

October 22, 2020

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

The Pledge of Allegiance was led by Supervisor Daryl Marshall.

Upon roll call, the Members of the Board were present except Supervisor Frederick Lightfoote who was declared necessarily absent. Supervisor Andrew Wickham joined the meeting via WebEx at 6:40 pm.

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

A Public Hearing regarding proposed Local Law No. 5 (Intro.) of 2020 entitled "Ontario County Sewer Rents Law, As Amended" was called to order at 6:32 pm.

As no one else wished to speak, the Public Hearing was closed at 6:33pm.

Director of Public Health, Mary Beer reported to date on COVID-19 cases:

- Thirteen new cases this day
- 608 positive cases since the onset of the epidemic
- They have been experiencing an uptick in the positive cases
- Six are being hospitalized, but no further deaths
- They are seeing cases all over the County in small clusters
- They are not seeing the spread in schools, but more outside and being brought into the schools.
- No new cases in the colleges.
- They received from the state four rapid testing machines with the tests.

Supervisor Gallahan asked Ms. Beer if she new if any of the private airports are being monitored. Ms. Beer replied, no.

Interim County Administrator Brian Young gave an update on the Executive Order 203 adopted by the Governor in June regarding the Police Reform and Reinvention Collaboration. They received guidance from the Governor's Office at the end of August/beginning of September. The Campbell Commission led by Supervisor Campbell, included most of the stakeholders that were required to be a part of this collaborative, and then brought in some other outside entities, including not for profit agencies, houses of worship that represent minority groups and other individuals throughout the county. Mr. Young will be distributing information regarding public listening sessions that will begin October 28th at Phelps Community Center, 29th at Bloomfield School, and 30th at FLCC at Stage 14. They will also follow up with a final virtual session the following week. The sessions are to gain information and input from the community on certain topics within the Sheriff's Department. Mr. Young will also provide a survey to distribute to the community.

Supervisor Peter Ingalsbe stated that it was nice to be in the new building at 74 Ontario Street. He said it could not have happened without everybody in the room and County staff, individuals, Planning, and Buildings and Grounds. Supervisor Ingalsbe asked Bill Wright, Commissioner of Public Works to do introductions for recognition. Mr. Wright mentioned a few things about this project (74 Ontario St. renovation) noting the unexpected things that have occurred, leading to over 300 hundred change orders. He noted that QPK and Pike were on top of it and the contractors were diligent and

cooperative not only working with them but identifying some of the problems that they saw. He said with the cooperative effort of the teams the project turned out to be a great. He said this team found a way to work through with COVID-19. Mr. Wright had the project team stand with him as he recognized those from Planning, Buildings & Grounds, Pike, and QPK. Mr. Wright said Ms. Bogart was one of the best construction managers he has ever worked with as Mr. Wright thanked them and the Board.

Chairman Marren thanked all on behalf of all the County.

Supervisor Kristine Singer introduced Bill Carpenter from Regional Transit Service (RTS) regarding the new initiative for veterans they have been working on with Jeremy Marshall, Director of Veterans Affairs.

Supervisor Kristine Singer requested privilege of the floor and introduced Mr. Bill Carpenter from the Regional Transit Service (RTS) regarding a new initiative for Veterans he has been working on with Jeremy Marshall, Director of Veteran's Services Agency.

Mr. Carpenter gave a power point presentation with an overview of the Rochester Genesee Regional Transportation Authority (RGRTA) and then the RTS Ontario Operations and their service area. Mr. Carpenter went over the changes they incorporated in their COVID-19 Response and the RTS Ontario Financial Results from April 2019 to March 2020. He then reviewed the Veterans Pass Program noting Veterans will ride free on all RTS regular routes as a thank you for their service. This program began October 21st.

Supervisor Rich Russell gave a report on Finger Lakes Community Colleges' reopening during COVID-19 and the High School Equivalency Program noting a third of the graduates move on to higher education.

Supervisor Jefferey Gallahan gave a brief report on the Fish and Wildlife Management noting deer have tested positive of rabies.

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

- Health and Human Services Committee held on September 11, 2020.
- Planning and Environmental Quality Committee held on September 21, 2020
- Public Works Committee held on September 21, 2020
- Public Safety Committee held on September 23, 2020
- Governmental Operations and Insurance Committee held on September 23, 2020
- Ways and Means Committee held on September 23, 2020
- Special Ways and Means Committee held on October 1, 2020

Resolution No. 183-20 entitled "Urging the New York State Legislature to Terminate the Emergency Declaration Established to Address the COVID-19 Pandemic" received from Steuben County Legislature.

Resolution No. 81-2020 scheduling a Public Hearing for a Proposed Local Law 5-2020 received from the Town of Geneva.

Resolution No. 2020-240 entitled "Authorizing the Chairman of the Livingston County Board of Supervisors to Sign the Following Contract for Snow and Ice Removal

through the 2020-2021 Season: Ontario County” received from Livingston County Board of Supervisors.

An inquiry of the county roads regarding remarking after resurfacing received from Janet Howard.

A marketing letter regarding liquidity data received from three+one.

A Notice of a Public Hearing introducing Local Law No. 2 of 2020 to amend Chapter 135 of the Town of Waterloo Code to revise the land Use Control Map and repeal Local Law No. 1 of 2020 received from the Town of Waterloo.

A Revised Notification of Grant Award extending the program period for the MIPPA Program to September 30, 2021 received from Karen Jackuback, NYS Office for the Aging.

Certificate of County Equalization Rates for 2020 Assessment Rolls for municipalities in the County of Ontario received from NYS Office of Real Property Tax Services.

Acknowledgement of receipt of advisement that Ms. Mary Beer has been reappointed as Public Health Director for Ontario County received from Howard Zucker, Commissioner of Health, NYS Department of Health. Acknowledgement of Filing with NYS of County of Ontario, Local Law No. 4 of 2020 entitled, “A Local Law for Ontario County Room Occupancy Tax Law” filed on August 26, 2020 received from State Records and Law Bureau.

The Clerk presented proposed Local Law No. 6 (Intro.) of 2020 entitled “A Local Law Applying the Management Compensation Program to Certain County Officers Appointed for Definite Terms for the Year 2021”

Be enacted by the Board of Supervisors, County of Ontario as follows:

SECTION 1: Legislative Intent

The Ontario County Management Compensation Plan, adopted by this Board on December 20, 2001, and amended by Res. 315 of 2020 on May 28, 2020, is a schedule providing higher rates of compensation through additional increments of salary based on length of service, pursuant to NYS County Law §201. This local law authorizes certain increases for those officers appointed for definite terms for the year 2021, subject to the provisions of NYS Municipal Home Rule Law §24(2)(h).

SECTION 2: Salary Adjustments, 2021

The compensation of those county officers appointed for definite terms for the year 2021 is hereby increased above their compensation for 2020 in accordance with the terms and schedule of the Management Compensation Plan adopted on December 20, 2001, and annually amended thereafter, most recently on May 28, 2020.

SECTION 3: An incumbent holding a position described in this local law at any time during the period from January 1 of the year 2021, until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefor, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefor. Such lump sum payment shall be made as soon as practicable.

SECTION 4: All local laws and resolutions of the Board of Supervisors of Ontario County, to the extent that the same are inconsistent with this local law, are hereby superseded by this local law.

SECTION 5: This local law is adopted subject to a permissive referendum, and the Clerk is directed to publish notice of the same as required by law.

