole from changes to Aid and Incentives for Municipalities (AIM) funding by utilizing revenue from county sales tax; and

WHEREAS, Instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties; and

WHEREAS, Already-existing unfunded State mandates are the cause of high local taxes in New York State; and

WHEREAS, Counties were granted the authority to levy a local sales tax in the late 1960s to help pay for Medicaid, indigent legal defense services, and other state mandates on counties; and

WHEREAS, Requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation; and

WHEREAS, Currently nine state mandated programs placed on counties equals more than 90 percent of the typical county property tax levy, and these mandated costs continue to grow; and

WHEREAS, Cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes; and

WHEREAS, The Fiscal Year 2020 Executive Budget recommends a reduction in AIM funding for towns and villages in Ontario County, cutting a total of \$357,008; and

WHEREAS, Replacing what had been State AIM assistance with funding from county revenues is simply a tax-shift that ultimately will result in higher property taxes; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors supports the full restoration of this state aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019/2020 state budget; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Rich Funke and Senator Pamela Helming, Ontario County Village Mayors and the New York State Association of Counties.

The foregoing block of twenty-six resolutions was adopted.

Supervisor Singer noted; although she agrees with all the resolutions going to the state that came from NYSAC, she believes some are more important than others. Her concern is that maybe sometimes over doing these with the Governor that maybe more focus should be on ones that take priority so that the volume doesn't get lost and then nothing gets acted upon. She said not that any of these have merit, but she thinks they may need to focus more on them that impact, especially the ones that have unfunded mandates that are helping the citizens in the County.

Supervisor Marshall offered the following block of nine resolutions and moved for their adoption, seconded by Supervisor Teed:

**RESOLUTION NO. 139-2019
AUTHORIZATION OF SLIDING FEE SCHEDULES FOR 2019
DEPARTMENT OF PUBLIC HEALTH
EFFECTIVE MARCH 7, 2019**

WHEREAS, The Department of Public Health establishes sliding fee schedules annually based on current year federal poverty guidelines for services provided for services such as the administration of immunizations and lead testing; and

WHEREAS, The Department utilizes these schedules to determine whether a client is eligible for sliding fee payments; and

WHEREAS, The Director of Public Health and the Health and Human Services Committee have reviewed and recommend the use of updated sliding fee schedules on file with the Department of Public Health for services provided by the Department; now, therefore, be it

RESOLVED, That the sliding fee schedules on file with the Department be utilized for the determination of appropriate charges to clients for services such as the administration of immunizations and lead testing effective March 7, 2019 and until such time as federal poverty guideline information is updated.

**RESOLUTION NO. 140-2019
AUTHORIZATION OF SLIDING FEE SCHEDULES FOR 2019
DEPARTMENT OF MENTAL HEALTH**

WHEREAS, The Department of Mental Health's sliding fee schedule is based on current year federal poverty guidelines for all mental health services provided at the clinic; and

WHEREAS, The Department utilizes a program designed to determine whether a client is eligible for sliding fee payments based on their income; and

WHEREAS, The Director of Community Services, Community Services Board and the Health & Human Services Committee recommend the use of the software for services provided during 2019 and until such time as the federal poverty guideline information is updated and available; now, therefore, be it

RESOLVED, That the sliding fee program, which utilizes a minimum fee of \$13, be utilized for the determination of appropriate charges to clients for services rendered effective March 7, 2019.

**RESOLUTION NO. 141-2019
AUTHORITY TO CANCEL UNCOLLECTIBLE DEBTS
ONTARIO COUNTY MENTAL HEALTH ~ 2018**

WHEREAS, There have been multiple attempts made to collect outstanding patient balances for services provided by the Ontario County Department of Mental Health; and

March 7, 2019

WHEREAS, These balances have remained on the accounts receivable ledger and have now been determined to be uncollectible; and

WHEREAS, The Health & Human Services Committee and the Ways & Means Committee are recommending that these unpaid balances be discharged; now, therefore, be it

RESOLVED, That said accounts totaling \$8,527.34 be, and hereby are, deemed uncollectible, and the Ontario County Mental Health Department is hereby authorized to remove the unpaid balances from its accounts receivable ledger; and further

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

**RESOLUTION NO. 142-2019
AUTHORIZATION FOR RENEWAL OF PROFESSIONAL CONSULTANT
CONTRACT CLIFTON SPRINGS HOSPITAL AND CLINIC
MENTAL HEALTH – 2019**

WHEREAS, Ontario County Mental Health has been notified by the NYS Office of Mental Health of pass through funding to Clifton Springs Hospital and Clinic for professional consultant services; and

WHEREAS, The State Aid Letter for Ontario County currently reflects \$27,708 of State Aid for the provision of Comprehensive Psychiatric Emergency Program Services, which does not require a County contribution; and

WHEREAS, Sufficient funds exist within the 2019 budget for this contract , which will encompass the period of January 1, 2019 through December 31, 2019; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves this agreement with Clifton Springs Hospital and Clinic for the amount designated by NYS OMH State Aid Letter, which is currently \$27,708; and further

RESOLVED, That the County Administrator is hereby authorized to initiate the agreement on behalf of the Ontario County Board of Supervisors; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Clifton Springs Hospital, 2 Coulter Road, Clifton Springs, NY 14432.