SECTION 6: This local law shall become effective in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

Supervisor Jeffery Gallahan offered the following six resolutions as a block and moved for its adoption, seconded by Supervisor Gregory Bendzlowicz:

RESOLUTION NO. 527-2020
AUTHORIZATION TO ACCEPT A GRANT FROM THE CENTER FOR TECH
AND CIVIC LIFE FOR THE BOARD OF ELECTIONS

WHEREAS, The Center for Tech and Civic Life (CTCL) has awarded Ontario County a grant of \$42,432.50 from its 2020 COVID-19 Response Grant program available to all election offices nationwide (CTCL CONTRACT #n/a; CFDA# n/a; MUNIS# G20028) for the exclusive purpose planning and operationalizing a safe and secure election administration in Ontario County in 2020; and

WHEREAS, It is desirable for Ontario County to accept this no matching fund requirement grant from the Center for Tech and Civic Life, 233 N. Michigan Ave., Suite 1800, Chicago, IL 60601, for the period of June 15th, 2020 through December 31st, 2020; and

WHEREAS, Authorization by the Ontario County Board of Supervisors is required for acceptance of the Center for Tech and Civic Life Grant funds; and

WHEREAS, The Governmental Operations and Insurance Committee and the Ways and Means Committee have reviewed and recommend accepting a grant from Center for Tech and Civic Life for the purpose of planning and conducting a safe and secure election; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby accepts the Center for Tech and Civic Life grant for an

amount of \$42,432.50 for the period of June 15th, 2020 through December 31st, 2020; and further

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

RESOLVED, That the following budget transfer is hereby approved:

Account Number	Account Description	Amount
AA1450PL 41289	Other General Departmental Income	\$42,432.50
AA1450PL 54140	Postage	\$10,780.25
AA1450PL 54613	Supplies Election	\$31,652.25

and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with the Center for Tech and Civic Life and all other documents necessary to effectuate the purpose of this resolution; 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 Center for Tech and Civic Life, 233 N. Michigan Ave., Suite 1800, Chicago, IL 60601.

**RESOLUTION NO. 528-2020
ACCEPTANCE OF CONTRACT WITH PHOENIX GRAPHICS
ADDITIONAL ELECTION SUPPLIES DUE TO COVID-19 PANDEMIC**

WHEREAS, Due to COVID-19, the NYS Board of Elections has been required to change and implement new voting guidelines for the safety of voters, for all of the 2020 elections; and

WHEREAS, Purchasing Department advertised for and received, per the tabulation sheet on file with the Clerk of the Board, sealed bids (B19031) for Election Supplies; and

WHEREAS, Due to the new regulations posed by the NYSBOE, the Ontario County Board of Elections secured required election supplies not on the original bid award including voter information postcards, additional postage and handling, and new absentee envelopes from Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York 14606 under a separate contract from the original bid award; and

WHEREAS, The Ontario County Board of Elections has secured sufficient grant monies for election supplies to cover these additional expenses for both the primary and general elections in 2020; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed the request and agrees with the Phoenix Graphics, Inc. contract award recommendation; now, therefore, be it

RESOLVED, That a contract Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York 14606, for printed Election Supplies including voter information postcards, additional postage and handling, and new absentee envelopes for an amount not to exceed \$50,248.40 for the 2020 elections and to be in effect from September 1, 2020 to December 31, 2020; and further

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves this agreement; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of the Board to Phoenix Graphics, Inc.

**RESOLUTION NO. 529-2020
AUTHORIZATION TO CONTRACT WITH NTS DATA SERVICES
FOR REGISTERED VOTER NOTICE CARD PREPARATION AND
SPECIAL ELECTION POLL BOOKS**

WHEREAS, Due to COVID-19, the NYS Board of Elections has been required to change and implement new voting guidelines for the safety of voters in the 2020 elections; and

WHEREAS, Due to the changes, NTS has provided a NYS Absentee Ballot Application – Letter Pack and Insert mailing services to the Ontario County Board of Elections for the upcoming elections; and

WHEREAS, The letter pack mailing totaled 67,264 pieces of mail which included an insert of the same amount; and

WHEREAS, The Ontario County Board of Elections has secured sufficient grant monies for these services to cover these additional expenses for both the primary and general elections in 2020; and

WHEREAS, Special election poll books were required for the mid-term special election were provided by NTS Data Services, LLC.; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed and recommends contracting with NTS Data Services, Inc. for the purpose of generating the special election poll books and letter pack services; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby approves a contract with NTS Data Services, Inc. 2079 Sawyer Drive, Niagara Falls, New York 14304, for the term of January 1, 2020, through December 31, 2020 for an amount not to exceed \$37, 853.78; 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 County Administrator be, and hereby is, authorized and empowered to execute the contract with NTS Data Services, Inc., and all other documents necessary to effectuate the purpose of this resolution; 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 NTS Data Services, Inc.

RESOLUTION NO. 530-2020
AUTHORIZATION TO RETAIN OUTSIDE COUNSEL

WHEREAS, The County Attorney's Office is unable to represent the County's interest in pending litigation due to a conflict issue; and

WHEREAS, The firm of Bond, Schoeneck, and King, PLLC, has proposed to represent the County in this matter upon accepted terms, pursuant to the County Attorney's authorization to retain counsel to defend the County; and

WHEREAS, Initial funding for this retention is available in the Legal Services (MS171054230) line in the Self Insurance Budget; and

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

RESOLVED, That the County Attorney is hereby authorized to review and execute an engagement letter with Bond, Schoeneck and King, PLLC, and that initial funding for this representation shall be the Legal Services line in the Self Insurance Budget (MS171054230): and further

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

RESOLVED, That a certified copy of this resolution be sent to Bond, Schoeneck and King, PLLC.

**RESOLUTION NO. 531-2020
BUDGET TRANSFER WORKERS COMPENSATION FUND**

WHEREAS, The Workers Compensation Budget (SS1720) has allocated a total of \$1,600,00.00 in the 2020 budget for compensation payments (non-medical) and for medical benefits associated with workers compensation claims; and

WHEREAS, The (SS1720) Fund is need of additional funding for the fourth quarter of 2020 for additional anticipated compensation and medical expenses; and

WHEREAS, The funding source for the additional expenses will be the Fund Balance account, which has sufficient funding; and

WHEREAS, the Governmental Operations and Insurance Committee and the Ways and Means Committee recommend adoption of this resolution to transfer monies from the Appropriated Fund Balance to the Compensation and medical lines of the Workers Compensation Budget; now, therefore, be it

RESOLVED, That the following budget transfers are hereby approved:

Year 2020:		
SS1720 54312	Comp Payments Non-Medical	\$ 300,000.00
SS1720 54311	Medical Benefits	\$ 100,000.00
SS1720 54765	State Chargebacks	\$ 31,656.74
SS1720 42683	Self-Insurance Recoveries	\$ 20,639.12
SSR105 42401	Interest Earnings	\$ 15,154.97
SS0599 30599	Appropriated Fund Balance	\$ 332,549.17

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 copies of this resolution be sent to the Finance Department and to the Clerk of the Board.

**RESOLUTION NO. 532-2020
MEETINGS OF THE BOARD OF SUPERVISORS
CHANGE OF LOCATION**

WHEREAS, Resolution No. 862-2014 relocated all meetings of the Board of Supervisors to interim chambers at the Ontario County Safety Training Facility, 2914 County Road 48, in the Town of Hopewell until further notice; and

WHEREAS, The meetings of the Board of Supervisors did not return to 27 N. Main St. in the City of Canandaigua due to the construction of a new courtroom in the Board of Supervisors Sessions Room; and

WHEREAS, Capital Project No. H015-13 was created for the renovation of the building located at 74 Ontario St., in the City of Canandaigua; and

WHEREAS, Capital Project No. H015-13 included the creation of new chambers for the Board of Supervisors; and

WHEREAS, On October 1, 2020 the new chambers have been completed; now, therefore, be it

RESOLVED, That the October 22, 2020 Board of Supervisors meeting be located at 74 Ontario St. in the City of Canandaigua, in the second floor, Board of Supervisors chambers and all subsequent meeting of the Board of Supervisors also be held at this location; and further

RESOLVED, That a copy of this resolution be sent by the Clerk of the Board to the newspapers, Board members, and all County employees.

The foregoing block of six resolutions was adopted.

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

**RESOLUTION NO. 533-2020
AUTHORIZATION TO ACCEPT COVID-19 EPIDEMIOLOGY &
LABORATORY CAPACITY BUILDING FOR CASE INVESTIGATIONS AND
CONTACT TRACING COORDINATION GRANT - PUBLIC HEALTH**

WHEREAS, Ontario County has been awarded \$ 308,996 from the State of New York Department of Health through Health Research Inc.'s COVID-19 Epidemiology & Laboratory Capacity (ELC) Capacity Building for Case Investigations and Contact

Tracing Coordination Grant Program (Project# 6NU50CK0005160107; HRI Contract #6459-01; CFDA # 93.323; MUNIS# G20027) for the purpose of funding enhanced COVID-19 detection activities; and

WHEREAS, The grant contract period extends from July 1, 2020 through June 30, 2022, with no required County cost; and

WHEREAS, The Health and Human Services Committee has reviewed this resolution at its October 13th, 2020 meeting, and recommend acceptance of this grant contract; and

WHEREAS, The Health and Human Services and Ways and Means Committees have reviewed this resolution at its October meetings, and recommends acceptance of this grant contract; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors, hereby approves a contract with the Health Research, Inc., Riverview Center, 150 Broadway, Ste. 5560, Menands, New York 12204 in the amount of \$ 308,996 for a term of July 1, 2020 through June 30th, 2022 at no required County cost; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the COVID-19 Epidemiology & Laboratory Capacity (ELC) Capacity Building for Case Investigations and Contact Tracing Coordination Grant Program Agreement with the Health Research, Inc., and all other documents necessary to effectuate the purposes of this resolution; and further

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

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

<i>To:</i>	<i>Description:</i>	<i>Revenue</i>	<i>Appropriation</i>
AAC406PL 44489	Federal Aid, Other Public Health	\$ 308,996	
AAC406PL 54260	Consultation and Professional		\$ 308,996
	Total:	\$ 308,996	\$ 308,996

and further

RESOLVED, That certified copies of this resolution be sent to the Ontario County Office of Public Health.

Adopted.

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

**RESOLUTION NO. 534-2020
APPOINTMENTS TO THE ONTARIO TRAFFIC SAFETY BOARD
BEAVER, FRASCA, MCELLIGOTT, MAGUIRE, NIELSON**

WHEREAS, There are several vacancies on the Board due to resignations and retirements; and

WHEREAS, The following individuals have expressed a desire and a willingness to serve, commencing on October 22, 2020 and expiring on December 31, 2021:

Voting Member	Representing Department/Agency
Sgt. Gregory Beaver	NYS Police Department
Undersheriff David Frasca	Sheriff's Office
Timothy McElligott	Public Works/Engineering
Bonnie Maguire	Public Transportation
Chief Matthew Nielson	Canandaigua Police Department

and

WHEREAS, The Ontario County Traffic Safety Board and the Health and Human Services Committee recommend the appointment; now therefore, be it

RESOLVED, That this Board of Supervisors does hereby appoint the above named individuals to the Ontario County Traffic Safety Board; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Clerk, the Ontario County Traffic Safety Board, and the appointees.

**RESOLUTION NO. 535-2020
REAPPOINTMENTS TO THE ONTARIO COUNTY TRAFFIC SAFETY BOARD
GREEN, HARLOFF, ONZE, RITTS**

WHEREAS, The terms of four members of the Ontario County Traffic Safety Board expired on 12/31/2019, said members are willing to serve another term; and

WHEREAS, The Ontario County Traffic Safety Board and the Health and Human Services committee recommend these reappointments; now, therefore be it

RESOLVED, That the following individuals be reappointed to the Ontario County Traffic Safety Board for a term of two years, commencing January 1, 2020 and expiring on December 31, 2021:

Voting Member	Representing Department/Agency
Supervisor Robert Green	Town Supervisor
Jeffery Harloff	Emergency Management
Richard Onze	Community Member
James Ritts	District Attorney

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board of Supervisors, to the County Clerk, the Ontario County Traffic Safety Board, and each appointee named.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 536-2020
REAPPOINTMENT TO THE ONTARIO COUNTY YOUTH BOARD
DIANNA PAIGE**

WHEREAS, Youth Board member Ms. Dianna Paige's term of office expired on June 22, 2020; and

WHEREAS, Ms. Paige has expressed interest in reappointment to the Youth Board; and

WHEREAS, The Executive Director of the Youth Board expresses full support of the decision of the board as well as appreciation and gratitude of past services as well as the willingness to continue to serve at the will of the Ontario Board of Supervisors; and

WHEREAS, The Youth Board and Health and Human Services Committee recommend Ms. Paige's reappointment; now, therefore be it

RESOLVED, That this Board of Supervisors does hereby reappoint Dianna Paige, 48 Castle Street, Apt 2A, Geneva, New York, 14456, to the Ontario County Youth Board for a new three year term to expire June 22, 2023; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Ms. Paige, the Youth Bureau and the County Clerk.

RESOLUTION NO. 537-2020

**REAPPOINTMENT TO THE ONTARIO COUNTY YOUTH BOARD
KIM BREWER**

WHEREAS, Youth Board member Ms. Kim Brewer's term of office will expire on October 24, 2020; and

WHEREAS, Ms. Brewer has expressed interest in reappointment to the Youth Board; and

WHEREAS, The Executive Director of the Youth Board expresses full support of the decision of the board as well as appreciation and gratitude of past services as well as the willingness to continue to serve at the will of the Ontario Board of Supervisors; and

WHEREAS, The Youth Board and Health and Human Services Committee recommend Ms. Paige's reappointment; now, therefore be it

RESOLVED, That this Board of Supervisors does hereby reappoint Kim Brewer, 3888 Abbey Road, Bloomfield, New York, 14469, to the Ontario County Youth Board for a new three year term to expire October 24, 2023; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Ms. Brewer, the Youth Bureau and the County Clerk.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 538-2020
ADOPTION OF ONTARIO COUNTY FAIR HOUSING PLAN**

WHEREAS, This Board recognizes that housing opportunities should not be limited to individuals due to discriminatory practices in the sale or rental of housing; and

WHEREAS, The Planning Department has prepared a draft Fair Housing Plan based upon the model promulgated by the New York State Office of Community Renewal, which is on file with the Clerk of this Board; and

WHEREAS, This Board did duly advertise and hold a public hearing on October 1, 2020 to solicit comment on said draft Fair Housing Plan; and

WHEREAS, The Planning and Environmental Quality Committee recommends adoption of this resolution; and

WHEREAS, This Board wishes to publicly state its continued commitment to Fair Housing and specify the types of actions that County staff shall undertake to promote Fair Housing throughout Ontario County; now, therefore, be it

RESOLVED, That the adoption of the Ontario County Fair Housing Plan would change the designation of the County's Fair Housing Officer from the Commissioner of Social Services to the Director of Planning, and would direct the Planning Department to:

1. Conduct an annual public meeting on Fair Housing and report the steps taken to address fair housing issues cited,
2. Maintain information regarding housing discrimination complaints,
3. Receive and maintain housing discrimination complaints,
4. Forward housing discrimination complaints to the Fair Housing/Equal Opportunity Division of the applicable office of the Federal Department of Housing and Urban Development,
5. Provide information to and refer individuals making housing discrimination complaints to appropriate entities and organizations to provide legal and other aid,
6. Distribute and post information on Fair Housing and where to make complaints on discriminatory housing practices, and
7. Draft proclamations, resolutions, and press releases to publicize April of each year as Ontario County's Fair Housing month in promoting Ontario County's commitment to Fair Housing and methods for the public to obtain fair housing information and make complaints of discriminatory housing practices; and further

RESOLVED, That the adoption of the Ontario County Fair Housing Plan constitutes a minor change in departmental responsibilities in the continuation of the County's commitment to Fair Housing; and further

RESOLVED, The adoption of the Ontario County Fair Housing Plan is hereby determined to be a class II action exempt from review under the NYS Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 as it involves the adoption of regulations, policies, procedures and local legislative decision in connection with routine or continuing agency administration and management and does not involve a major reordering of priorities that may affect the environment; and further

RESOLVED, That the Ontario County Fair Housing Plan on file with the Clerk of this Board is hereby adopted; and further

RESOLVED, That this resolution shall take affect immediately.

Adopted.

Supervisor Kristine Singer offered the following resolution and moved for its adoption, seconded by Supervisor Theordore Bateman:

**RESOLUTION NO. 539-2020
AUTHORIZATION TO CONTRACT WITH JOHN G. WAITE ASSOCIATES,
ARCHITECTS PLLC TO PREPARE THE MANCHESTER YARD
REDEVELOPMENT STRATEGY– PHASE 2:
MANCHESTER ROUNDHOUSE BUILDING CONDITION REPORT**

WHEREAS, Ontario County received a NYS ESD grant an Incentive Proposal from NY Empire State Development (NY ESD) dated February 4, 2020 to accept an Urban and Community Development Program – Working Capital Grant for Project #133,317 (ESD Grant) in the amount of \$15,000.00 to be used for preparation of the Manchester Rail Yard Master Site Redevelopment Strategy – Phase 2 (Phase 2) (ESD Project# 133,317; NYS Consolidated Funding Application # 94693; CFDA# N/A; MUNIS# G20003) to conduct a Building Conditions Report for the Lehigh Valley RR Manchester Roundhouse and Associated Buildings and Assessment of Options for Redevelopment; and

WHEREAS, Resolution No. 126-2020 authorized acceptance of said Grant and assigned County Identifier Code G20003; and

WHEREAS, Resolution No. 127-2020 approved contracts with the Town of Manchester, the Village of Manchester, and the Ontario County Local Development Corporation to provide funds totaling \$15,000.00 to match said Grant; and

WHEREAS, Ontario County was awarded a \$10,000 Historic Preservation 2019 Grant by the Rochester Area Community Foundation to conduct a building conditions report for the Lehigh Valley Railroad Manchester Roundhouse and associated buildings which will be used to increase the Phase 2 project total to \$40,000.00 and assigned County Identifier Code G19017; and

WHEREAS, Resolution No. 574-2019 authorized acceptance of said grant from the Rochester Area Community Foundation to conduct such report; and

WHEREAS, The Ontario County Purchasing Department released a Request for Qualifications R20039 to submit the professional qualifications necessary to conduct said project; and

WHEREAS, The Consultant Selection Committee, comprised of the Manchester Village Mayor Michael Buttaccio, Manchester Village Trustee Nancy Johnsen, County Planning Director Thomas Harvey, County Senior Planner Maria Rudzinski, and Caitlin Meives, Director of Preservation for the Landmark Society of Western New York, reviewed the submissions and conducted interviews with prospective consultants; and

WHEREAS, Said Committee has recommended John G. Waite Associates, Architects PLLC be retained to provide consulting services for said project; and

WHEREAS, Sufficient funds exist within the Planning Department budget to fund the work proposed by John G. Waite Associates, Architects PLLC; and

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

RESOLVED, Subject to the approval of the County Attorney as to form, this Board hereby accepts the proposal from John G. Waite Associates, Architects PLLC to provide professional consultant services in response to Ontario County RFQ R20039 and the consultant's proposal on file with the Clerk of this Board; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a contract between John G. Waite Associates, Architects PLLC in an amount not to exceed Forty-thousand dollars (\$40,000.00); and further

RESOLVED, That the term of the contract shall commence on October 27, 2020 and end on February 28, 2021; and further

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

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to the Department of Finance and John G. Waite Associates, Architects PLLC.

Adopted.

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

**RESOLUTION NO. 540-2020
AUTHORIZATION TO ACCEPT DONATION FROM**

THE SANDS FAMILY FOUNDATION

WHEREAS, The Ontario County Office of Sheriff has been approached by the Sands Family Foundation with a request to donate \$25,000; and

WHEREAS, The Sands Family Foundation has stipulated that the donation be spent on the purchase and on-going expenses for a certified police canine; and

WHEREAS, The Ontario County Office of Sheriff has a canine which will be retired in the Spring 2021; and

WHEREAS, The Office of Sheriff will not incur any new expenses after the retirement of canine Deputy Cecil; and

WHEREAS, The Office of Sheriff would like to accept this donation for purchase of a new canine; now, therefore, be it

RESOLVED, That the County of Ontario be, and hereby is, authorized to accept the donation from the Sands Family Foundation in the amount of \$25,000.00; and further

RESOLVED, That the following budget revenue and appropriation is hereby approved:

TO:		Revenue	Appropriation
AAC307 42705	Gifts and Donations	+\$25,000	
AAC307 54618	Canine Expenses		+\$25,000

and further

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

RESOLVED, That a copy of this resolution shall be sent by the Sands Family Foundation, 110 East Atlantic Avenue, Delray Beach, FL 33445.

**RESOLUTION NO. 541-2020
 AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF
 TO ACCEPT A GRANT FROM THE NEW YORK STATE
 GOVERNOR’S TRAFFIC SAFETY COMMITTEE
 FOR CHILD PASSENGER SAFETY INCENTIVE PROGRAM**

WHEREAS, The Governor’s Traffic Safety Committee has awarded Ontario County a grant of \$3,000 for Child Passenger Safety Incentive Program (NYS CONTRACT # CPS-2021-Ontario Co SO-00213-(035); CFDA# 20.616; MUNIS# G20034) for the purpose of reimbursing Ontario County for some of the costs for maintaining licenses,

training, and minor equipment costs required for providing permanent child passenger seat fitting stations; and

WHEREAS, It is desirable for the Ontario County Sheriff's Office to accept this grant from the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228, for the period October 1, 2020 through September 30, 2021; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this resolution at their October 14th, 2020 meetings, and recommend that the full Board of Supervisors resolve to accept this Governor's Traffic Safety Committee grant; 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 the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228 for a term of October 1, 2020 through September 30, 2021 for the purpose of reimbursing Ontario County for some of the costs for maintaining licenses, training, and minor equipment costs required for providing permanent child passenger seat fitting stations; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the 2020-2021 Child Passenger Safety Incentive Program Agreement with the New York State Governor's Traffic Safety Committee, and all other documents necessary to effectuate the purposes of this resolution; and further

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

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

TO:		Revenue	Appropriation
AA3110PL 44389	Child Passenger Safety Incentive Program	\$3,000	
AA3110PL 54101	Minor Equipment		\$1,000
AA3110PL 54750	Training and Conferences		\$2,000
TOTAL:		+ \$3,000	+ \$3,000

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the New York State Governor's Traffic Safety Committee, and to the Ontario County Office of Sheriff.