RESOLUTION NO. 143-2019

**AUTHORIZATION FOR RENEWAL OF PROFESSIONAL CONSULTANT
CONTRACT ROCHESTER REGIONAL HEALTH
MENTAL HEALTH – 2019**

WHEREAS, Ontario County Mental Health desires to renew a consultant service contract with Rochester Regional Health for psychiatry services; and

WHEREAS, Sufficient funds exist within the 2019 budget for this contract, which will encompass the period of January 1, 2019 through December 31, 2019; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Rochester Regional Health at a cost of \$115,000; and further

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

RESOLVED, That a certified copy of this resolution be sent by the clerk of the Board to Rochester Regional Health, 89 Genesee Street, St. Mary's campus – Admin Suite, Rochester, NY 14608.

**RESOLUTION NO. 144-2019
AMENDMENT OF PROFESSIONAL CONSULTANT CONTRACT
LOCUMTENENS
MENTAL HEALTH – 2019**

WHEREAS, Pursuant to Resolution No. 293-2018, this Board approved an agreement with Locum Tenens for professional services related to the provision of Psychiatric Nurse Practitioner Services or a Psychiatrist for a cost not to exceed \$50,000 annually; and

WHEREAS, Additional services are needed for 2019; and

WHEREAS, These additional services will increase the not to exceed amount for 2019 by \$50,000; and

WHEREAS, The Director of Community Mental Health Services, The Health and Human Services and Ways and Means Committees have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves the request to increase the not to exceed amount by an additional amount of \$50,000 making the total not to exceed amount \$100,000 for 2019; and further

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

**RESOLUTION NO. 145-2019
AGREEMENT TO PROVIDE MEALS
TO THE CENTER FOR DISABILITY RIGHTS, INC
SOCIAL ADULT DAY PROGRAM - OFFICE FOR THE AGING – 2019**

WHEREAS, The Center for Disability Rights, Inc. (CDR) located at 497 State Street, Rochester, New York 14608 will be operating a Social Adult Day Service located at 195 Parrish Street, Canandaigua, NY 14424; and

WHEREAS, CDR desires to purchase meals from the Ontario County Office for the Aging to serve to their adult day program clients; and

WHEREAS, the Office for the Aging desires to support the operation of a social adult service because the it has determined there is a growing need for social adult day care in Ontario County; and

WHEREAS, CDR, Inc. agrees to purchase the meals from Ontario County at the rate of \$8.53 per meal; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize an agreement between the Office for the Aging and CDR for the period January 1, 2019, through December 31, 2019; and further

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

RESOLVED, That certified copies of this resolution be sent to the Center for Disability Rights, Inc. and the NYS Office for the Aging.

**RESOLUTION NO. 146-2019
AUTHORIZATION TO CONTRACT WITH
UNITED CHURCH OF CHRIST OF HONEOYE
FOR SPACE TO OPERATE A CONGREGATE MEAL PROGRAM
OFFICE FOR THE AGING – 2019**

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

WHEREAS, The time frame for this agreement is January 1, 2019 to December 31, 2019 and the funds for this contract have been allocated in the 2018 Office for the Aging budget; and

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

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

RESOLVED, That the County Administrator is hereby authorized and directed to sign said agreement on behalf of the County; and further

RESOLVED, That certified copies of this resolution be sent to the United Church of Christ of Honeoye and the NYS Office for the Aging.

**RESOLUTION NO. 147-2019
APPOINTMENT - FINGER LAKES WORKFORCE INVESTMENT BOARD
MARIA FISHER**

WHEREAS, The Finger Lakes Workforce Investment Board currently has one vacancy for an Ontario County public sector representative due to the resignation of Mr. Dan Maloney as a union representative; and

WHEREAS, The Workforce Investment Board members must be appointed by the respective Board of Supervisors; and

WHEREAS, The Governance and Membership Committee and Executive Director of the Finger Lakes Workforce Investment Board has solicited nominations in accordance with the Law, and said nomination being reviewed and approved by the Health and Human Services Committee; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby appoint Ms. Maria Fisher, Chief of Staff of the Rochester-Genesee Valley Area Labor Federation, 30 North Union Street, Rochester, New York 14607, to fill the unexpired term of Mr. Maloney; and further

RESOLVED, That Ms. Fisher's term of office shall be effective immediately and shall expire on June 30, 2019; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Ms. Fisher, the Finger Lakes Workforce Investment Board and the County Clerk.

The foregoing block of nine resolutions was adopted.

Supervisor Singer offered the following block of five resolutions and moved for their adoption, seconded by Supervisor Lightfoote:

**RESOLUTION NO.148-2019
AWARD OF CONTRACT FOR
ON-DEMAND CONSULTANT SERVICES RELATED TO
ONGOING CONSTRUCTION AND OPERATION OF THE**

**ONTARIO COUNTY LANDFILL
SCS ENGINEERS**

WHEREAS, Ontario County owns the sanitary landfill located at 1879 Route 5 and 20, Stanley, NY(the landfill); and

WHEREAS, In 2003 through an Operation, Management, and Lease agreement Ontario County, assigned responsibility for ongoing construction and operation of the landfill to Casella Waste Systems, Inc. (Casella); and

WHEREAS, Casella employs its own engineers as well as outside consultants to address the numerous complex technical and regulatory compliance issues related to landfill construction and operation; and

WHEREAS, Periodically, Ontario County is required to assess and make decisions regarding these same complex issues; and

WHEREAS, Assistance directly to County decision makers from qualified experts in the employ of Ontario County will result in a better informed and balanced decision making process; and