**RESOLUTION NO. 542-2020
ACCEPTANCE OF GRANT FROM
POLICE TRAFFIC SERVICES PROGRAM
ONTARIO COUNTY SHERIFF'S OFFICE**

WHEREAS, Ontario County has been awarded a grant of \$ 35,010.00 from the New York State Governor's Traffic Safety Committee (GTSC) through the FY20-21 Police Traffic Services Program (PTS) (GTSC eGRANTS Contract # PTS-2021-Ontario Co SO – 00333-(035); MUNIS# G20032; CFDA Number 20.600) for the purpose of reimbursing Ontario County for Seat Belt Mobilization and Police Traffic Services Enforcement overtime costs; and

WHEREAS, It is desirable for the Ontario County Sheriff's Office to accept this grant from the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228, for the period October 1, 2020 through September 30, 2021; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this grant at their October 14th, 2020 meetings and recommend the participation of the Sheriff's Office in this program; 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 the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228, for a term of October 1, 2020 through September 30, 2021 for the purpose of reimbursing Ontario County for Seat Belt Mobilization and Police Traffic Services Enforcement overtime costs as outlined in the GTSC Police Traffic Services Program; and further

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

RESOLVED, That the County Administrator is authorized to sign the FY20-21 Police Traffic Services Program (PTS) agreement with the New York State Governor's Traffic Safety Committee, and all other documents necessary to effectuate the purposes of this resolution; and further

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

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

TO:		Revenue	Appropriation
AA3110PL 44389	Police Traffic Services Program	+ \$35,010	
AA3110PL 51920	Overtime		+ \$35,010
TOTAL:		+ \$35,010	+ \$35,010

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the New York State Governor’s Traffic Safety Committee, and to the Ontario County Office of Sheriff.

The foregoing block of three resolutions was adopted.

Supervisor Peter Ingalsbe offered the following eighteen resolutions as a block and moved for its adoption, seconded by Supervisor Theodore Bateman:

**RESOLUTION NO. 543-2020
CLOSING OF CAPITAL PROJECT NO. H032-16
2016 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 156-2016 established Capital Project No. H032-16 as the 2016 FLCC Maintenance Capital Project; and

WHEREAS, Capital Project No. H032-16 was budgeted and funded to an authorized amount of \$1,020,395.56 and final costs were \$1,020,169.62; and

WHEREAS, All expenditures attributable to Capital Project No. H032-16 have now been made, leaving a county cash balance of \$113.01 interest remaining at this date; and

WHEREAS, All of the State Aid requested has been received for said project; now, therefore be it

RESOLVED, That Capital Project No. H032-16 is hereby closed; and further

RESOLVED, That the cash balance and any additional interest earnings remaining in Capital Project No. H032-16 be transferred by the Department of Finance to the Capital Reserve Fund; and further

RESOLVED, That the Department of Finance is authorized to make all necessary accounting entries to effect the transfer of funds and the closing of Capital Project No. H032-16; and further

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

**RESOLUTION NO. 544-2020
CAPITAL PROJECT H048-18
BUDGET TRANSFER
2018 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 348-2018 created Capital Project H048-18 as the 2018 FLCC Maintenance Capital Project in the amount of Seven Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and Sixty Cents (\$747,272.60); and

WHEREAS, Resolution No. 474-2020 awarded a bid to and authorized a contract with Bell Mechanical Contractor, Inc., for the replacement of three air handling units at FLCC as Bid #B20005; and

WHEREAS, Resolution No. 473-2020 accepted a quote from and authorized a contract with AAC Contracting, Inc., for asbestos abatement related to the replacement of three air handling units at FLCC; and

WHEREAS, Resolution No. 475-2020 accepted a quote from and authorized a contract with Envoy Environmental Consultants, Inc., for air monitoring and material testing during said asbestos abatement related to the replacement of three air handling units at FLCC; and

WHEREAS, Resolution 474-2020 did not include a budget transfer necessary to adequately fund said contracts; 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 H048-18 be and hereby is approved:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HH H04818 52100	Furniture & Furnishings	\$19,633.94	\$0.00	\$19,633.94
FROM:				
HH H04818 52300	Data Processing Equipment	\$38,204.92	-\$317.85	\$37,887.07
FROM:				
HH H04818 54260	Consultation & Professional	\$65,366.06	\$48,367.86	\$16,998.20

TO:				
HH H04818 54488	Demolition	\$0.00	+\$14,560.00	\$14,560.00
FROM:				
HH H04818 54491	General Construction	\$181,261.00	-\$7,069.63	\$174,191.37
FROM:				
HH H04818 54493	Electric	\$20,000.00	\$14,131.62	\$5,868.38
FROM:				
HH H04818 54494	Plumbing	\$347,097.00	-\$1,468.61	\$345,628.39
TO:				
HH H04818 54498	Asbestos & Related Testing	\$1,248.00	+\$1,392.00	\$2,640.00
TO:				
HH H04818 54521	HVAC	\$30,709.68	+\$96,990.32	\$127,700.00
FROM:				
HH H04818 54743	Change Order Contingency	\$37,000.00	\$35,007.83	\$1,992.17
FROM:				
HH H04818 54865	Administration	\$ 6752.00	-\$6,578.92	\$173.08
Revenues:				
HH H04818 43297	State Aid	\$373,636.30		\$373,636.30
HH H04818 45031	General Fund- Interfund Transfer	\$373,636.30		\$373,636.30

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 Seven Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and Sixty Cents (\$747,272.60); 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. 545-2020
CAPITAL PROJECT H048-18
AMENDING RESOLUTION 474-2020
2018 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 348-2018 established Capital Project H048-18 as the 2018 FLCC Maintenance Capital Project in the amount of Seven Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and Sixty Cents (\$747,272.60); and

WHEREAS, Resolution No. 474-2020 accepted a quote and authorized a contract with AAC Contracting, Inc. for asbestos abatement related to the replacement of air handling units at FLCC; and

WHEREAS, Resolution 474-2020 stated the cost of the contract with AAC Contracting, Inc. was to be charged to line HH H048 18 54498 – Asbestos & Related Testing; and

WHEREAS, The cost of said contract with AAC Contracting, Inc. should be paid from line HH H048 18 54488 – Demolition; and

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

RESOLVED, That Resolution 474-2020 is hereby amended to charge the cost of the contract with AAC Contracting, Inc., for asbestos abatement related in regard to the replacement of air handling units at FLCC in the amount not to exceed Fourteen Thousand Five Hundred Sixty Dollars (\$14,560.00) shall be paid from line HH H048 18 54488 – Demolition of Capital Project H048-20; 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 Seven Hundred Forty Seven Thousand Two Hundred Seventy Two Dollars and Sixty Cents (\$747,272.60); and further

RESOLVED, That 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. 546-2020
CAPITAL PROJECT NO. H057-19
CONTRACT AMENDMENT WITH SUIT-KOTE FOR
MICRO PAVING AT FLCC MAIN CAMPUS
2019 FLCC MAINTENANCE CAPITAL PROJECT

WHEREAS, Resolution No. 360-2019 established Capital Project No. H057-19 2019 FLCC Maintenance Capital Project in the amount of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); and