WHEREAS, Staff has received a proposal dated 2/6/19 from SCS Engineers, (the Proposal); and

WHEREAS, SCS Engineers has previously provided expert consultation to Ontario County regarding landfill related issues; and

WHEREAS, Staff has recommended executing an annual contract for on-demand landfill consulting services from SCS Engineers as described in the Proposal in an amount not to exceed \$30,000; and

WHEREAS, Ontario County is in receipt of unallocated revenue received pursuant to the Operation Management and Lease Agreement with Casella representing proceeds due for accepting each ton of waste over 624,000 tons during 2019; and

WHEREAS, To fund the Proposal, a portion of said revenues must be transferred into an appropriate line item within the Department of Sustainability and Solid Waste Management; and

WHEREAS, The Ways and Means and Environmental Quality Committees have reviewed this resolution and recommend its approval; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the following budget transfer:

A 8160 R 2189	Lease Payment Agreement	+ \$30,000.00
A 8160 E 4260	Consultation and Professional	+ \$30,000.00

and further

RESOLVED, County staff is hereby authorized to execute a contract with SCSEngineers, 4 Executive Boulevard, Suite 303 Suffern, New York 10901, in an amount not to exceed\$30,000, for services described in the Proposal, and further

RESOLVED, Said contract shall expire on 12/31/19; and

RESOLVED, That County staff is also authorized to perform all accounting entries and other administrative work necessary to effect the intent of this resolution, and further

RESOLVED, That copies of this resolution be sent to the County Departments of Finance and Planning and Marcus Scrimgeour, c/o SCS Engineers, 4 Executive Boulevard, Suite 303 Suffern, New York 10901.

**RESOLUTION NO. 149-2019
AUTHORIZATION TO CONTRACT WITH
ONTARIO COUNTY SOIL & WATER CONSERVATION DISTRICT FOR
AGRICULTURAL TIRE RECYCLING**

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

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

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

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

WHEREAS, The Ontario County agricultural community has a large volume of waste tires used for other agricultural needs; and

WHEREAS, Administrative and financial assistance is needed for farmers to comply with New York State Department of Conservation (NYS DEC) Part 360.12(c)(2)iv; and

WHEREAS, The Ontario County Soil and Water Conservation District has proposed to perform these services and has asked for financial assistance from the County in the amount not to exceed Ten Thousand Dollars (\$10,000.00); and

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

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Ontario County Soil and Water

Conservation District for a fee not to exceed Ten Thousand Dollars (\$10,000.00); and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with Ontario County Soil and Water Conservation District for a fee not to exceed Ten Thousand Dollars (\$10,000.00); and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Ms. Megan Webster of the Ontario County Soil and Water Conservation District at 480 N. Main St., Suite #2, Canandaigua NY 14424.

**RESOLUTION NO. 150-2019
AUTHORIZING A CONTRACT WITH
THE OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT
FOR TRANSFER OF SFY 2018-2019 STATE GRANT FUNDING
UNDER THE FINGER LAKES-LAKE ONTARIO WATERSHED
PROTECTION ALLIANCE**

WHEREAS, Ontario County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes – Lake Ontario Watershed Protection Alliance, has been allocated NYS Environmental Protection Funds administered by the Department of Environmental Conservation (NYSDEC) for State Fiscal Year (SFY) 2018-19 in the amount of Eighty Nine Thousand Two Hundred Dollars (\$89,200.00) for its associated water quality program under the Finger Lakes – Lake Ontario Watershed Protection Alliance (FOLLOWPA); and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member Programs to the Oswego County Soil and Water Conservation District (DISTRICT) and the Water Resources Board of FOLLOWPA (WRB) via a single contract between NYSDEC, the DISTRICT and the WRB; and

WHEREAS, The DISTRICT has proposed a contract (DISTRICT CONTRACT) to provide FOLLOWPA grant funding allocated to Ontario County in the SFY 2018-19 budget to fund water quality improvement projects as described in Schedule A and Schedule B of the proposed contract on file with the Clerk of the Board; and

WHEREAS, The term of this contract is April 1, 2019 through March 31, 2021, yet eligible expenses incurred back to January 1, 2019 may be reimbursed under this grant; and

WHEREAS, The DISTRICT shall advance payments by check according to the terms of this contract to Ontario County per the following schedule upon receipt of sufficient grant funds from NYSDEC:

Payment 1	Initial Advance Payment – SFY2018-19 State Grant Funds	\$66,900.00
Payment 2	Final Payment (Retainage) – SFY 2018-19 State Grant Funds	\$22,300.00

and

WHEREAS, \$47,824 of the SFY grant was included in the 2019 Budget under Environmental Control in account A8092 Aquatic Vegetation Program, leaving an additional amount of \$41,376 in FLOWPA grant funding available to be added to the 2019 budget; and

WHEREAS, New York State issued a notice of a Water Quality Improvement Program (WQIP) grant in December 2018 to Ontario County for custom equipment for the Honeoye Lake Aquatic Vegetation Management Program, allowing \$10,000 in FLOWPA grant funds budgeted for said equipment in 2019 to be reallocated for other NYSDEC-approved water quality projects outlined in said Schedule A of the DISTRICT CONTRACT; and

WHEREAS, FLOWPA grant funding not expended on aquatic vegetation management in Honeoye Lake is normally added to the Planning Department Budget to be used for other approved water quality improvement projects contained in Schedule A of the DISTRICT CONTRACT; and

WHEREAS, The Planning and Environmental Quality Committee and the Ways and Means Committee recommend adoption of this resolution; now, therefore, be it

RESOLVED, Upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes and empowers the County Administrator to execute a contract with the Oswego County Soil and Water Conservation District for the Finger Lakes – Lake Ontario Watershed Protection Alliance to secure the transfer of SFY 2018-2019 FLOWPA funding to Ontario County, and to act as the official representative of Ontario County in connection with all contracts between Ontario County and the DISTRICT for FLOWPA funds; and further

RESOLVED, That the following budget amendment is hereby approved:

Account	Description	Existing Budget	Change	Amended Budget
A 8092 R 3910	State Aid Conservation Programs	\$47,824.00	- \$10,000.00	\$37,824.00
A 8092 E 2260	Tractors, Boats, Cycles, Snowmobiles	\$10,000.00	\$10,000.00	\$0.00
A 8020 0806 E 4530	Agency Contracts	\$39,290.21	+ \$51,376.00	\$90,666.21
A 8020 0806 R 3910	State Aid Conservation Programs	\$51,790.21	+ \$51,376.00	\$103,166.21

and further

RESOLVED, That any unspent appropriations and encumbrances related to the DISTRICT CONTRACT be transferred to future years; and further

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

RESOLVED, That a signed, certified copy of this Resolution and associated contract be sent by the Clerk of this Board to Ms. Kristy LaManche, Program Coordinator of Finger Lakes-Lake Ontario Watershed Protection Alliance, c/o Oswego County Soil and Water Conservation District, 3105 NYS Route 3, Fulton, New York, 13069.

**RESOLUTION NO. 151-2019
RESOLUTION TO ESTABLISH A PUBLIC HEARING FOR
THE INCLUSION OF VIABLE AGRICULTURAL LAND
IN ONTARIO COUNTY PROPOSED DURING
THE 2018 ANNUAL REVIEW PERIOD**

WHEREAS, In accordance with Article 25 AA §303-b. of the New York State Agriculture and Markets Law, this Board of Supervisors established by Resolution No. 294-2004 an annual thirty (30) day period within which a land owner may submit to the Board of Supervisors a request for inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, The following parcels have been proposed for inclusion:

Town	Agricultural District	Map No.	Property Address*	Owner	Acres
Bristol	1	109.00-1 88.120	(3998) CR 2	Andrew Rogers	23
Farmington	1	29.00-2- 17.100	5625 SR 96	Sport of Kings Farm, Inc.	52
Hopewell	1	58.00-1- 25.131	(2063) SR 21	Newcomb, Cynthia S	8
Phelps	6	60.00-3- 15.420	(2081) CR 43	Andrew Campbell	5
Phelps	6	60.00-3- 28.120	(2493) Waddell Rd.	Ute Amberg	17
Victor	1	40.00-1- 31.212	(1749) Brace Rd.	William J. & Nancy J. Tosch	71
Victor	1	40.00-1- 21.140	(1623) Brace Rd.	Fresh-Ayr Farms, LLC	67
Victor	1	28.00-1- 38.100	Plastermill Rd. (6300 Collett)	Murphy Co., Inc	20
Victor	1	40.00-1- 22.111	1623 Brace Rd.	Robert & Susan Reed	10 0
				Total	36 3
*If a parcel does not have a street number, then the number in parentheses is for an adjoining address for purposes of location.					

WHEREAS, Such an annual review requires a public hearing be held for the purpose of hearing comments on the parcels proposed for inclusion; now therefore, be it

RESOLVED, That a public hearing on the proposed inclusion of land to an Ontario County Agricultural District be scheduled for 6:30 pm on Thursday, March 28, 2018 in the Safety Training Facility, 2914 CR 48, Canandaigua, New York; and further

RESOLVED, That the Clerk of the Ontario County Board of Supervisors be directed to give public notice to all interested parties in accordance with the provisions of Article 25AA of the New York State Agriculture and Markets Law; and further

RESOLVED, That the Clerk of this Board send certified copies of this resolution to the County Planning Department, the County Clerk, and the Clerk of the Towns of Bristol, Farmington, Hopewell, Phelps, and Victor.

**RESOLUTION NO. 152-2019
DECLARING LEAD AGENCY STATUS FOR THE
INCLUSION OF VIABLE AGRICULTURAL LAND IN ONTARIO COUNTY
PROPOSED DURING THE 2018 ANNUAL REVIEW PERIOD**

WHEREAS, In accordance with Article 25 AA §303-b. of the New York State Agriculture and Markets Law, this Board of Supervisors established by Resolution No. 294-2004 an annual thirty (30) day period within which a land owner may submit to the Board of Supervisors a request for inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, The New York State Department of Environmental Conservation has identified such a review as an Unlisted action under the New York State Environmental Quality Review Act; now, therefore, be it

RESOLVED, That notice and the Short Environmental Assessment Form Part 1 be circulated to all involved parties of this Board's intention to become lead agency in the environmental review of the inclusion of viable agricultural land in Ontario County proposed during the 2018 annual review period; and further

RESOLVED, That the Clerk of this Board send certified copies of this resolution to the Director of Planning, the Commissioner of the New York State Department of Environmental Conservation, the Region 8 Office of the Department of Environmental Conservation, the New York State Department of Agriculture and Markets, and the Towns of Bristol, Farmington, Hopewell, Phelps and Victor.

The foregoing block of five resolutions was adopted.