WHEREAS, Resolution No. 343-2020 approved a contract with Suit-Kote, 159 Flint Hill Road LeRoy, New York 14482 for micro paving A Lot, B Lot and Fraley Lane in the amount of Thirty-Four Thousand Nine Hundred Sixty-Seven Dollars and Fifty-Eight Cents (\$34,967.58); and

WHEREAS, Upon completion of the work, Suit-Kote invoiced for an amount more than the estimated amount quoted in May 2020 due to more material needed to complete the job and a price increase of asphalt from the date of the estimate to when the job was completed; and

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

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the proposal of Suit-Kote, and approves a contract amendment with said firm to increase the contract by Two Thousand Thirty-Seven Dollars and Thirty-Five Cents (\$2,037.35) for an amended total contract amount of Thirty-Seven Thousand Four Dollars and Ninety-Three Cents (\$37,004.93); and further

RESOLVED, The County Administrator be, and hereby is, authorized and empowered to execute a contract amendment with said vendor for said amount; and further RESOLVED, That the cost of said contract shall be paid from line HH H057 19 54491 – General Construction of Capital Project H057-19; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Finance Department, Vice President for Administration and Finance of Finger Lakes Community College, and Suit-Kote 159 Flint Hill Road, LeRoy, New York 14482

RESOLUTION NO. 547-2020
ONTARIO COUNTY HUMANE SOCIETY FACILITY IMPROVEMENTS
FUNDING AGREEMENT

WHEREAS, the Ontario County Humane Society (OCHS) has identified various improvements to be made to the Ontario County (the County) owned facility located at 2976 County Road 48 (the Project); and

WHEREAS, The total cost of the Project is estimated at \$484,041; and

WHEREAS, The County intends to undertake the Project; and

WHEREAS, OCHS desires to contribute to the cost of the Project; and

WHEREAS, OCHS has executed a grant contract with NYS for \$363,030 to fund the Project; and

WHEREAS, OCHS has \$121,011 available for the grant's required local cash match; and

WHEREAS, Before formal creation of the capital project, a funding agreement is needed to assign responsibilities for the Project and to allow for financial reimbursement by OCHS of Project costs incurred by the County; and

WHEREAS, The agreement under consideration establishes a process for reimbursement of project costs to the County; and

WHEREAS, The Public Works and Ways and Means Committees recommend execution of the funding agreement under consideration; now, therefore, be it

RESOLVED, Upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves execution of the funding agreement under consideration; and further

RESOLVED, OCHS shall reimburse the County for all costs related to the Project that are initially billed to the County; and further

RESOLVED, The term of the agreement shall be from 11/1/20 to 11/1/2022; and further

RESOLVED, The County Administrator is hereby authorized to execute the agreement and all other documents necessary to effectuate the purposes of this Resolution; 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.

**RESOLUTION NO. 548-2020
CAPITAL PROJECT CP H062-19
AUTHORIZING CONTRACT AMENDMENT LIRO ENGINEERS, INC
FOR PROFESSIONAL CONSULTANT SERVICES
FIRING RANGE IMPROVEMENTS**

WHEREAS, Resolution No. 647-2019 established Capital Project CP H062-19 Ontario County Firing Range Improvements, for the purposes of renovating and expanding the Ontario County Firing Range (the “Project”); and

WHEREAS, That same resolution also authorized execution of a contract (the “Contract”) with LiRo Engineers, Inc (the “Consultant”) for necessary design services covering concept design through construction and post occupancy, in an amount not to exceed \$199,583.18, and

WHEREAS, The Consultant has completed a concept and schematic and there is \$150,006.56 remaining in the Contract budget; and

WHEREAS, The County wishes to amend the scope of services in the Contract to finish with a schematic plan and completed review pursuant to SEQRA (the “Revised Project”); and

WHEREAS, Final design and construction services will be handled under a separate contract; and

WHEREAS, The Consultant has submitted a proposal, dated 9/2/20 to provide services for the Revised Project for \$11,686; and

WHEREAS, \$11,686 plus the amount needed to pay for work already completed under the Contract equals \$61,262.62; and

WHEREAS, The Public Works Committee recommends that the Contract be amended to complete the Revised Project; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves amending the Contract to complete the Revised Project for a total amended contract amount not to exceed sixty one thousand, two hundred sixty two dollars and sixty two cents (\$61,262.62); and further

RESOLVED, That the term of the Contract shall be extended to August 1, 2021; and further

RESOLVED, That the County Administrator is hereby authorized to execute an amendment to the Contract pursuant to this Resolution and any and all other documents necessary to effectuate the purposes of this Resolution; 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.

RESOLUTION NO. 549-2020

**CAPITAL PROJECT NO. H055-19
 REPLACEMENT OF COUNTY ROAD 36 CULVERT #36
 PAYMENT FOR PURCHASE OF EASEMENTS
 DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 298-2019 created Capital Project No. 03-2019 (now known as H055-19), Replacement of County Road 36 Culvert #36; and

WHEREAS, A project for the Replacement of County Road 36 Culvert #36, P.I.N. 4BNY.36, (the “Project”) is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, The Public Works Department – Engineering Section is designing this Bridge NY funded project; and

WHEREAS, Resolution No. 88-2019 authorized the execution of a contract with Fisher Associates for right-of-way acquisition services related to the Project for a cost not to exceed \$21,600.50; and

WHEREAS, Resolution No. 298-2019 established an initial budget of \$18,000 for the purchase of additional right-of-way; and

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

WHEREAS, Fisher Associates has progressed the right-of-way acquisition services; and

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

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

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

Map & Parcel No.	Est. Easement Cost
PE1-2020	\$13,700
PE2-2020 & TE1-2020	\$2,000

and

WHEREAS, Estimated easement cost for said project is \$15,700; and

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

WHEREAS, Estimated budget for said property acquisition is \$30,700 which includes a contingency of \$15,000; and

WHEREAS, Funding exists in the Contingency Line to cover additional easement purchase contingency; and

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

RESOLVED, The Ontario County Board of Supervisors hereby approves the purchase of said easements for a total cost not to exceed \$30,700; and further

RESOLVED, That the budget of Capital Project No. H055-19 is hereby amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Expenditures:				
HHH05519 54491	General Construction	\$735,000.00		\$735,000.00
HHH05519 54495	Engineering	\$150,000.00		\$150,000.00
HHH05519 54820	Land Acquisition	\$18,000.00	+\$12,700.00	\$30,700.00
HHH05519 54865	Administration	\$2,000.00		\$2,000.00
HHH05519 54731	Contingency	\$95,000.00	-\$12,700.00	\$82,300.00
Revenue:				
HHH05519 43089	State Aid	\$1,000,000.00		\$1,000,000.00

and further

RESOLVED, That the Department of Finance is hereby authorized and directed to make any and all budgetary and accounting entries to effect the intent of the Resolution; and further

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of the easement purchase, subject to review and approval by the Office of the County Attorney as to form; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance, Fisher Associates, 180 Charlotte Street, Rochester, New York, 14620, and the NYSDOT, Regional Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

RESOLUTION NO. 550-2020

**CAPITAL PROJECT NO. H059-19
 REPLACEMENT OF COUNTY ROAD 36 CULVERT #32
 PAYMENT FOR PURCHASE OF EASEMENTS
 DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 303-2019 created Capital Project No. 06-2019 (now known as H059-19), Replacement of County Road 36 Culvert #32; and

WHEREAS, A project for the Replacement of County Road 36 Culvert #32, P.I.N. 4BNY.35, (the “Project”) is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, The Public Works Department – Engineering Section is designing this Bridge NY funded project; and