Supervisor Singer offered the following resolution and moved for its adoption, seconded by Supervisor Lightfoote:

**RESOLUTION NO. 153-2019
ADOPTING LOCAL LAW NO. 1 (INTRO.) 2019
AFTER PUBLIC HEARING**

WHEREAS, A public hearing having been held on March 7, 2019, during the full meeting of this Board, for public input on a proposed local law entitled "A Local Law to Allow the Appointment of Alternate Members to the Ontario County Planning Board"; and

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

RESOLVED, That Local Law No. 1 (Intro) of 2019, allowing appointment of Alternate Members of the Ontario County Planning Board, is hereby adopted.

Adopted.

Supervisor Green offered the following block three resolutions and moved for their adoption, seconded by Supervisor Campbell:

**RESOLUTION NO. 154-2019
AUTHORIZATION TO CONTRACT WITH
SAM ASHER COMPUTING SERVICES, INC.
FOR EMERGENCY NOTIFICATION HYPER-REACH SYSTEM**

WHEREAS, The Ontario County Sheriff's Office has need for an Emergency Notification Hyper-Reach System (Reverse 911); and

WHEREAS, Pursuant to Resolution 806-2015, the Ontario County Sheriff's Office has contracted with Sam Asher Computing Services, Inc., 3300 Monroe Ave., Suite #317, Rochester, New York 14618 for this service for a three year period ending December 31, 2018; and

WHEREAS, Sam Asher Computing has submitted a 5-year proposal to provide this service to Ontario County and is the sole source able to implement the Emergency Notification Hyper-Reach System (Reverse 911); and

WHEREAS, The County spends approximately \$12,000 per year for this service; and

WHEREAS, The funding for this service exists within the 2019 budget; and

WHEREAS, The Public Safety committee has reviewed this proposal and approves of entering into said contract for the term of January 1, 2019 through December 31, 2023; now therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Sam Asher Computing Services, Inc. for a term of January 1, 2019 through December 31, 2023 at a cost not to exceed \$60,000; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Sam Asher Computing Services, Inc.

**RESOLUTION NO. 155-2019
AUTHORIZATION – AGREEMENTS FOR SERVICES
EMERGENCY SERVICE INSTRUCTORS**

WHEREAS, The County of Ontario is desirous of receiving instructional services for members of the County's emergency service agencies; and

WHEREAS, These individuals have been approved by the Director of the Ontario County Emergency Management Office or the Emergency Medical Services Coordinator, as qualified to perform such services; and

WHEREAS, An Agreement for Services has been approved by the Ontario County Attorney; and

WHEREAS, Authorization for these Agreements have been approved by the Public Safety Committee within budgetary limitations; now, therefore, be it

RESOLVED, Agreements for Services, authorized by the Director of the Emergency Management Office, on file with the Clerk of the Board of Supervisors, be approved by this Board of Supervisors for the period January 1, 2019 - December 31, 2019.

RESOLUTION NO. 156-2019
ONTARIO COUNTY EMERGENCY MEDICAL SERVICES
ADVISORY BOARD APPOINTMENTS

WHEREAS, This Board of Supervisors by Resolution No. 598-96 established the Ontario County Emergency Medical Services Advisory Board; and

WHEREAS, Resolution No. 598-96 defined the composition of members for this Advisory Board; now, therefore, be it

RESOLVED, That the Emergency Medical Services officers listed below be appointed to the Emergency Medical Services Advisory Board for the year ending December 31, 2019:

Robert Frost
Bristol F.D.
Ambulance
7691 Gregg Road
Bloomfield, NY 14469

Megan Kolodziejski
Shortsville F.D.
Ambulance
4210 Shortsville Road
Shortsville, NY 14548

Sheila Brundage
Naples Ambulance
13 Wayland Street
North Cohocton, NY
14808

Drew Cusimano
Fishers Fire Dept.
2420 Brickyard Road

Matthew Sproul
E. Bloomfield Vol. Amb.
233 North Pearl Street
Canandaigua, NY 14424

Matthew Sproul
Canandaigua Emergency
Squad
233 North Pearl Street
Canandaigua, NY 14424

Amanda Gibeau
Stanley/Hall/Gorham
Amb.
P.O. Box 57
Hall, NY 14463

Danielle Day
Oaks Corners F.D.
37 Route 96

Drew Cusimano
Mercy Flight Central
2420 Brickyard Road
Canandaigua, NY
14424

Ken Beers
Finger Lakes
Ambulance
20 Crane Street
Clifton Springs, NY
14432

Ben Cramer
Canandaigua Fire
Dept.
335 South Main Street
Canandaigua, NY
14424

Christopher Foster
Victor-Farmington
Ambulance

March 7, 2019

Canandaigua, NY
14424

Geneva, NY 14456

5703 Dalton Drive.
Farmington, NY 14425

Crystal Martin
Cheshire Rescue
5700 Bunnell Rd.
Canandaigua, NY
14424

Justin Osborne
Honeoye/Richmond
FD/Ambulance
P.O. Box 183
Honeoye, NY 14471

John Dole
Phelps Ambulance
15 Willard Avenue
Phelps, NY 14532

Aaron Fitzgerald
West Lake Road F.D.
5214 West Lake Road
Geneva, NY 14456

Nikki Delpriore
Clifton Springs Rescue
P. O. Box 15
Clifton Springs, NY 14432

Brian Mace
Hopewell F.D. Rescue
150 Gorham Street
Canandaigua, NY
14424

Dawn Wood
Port Gibson F.D.
Ambulance
P. O. Box 115
Port Gibson, NY
14537

Matt Picchi
White Springs Fire Dept.
1 Cynthia Drive
Geneva, NY 14456

and further

RESOLVED, That a copy of this resolution be provided to all appointees, the Director of Emergency Management, the EMS Coordinator, and the County Clerk.

The foregoing block of three resolutions was adopted.

Supervisor Lightfoote offered the following block of five resolutions and moved for their adoption, seconded by Supervisor Vedora:

RESOLUTION NO. 157-2019
CAPITAL PROJECT NO. 3-2013
74 ONTARIO STREET RENOVATION – PHASE II
CONTRACT WITH KONE, INC.
ELEVATOR SERVICE

WHEREAS, Resolution No. 297-2013 established Capital Project No. 3-2013, 74 Ontario Street Renovation – Phase II for the purposes of completing architectural and engineering design, interior renovations, and core mechanicals replacement for sections of the 74 Ontario Street building (hereinafter Project); and

WHEREAS, Resolutions No. 179-2018 awarded Bid (B18009) for the maintenance of elevators at Ontario County and Finger Lakes Community College to KONE, Inc.; and

WHEREAS, Resolution No. 34-2019 extended said bid to KONE, Inc. for a one year period starting April 1, 2019 through March 31, 2020; and

WHEREAS, Resolution No. 515-2018 awarded the bid for early demolition work to Jupiter Environmental Services, Inc. for a total contract amount of \$682,800.00; and

WHEREAS, As the result of use during the demolition contract and transport of air-born dust and debris through the elevator equipment and shaft, it is determined by the County that extra repairs and maintenance are required; and

WHEREAS, KONE, Inc. submitted a proposal for the necessary labor and material to provide hoistway, pit, and machine room clean-downs on the 74 Ontario Street east and west elevators for a cost not to exceed \$11,068.16; and

WHEREAS, The pricing of said proposal is based on Bid (B18009) pricing; and

WHEREAS, Said costs associated with this service will be deducted from Jupiter Environmental Services, Inc. contract; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with KONE, Inc. for the necessary labor and material to provide hoistway, pit, and machine room clean-downs on the 74 Ontario Street east and west elevators for a cost not to exceed \$11,068.16; and further

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

RESOLVED, That \$1500.00 of contingency is approved for unforeseen items that might arise during said work; and further

RESOLVED, That the Commissioner of Public Works is authorized to approve the use of said contingency; and further

RESOLVED, The cost of said elevator service is to be deducted from Jupiter Environmental Services, Inc. contract; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Fourteen Million Eleven Thousand Four Hundred Fifteen Dollars and Zero Cents (\$14,011,415.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to the Department of Finance, and KONE, Inc., 10 Pixley Industrial Parkway, Rochester, NY 14624.

RESOLUTION NO. 158-2019
CAPITAL PROJECT NO. 02-2015
HOPEWELL COMPLEX IMPROVEMENTS
BUDGET AMENDMENT - DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 576-2015 created Capital Project No. 2-2015, Hopewell Complex Improvements, and awarded a contract to McFarland Johnson for planning and

preliminary design services for the Hopewell County Complex access road rehabilitation; and

WHEREAS, The 2019 Capital Improvement Plan includes \$400,000 of funding for this project (\$100,000 of tax levy and \$300,000 of CRARM Reserve); and

WHEREAS, County Engineering staff has designed Phase 1 of this project which includes road and drainage improvements from the entrance of Hopewell Complex Drive to Building 3019; and

WHEREAS, Ontario County Highway Department will be completing much of this work with materials being purchased from the Material Bids; 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 following budget transfer is hereby approved:

A 0511 B 0878	Appropriated Reserve	+\$300,000.00
A 9950 E 9950	Transfer to Capital Projects	+\$300,000.00

RESOLVED, That the budget of Capital Project No. 02-2015 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HCA 1647 E 4491	General Construction	\$0.00	+\$200,000.00	\$200,000.00
HCA 1647 E 4495	Architectural & Engineering	\$65,910.00		\$65,910.00
HCA 1647 E 4865	Administration	\$2,000.00		\$2,000.00
HCA 1647 E 4731	Contingency	\$182,090.00	+\$200,000.00	\$382,090.00
Revenue:				
HCA 1647 R 5036	Interfund Transfer - A Fund	\$85,000.00	+\$100,000.00	\$185,000.00
HCA 1647 R 5048	Interfund Transfer - Capital Reserve	\$165,000.00	+\$300,000.00	\$465,000.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution for a total project budget of \$650,000.00; and further

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

RESOLUTION NO. 159-2019

**CAPITAL PROJECT NO. 02-2016
SPACE REORGANIZATION AND SECURITY ENHANCEMENT OF
ONTARIO COUNTY HUMAN SERVICES BUILDING PROJECT
BUDGET AMENDMENT - DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 375-2016 created Capital Project No. 2-2016, Space Reorganization and Security Enhancement of Ontario County Human Services Building Project; and

WHEREAS, The 2018 Capital Improvement Plan included \$1,000,000 of tax levy funding for this project; and

WHEREAS, Said funding was returned to the General Fund Fund Balance; 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 following budget transfer is approved:

A 0599 B 0000	Appropriated Fund Balance	+\$1,000,000.00
A 9950 E 9950	Transfer to Capital Projects	+\$1,000,000.00

and further

RESOLVED, That the budget of Capital Project No. 02-2016 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HCN 1649 E 4260	Consultation & Professional	\$38,740.00		\$38,740.00
HCN 1649 E 4865	Administration	\$4,000.00		\$4,000.00
HCN 1649 E 4731	Contingency	\$0.00	+\$1,000,000.0 0	\$1,000,000.0 0
Revenue:				
HCN 1649 R 5036	Interfund Transfer - A Fund	\$42,740.00	+\$1,000,000.0 0	\$1,042,740.0 0

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution for a total project budget of \$1,042,740.00; and further

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

**RESOLUTION NO. 160-2019
CAPITAL PROJECT NO. 6-2017
AUTHORIZATION TO CONTRACT WITH INTEGRATED SYSTEMS
FLCC ATHLETIC FIELDS UPGRADE PROJECT**

AND BUDGET TRANSFER

WHEREAS, Resolution No. 780-2016 approved the 2017-2022 Ontario County Capital Improvement Plan (CIP); and

WHEREAS, Resolution No. 898-2016 amended the 2017 – 2022 Ontario County Capital Improvement Plan to add the FLCC Athletic Fields Upgrade Project, specifically a \$100,000.00 project in 2017 for design of the turf field component (Phase I) only to be funded 50% by State funding through the State University of New York (SUNY funding) and 50% from a contract with the FLCC Foundation, Inc.; and

WHEREAS, Resolution No.666-2017 approved the 2018-2023 Ontario County Capital Improvement Plan; and

WHEREAS, The 2017-2018 New York State Budget included authorization for the SUNY funding as Project # C11097; and

WHEREAS, Resolution No. 445-2017 authorized a contract with the FLCC Foundation, Inc. to fund Fifty Thousand Dollars (\$50,000.00) of the cost of FLCC Athletic Fields Upgrade Project for design; and

WHEREAS, Resolution No. 446-2017 created and funded Capital Project 6-2017 as the FLCC Athletic Fields Upgrade Project in the amount of One Hundred Thousand Dollars (\$100,000.00) and awarded the consultant contract; and

WHEREAS, The 2018-2019 New York State Budget included additional authorization for the SUNY funding of Project #C11097 in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00); and

WHEREAS, Resolution No. 259-2018 approved a contract with the FLCC Foundation, Inc., FLCC Associations, Inc. and FLCC Student Corporation wherein the FLCC Foundation, Inc. FLCC Association, Inc., and FLCC Student Corporation shall provide up to Two Million Seven Hundred Thousand Dollars (\$2,700,000.00) of funding as part of the local share of the cost of construction for the FLCC Athletic Fields Upgrade Project incurred by the County and awarded the construction contracts; and

WHEREAS, At this time said contracts are complete and all Change Orders approved have been processed leaving a dollar balance in the Change Order Contingency line of said project; and

WHEREAS, Campus security is required for the FLCC Athletic Fields; and

WHEREAS, Integrated Systems, 50 Victor Heights Parkway, Victor, New York 14564, has submitted Quote #6293, dated January 16, 2019 for cameras required for campus security at the FLCC Athletic Fields to be located in the press box in the amount of Twelve Thousand Five Hundred Fifty Seven Dollars and Eighty Four Cents (\$12,557.84) per New York State Contract #PT65435, a copy of which is on file with the Clerk of this Board; and

WHEREAS, FLCC staff recommends acceptance of this quote; and

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

RESOLVED, That the following budget amendment for Capital Project No. 6-2017 be and hereby approved:

Line Item	Description	Current Budget	Change	Revised Budget
Appropriations				
HCV 2499 E 4053	Construction Testing & Inspection	\$50,000.00	\$0.00	\$50,000.00
HCV 2499 E 4260	Consultation & Professional	\$188,715.84	\$0.00	\$188,715.84
HCV 2499 E 4491	General Construction	\$4,482,620.50	\$0.00	\$4,482,620.50
TO:				
HCV 2499 E 4493	Electric	\$1,081,827.00	+\$12,557.84	\$1,094,384.84
FROM:				
HCV 2499 E 4743	Change Order Contingency	\$147,865.50	-\$12,557.84	\$135,307.66
HCV 2499 E 4865	Administrative Expenses	\$2,000.00	\$0.00	\$2,000.00
Revenues				
HCV 2499 R 2705	Gifts & Donations	\$2,750,000.00	\$0.00	\$2,750,000.00
HCV 2499 R 3287	State Aid	\$2,876,514.42	\$0.00	\$2,876,514.42
HCV 2499 R 5036	Interfund Transfer	\$326,514.42	\$0.00	\$326,514.42

and further

RESOLVED, That the Ontario County Board of Supervisors hereby accepts Quote #6293, dated January 16, 2019, from Integrated Systems, 50 Victor Heights Parkway, Victor, New York 14564, for the cameras required for Campus Security at the FLCC Athletic Fields to be located in the press box in the amount of Twelve Thousand Five Hundred Fifty Seven Dollars and Eighty Four Cents (\$12,557.84) per New York State Contract #PT65435, a copy of which is on file with the Clerk of this Board; and

RESOLVED, That the term shall commence on March 8, 2019 and terminate on March 7, 2020; and further

RESOLVED, That the cost of said contract shall be paid from line HCV 2499 E 4493 - Electric – from Capital Project 6-2017; and further