WHEREAS, Resolution No. 89-2020 authorized the execution of a contract with Fisher Associates for right-of-way acquisition services related to the Project for a cost not to exceed \$30,936.02; and

WHEREAS, Resolution No. 303-2019 established an initial budget of \$12,000 for the purchase of additional right-of-way; and

WHEREAS, Fisher Associates has progressed the right-of-way acquisition services; and

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

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

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

Map & Parcel No.	Est. Easement Cost
PE3-2020	\$500
PE4-2020	\$500
PE5-2020&TE2-2020	\$2,400

and

WHEREAS, Estimated easement cost for said project is \$3,400; and

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

WHEREAS, Estimated budget for said property acquisition is \$12,000 which includes a contingency of \$8,600; and

WHEREAS, Sufficient monies exist within Land Acquisition line of Capital Project No. H059-19, HHH05919 54820, for said expenditures; and

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

RESOLVED, The Ontario County Board of Supervisors hereby approves the purchase of said easements for a total cost not to exceed \$12,000; and further

RESOLVED, That the Department of Finance is hereby authorized and directed to make any and all budgetary and accounting entries to effect the intent of the Resolution; and further

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of the easement purchase, subject to review and approval by the Office of the County Attorney as to form; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance, Fisher Associates 180 Charlotte Street, Rochester, New York, 14620, and the NYSDOT, Regional Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

**RESOLUTION NO. 551-2020
CAPITAL PROJECT NO. H046-18
COUNTY ROAD 28 AT SHORTSVILLE ROAD
INTERSECTION IMPROVEMENT
ACCEPTANCE OF SUPPLEMENTAL AGREEMENT #3
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, A project for County Road 28 at Shortsville Road Intersection Improvement, P.I.N. 4ON0.03 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such projects to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 183-2018 created Capital Project No. 01-2018, County Road 28 at Shortsville Road Intersection Improvement, P.I.N. 4ON0.03, now known as Capital Project No. H046-18, and authorized the acceptance of the New York State revenue contract for Scoping, Preliminary Engineering, and Right of Way Incidentals for the Project; and

WHEREAS, Resolution No. 533-2019 authorized the acceptance of Supplemental Agreement #1 which increased the funding for the design and right of way phases and added Marchiselli funding; and

WHEREAS, Resolution No. 194– 2020 amended Resolution No. 533-2019; and

WHEREAS, Resolution No. 196-2020 authorized the acceptance of Supplemental Agreement #2 which added federal aid funding for the construction phase, awarded contracts for construction and construction inspection services, and authorized using reserve funds to cover a portion of funding shortfall; and

WHEREAS, Supplemental Agreement #3 increases funding for the construction phase; and

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

RESOLVED, That funding in the amount of \$396,900 be returned to the D Fund Reserve for Roads and Bridges; and further

RESOLVED, That the budget of Capital Project No H046-18 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations				
HHH04618 54491	General Construction	\$2,728,908.00		\$2,728,908.00
HHH04618 54495	Engineering	\$759,814.00		\$759,814.00
HHH04618 54820	Land Acquisition	\$24,000.00		\$24,000.00
HHH04618 54865	Administration	\$1,000.00		\$1,000.00
Revenue				
HHH04618 43089	State Aid	\$32,325.00		\$32,325.00
HHH04618 44597	Federal Aid	\$2,683,799.00	+\$396,900.00	\$3,080,699.00
HHH04618 45031	Interfund Transfer	\$797,598.00	-\$396,900.00	\$400,698.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this resolution for a total project budget of \$3,513,722; and further

RESOLVED, That the Department of Finance be, and hereby is, authorized to advance funds as necessary from the County D Fund to pay for any costs incurred before the receipt of Federal or non-Federal aid; and further

RESOLVED, That the Ontario County Board of Supervisors accepts Supplemental Agreement #3; and further

RESOLVED, That the Board of Supervisors hereby authorizes the County Administrator to pay in the first instance 100% of the federal and non-federal share of the cost of the construction phase work for the Project or portions thereof; and further

RESOLVED, That in the event the full Federal and non-Federal share costs of the Project exceed the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount upon notification by the New York State Department of Transportation; and further

RESOLVED, That the County Administrator be, and hereby is, authorized to execute all necessary Agreements and certifications on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs within appropriations therefore that are not so eligible; and further

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized to execute any reimbursement requests for Federal Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with this Project; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Department of Finance and New York State Department of Transportation – Regional Local Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

RESOLUTION NO. 552-2020
AUTHORIZATION TO EXECUTE QUITCLAIM DEED
COUNTY ROAD 21, TOWN OF NAPLES

WHEREAS, Shanon Brink-Willis, Et Al have requested that the County quitclaim any interest in a parcel which lies north of County Road 21, in the town of Naples, as described in the proposed deed and shown on the map filed herewith (the "Property"); and

WHEREAS, The County reconstructed County Road 21 in 1932; and

WHEREAS, The Commissioner of Public Works has determined that due to the road reconstruction, the Property is no longer needed for highway purposes; and

WHEREAS, In accordance with Section 118-a of the Highway Law, the Property should be abandoned to the adjoining owners, Shanon Brink-Willis, Et Al; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, this Board hereby approves abandoning the Property to the adjoining owners, Shannon Brink-Willis, et al. for \$1,500; and further

RESOLVED, That the Commissioner of Public Works be and hereby is authorized to execute a quitclaim deed to said parcel and any other documents necessary to effectuate the purpose of this resolution.

**RESOLUTION NO. 553-2020
AWARD OF BID (B20049) TO J&B INSTALLATIONS, INC.
ARC BUILDING ROOF IMPROVEMENT**

WHEREAS, Resolution No. 511-2017 awarded a contract to SWBR for professional services related to the ARC Building Roof Improvement project; and

WHEREAS, The Purchasing Department solicited bids (B20049) for ARC Building Roof Improvement and found the apparent low, responsible, responsive bidder for this project to be J&B Installations, Inc. with a bid price of \$295,990.00; and

WHEREAS, The total project cost is estimated to be \$318,189.25 with a 7.5% project contingency of \$22,199.25; and

WHEREAS, The 2017 Capital Improvement Plan included \$300,000.00 for ARC Roof (CIP Project # B10-11); and

WHEREAS, Resolution No. 818-2017 transferred said \$300,000 to the CRARM Reserve until such funds were needed; and

WHEREAS, The 2020 Capital Improvement Plan includes \$180,000.00 of funding for ARC Roof/Rear East (CIP Project # B10-11); and

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

RESOLVED, That the following budget transfer is approved:

AA 30511 BR900	Appropriated Reserve – CRARM	+\$138,189.25
AA162099 54031	B&G Renovations	+\$138,189.25

and further

RESOLVED, That the Ontario County Board of Supervisors hereby awards the bid for the ARC Building Roof Improvement (B20049) to J&B Installations, Inc., 732 Visions Drive, PO Box 188, Skaneateles Falls, NY 13153 for a cost of \$295,990.00 per the bid tabulation sheet on file with the Clerk of the Board; and further

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

RESOLVED, That the Commissioner of Public Works, prior to authorizing a single work item financed with the project's contingency that exceeds \$7,500, shall request review by the Public Works Chairperson, and if by review, the Committee Chairperson determines such field change is critical to the timely progression of the project, the Chairperson, at their discretion, will approve said change; and further

RESOLVED, That the Commissioner of Public Works, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate adjustments or change orders to the original contract within the limits agreed to in this resolution, subject to review and approval by the Office of the County Attorney; and further

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

RESOLVED, That nothing herein shall be construed as having transferred to any officer or employee of the County any power of the Board of Supervisors, which retains absolute authority to discontinue by majority of the weighted vote any action taken without prior authorization of the Board; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to J&B Installations, Inc.