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

budget of Five Million Nine Hundred Fifty Three Thousand Twenty Eight Dollars and Eighty Four Cents (\$5,953,028.84); and further

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

**RESOLUTION NO. 161-2019
AWARD OF BID – OEM REPLACEMENT PARTS
DEPARTMENT OF PUBLIC WORKS – FLEET MANAGEMENT**

WHEREAS, The Purchasing Department advertised for and received per tabulation sheet on file with the Clerk of the Board, sealed bids (B19003) for the purchase of OEM replacement parts; and

WHEREAS, There were no responsive bids received for Items 1, 2, 4, and 10 and will seek other sources; now, therefore be it

RESOLVED, The County hereby awards OEM vehicle replacement parts to the following low responsible, responsive bidders:

DJM Equipment, Inc. 7216 Palmyra Road Fairport, New York 14450	Item 7
Van Bortel Chevrolet 1338 West Main Street Macedon, New York 14502	Item 3
Beam Mack Sales & Service 2674 West Henrietta Road Rochester, New York 14623	Item 5, 6, 9
Regional International Inc. 1007 Lehigh Station Road Henrietta, New York 14467	Item 8

and further

RESOLVED, After review of this bid between the Purchasing Department, Fleet Management Department and Public Works Committee, it was deemed in the County’s best interest to accept this bid; and further

RESOLVED, That said award shall be effective starting on April 1, 2019 and ending on March 31, 2020; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to all successful vendors.

The foregoing block of five resolutions was adopted.

Supervisor Baker offered the following block three resolutions and moved for their adoption, seconded by Supervisor Wickham:

**RESOLUTION NO. 162-2019
TRANSFER OF FUNDS – 2019 COUNTY BUDGET**

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:

<u>2019 Budget</u>	FROM	TO	NET DIFFERENCE
Sheriff - Communications Appropriated Reserve	A 0511 B 7200		+200,000.00
Signal and Communications		A 3020 9999 E 2550	+200,000.00
Appropriated Reserve	A 0511 B 7200		+30,000.00
Operating Equipment		A 3150 9999 E 3000	+30,000.00
Appropriated Reserve	A 0511 B 7200		+25,000.00
Operating Equipment		A 3150 9999 E 3000	+25,000.00

and further, be it

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

**RESOLUTION NO. 163-2019
AUTHORITY TO COUNTY TREASURER TO PAY 2018/19 TAX
SETTLEMENT PAYMENT TO SCHOOL DISTRICTS**

WHEREAS, Pursuant to Article 13, Section 1330-4 of the N.Y.S. Real Property Tax Law, school taxes have been levied against certain parcels in the County of Ontario; now, therefore, be it

RESOLVED, That the County Treasurer be, and he hereby is, authorized and directed to pay on or before April 1, 2019, to the various school districts for returned unpaid school taxes for the year 2018/19 as follows:

BLOOMFIELD CENTRAL	\$ 392,662.42
HONEOYE CENTRAL	318,458.76

HONEOYE FALLS-LIMA CENTRAL	65,064.84
LIVONIA CENTRAL	216.85
LYONS CENTRAL	21,334.58
MARCUS WHITMAN CENTRAL	279,714.16
NAPLES CENTRAL	370,440.68
NEWARK CENTRAL	28,162.05
PALMYRA-MACEDON CENTRAL	34,988.50
PENN YAN CENTRAL	0.00
PHELPS-CLIFTON CENTRAL	579,791.27
PITTSFORD CENTRAL	31,969.42
RED JACKET CENTRAL	484,308.03
VICTOR CENTRAL	1,121,105.37
WAYLAND CENTRAL	14,499.26
TOTAL PAYMENTS	\$3,742,716.19

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

**RESOLUTION NO. 164-2019
AUTHORITY TO COUNTY TREASURER TO PAY 2018/2019 TAX
RETURNED VILLAGE TAXES**

WHEREAS, In compliance with Ontario County Local Law No. 6 of the year 1977 “providing for collection of delinquent village taxes” and pursuant to Section 1442.4 of the Real Property Tax Law, the County shall, on or before the 1st day of April, 2019 pay the Village Treasurer the amount of returned delinquent village taxes remaining unpaid, including interest accumulated to the time of return of the tax roll by the Village Treasurer to the Village Board; now, therefore, be it

RESOLVED, That the County Treasurer be, and he hereby is, authorized and directed to make settlement payment of the following:

VILLAGE	AMOUNT
BLOOMFIELD	\$ 10,828.07
CLIFTON SPRINGS	20,578.05
MANCHESTER	20,540.75
NAPLES	20,602.34
PHELPS	30,754.18
RUSHVILLE	9,847.69
SHORTSVILLE	18,797.08
VICTOR	20,995.14
TOTAL PAYMENTS	152,943.30

and further

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

The foregoing block of three resolutions was adopted.

Chairman Marren granted privilege of the floor to Supervisor Marshall.

Supervisor Marshall said the Town of South Bristol lost very good friend this week, very suddenly and tragically to an accident at his home. He is referring to John Brahm, owner of the Arbor Hill Grapery and Beer and Brats. He said that Mr. Brahm not only did wonderful things for South Bristol, but he was also very active at the County level as well. He spent many years on the Industrial Development Agency and with Finger Lakes Visitors Connection. He was a tourism fanatic and was a marketer. He will be missed terribly.

On motion of Supervisor Gallahan, seconded by Supervisor Guard, the meeting was adjourned at 8:07 p.m.