RESOLUTION NO. 554-2020
CAPITAL PROJECT NO. H018-13
JAIL MODIFICATIONS AWARD OF BID (B20043)
ONTARIO COUNTY JAIL ROOF REPAIRS
J&B INSTALLATIONS, INC.

WHEREAS, Resolution No. 644-2013 created Capital Project No. 07-2013, Jail Modifications, now known as Capital Project No. H018-13; and

WHEREAS, Resolution No. 248-2019 awarded a contract to SWBR for professional consultant services related to the Ontario County Jail roof repair; and

WHEREAS, The Purchasing Department solicited bids (B20043) for said roof repair project and found the apparent low, responsible, responsive bidder for this project to be J&B Installations, Inc., with a bid price of \$59,495.00; and

WHEREAS, The total project cost is estimated to be \$63,957.13 with a 7.5% project contingency of \$4,462.13; and

WHEREAS, There is sufficient funding in the Contingency line of the project to fund the award; and

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

RESOLVED, That the budget of Capital Project No. H018-13 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Expenditures:				
HHH01813 54491	General Construction	\$347,760.00	+\$63,957.13	\$411,717.13
HHH01813 54493	Electrical	\$120,734.23		\$120,734.23
HHH01813 54494	Plumbing	\$33,600.00		\$33,600.00
HHH01813 54495	Engineering	\$75,577.50		\$75,577.50
HHH01813 54521	HVAC	\$11,033.66		\$11,033.66
HHH01813 54865	Admin Expenses	\$1,000.00		\$1,000.00
HHH01813 54731	Contingency	\$95,294.61	-\$63,957.13	\$31,337.48
Revenues:				
HHH01813 45031	Interfund Transfer	\$685,000.00		\$685,000.00

RESOLVED, That the Ontario County Board of Supervisors hereby awards the bid for the roof repairs at the Ontario County Jail to J&B Installations, Inc., 732 Visions Drive, PO Box 188, Skaneateles Falls, NY 13153 for a cost of \$59,495.00 per the bid tabulation sheet on file with the Clerk of the Board; and further

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

RESOLVED, That the Commissioner of Public Works, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate adjustments or change orders to the original contract within the limits agreed to in this resolution, subject to review and approval by the Office of the County Attorney; and further

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

RESOLVED, That nothing herein shall be construed as having transferred to any officer or employee of the County any power of the Board of Supervisors, which retains absolute authority to discontinue by majority of the weighted vote any action taken without prior authorization of the Board; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department and J&B Installations, Inc.

RESOLUTION NO. 555-2020
APPROVAL OF CONTRACT TO PURCHASE ELECTRICITY
DEPARTMENT OF PUBLIC WORKS - BUILDINGS AND GROUNDS

WHEREAS, Ontario County is in need of purchasing electricity for its facilities; and

WHEREAS, On December 19, 2008 Ontario County entered into a Power Sale Agreement (PSA) with Constellation Energy Services of New York, Inc. Then on May 20, 2016 Ontario County entered into a master agreement with Constellation Energy Services of New York, Inc. also known as Constellation NewEnergy, Inc which incorporates the power sale agreement; and

WHEREAS, Ontario County has a current contract with Constellation Energy Services of New York, Inc. ending on November 26, 2020 pursuant to Resolution No. 553-2018; and

WHEREAS, Ontario County desires to continue services with Constellation; and

WHEREAS, Constellation NewEnergy, Inc. was awarded the Municipal Electric & Gas (MEGA) bid through the NYS Association of Counties (NYSAC) for the period through November 30, 2023; and

WHEREAS, The County can choose to participate in fixed rate contracts in yearly increments up to three years; and

WHEREAS, Ontario County will continue to pay the current fixed rate for the remainder of the existing contract, then a new rate effective October 28, 2020, depending on the term of the agreement; and

WHEREAS, Compared with the County's current contract, the County will save approximately \$60,000 annually no matter the length of term selected; and

WHEREAS, The County is best served to lock in historical low rates but remain flexible to pursue even lower rates given the validity of the market; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes this contract with Constellation NewEnergy, Inc., 1001 Louisiana St. Constellation Suite 2300, Houston, TX 77002 per Schedule A through November 30, 2021; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Constellation NewEnergy, Inc.

**RESOLUTION NO. 556-2020
AUTHORIZATION TO RENEW BID B19068
HVAC AIR FILTERS**

WHEREAS, Resolution No. 594-2019 awarded bid (B19068) for HVAC air filters to R.P. Fedder Corporation; and

WHEREAS, R.P. Fedder Corporation has agreed to a 12-month renewal at the current price structure; and

WHEREAS, The Purchasing Department recommends the bid renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of bid (B19068) to R.P. Fedder Corporation, 740 Driving Park Avenue, Rochester, NY 14613, for HVAC air filters per the bid tabulation sheets for a 1-year period starting October 4, 2020 through October 3, 2021; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to R.P. Fedder Corporation.

**RESOLUTION NO. 557-2020
RESOLUTION TO AUTHORIZE RENTAL OF UPS EQUIPMENT FOR
70 & 74 ONTARIO STREET**

WHEREAS, The UPS system functions to provide temporary power during the time an outage occurs, and the building generates power to full capacity; and

WHEREAS, UPS systems are critical infrastructure to assure continual functioning of computer network system and communications; and

WHEREAS, The existing UPS has components that upon review by the product vendor (Eaton), was determined to function, but whose reliability could not be guaranteed; and

WHEREAS, Given this information county staff determined it's best to rent a comparable system and move to design and bid a completely new UPS for the 70-74 Ontario Street; and

WHEREAS, A vendor was found who could provide a unit and have it delivered and installed within 2 days; and

WHEREAS, On an emergency basis and upon notice to The Public Works Committee Chairman, County Administrator, the Commissioner of Public Works authorized Sure Power Incorporated and the county's on-demand electrical contractor, O'Connell Electric to proceed in the installation, testing and start-up of the temporary UPS system; now, therefore, be it

RESOLVED, A budget for this project is \$32,600, including a \$5,000 contingency and funding exists within Buildings and Grounds operating budget; and further

RESOLVED, The Public Works Committee has reviewed need to provide temporary UPS power and recommends the adoption of this resolution; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby authorizes a contract with Sure Power Inc., 200 Industrial Highway, Ridley Park, PA 19078, at a cost not to exceed \$19,600 for a three month rental; and further

RESOLVED, The Ontario County Board of Supervisors also approves the use of on-demand contractor, O'Connell Electric, to assist the county in the electrical connection in coordination with the installation of the temporary UPS system at a cost not to exceed \$8,000; and further

RESOLVED, That the Commissioner of Public Work is authorized, to make necessary adjustments and to initiate field changes to complete the proposed work, within the project budget and to report such use to the Public Works Committee and to the Finance Office; and further

RESOLVED, That the Commissioner of Public Works, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purpose of this resolution including adjustments to the original contract within the

limits agreed to in this resolution, subject to review and approval by the Office of the County Attorney; and further

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

RESOLVED, That nothing herein shall be construed as having transferred to any officer or employee of the County any power of the Board of Supervisors, which retains absolute authority to discontinue by majority of the weighted vote any action taken without prior authorization of the Board; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Sure Power, Inc.

**RESOLUTION NO. 558-2020
AUTHORIZATION TO RENEW QUOTE Q18076
FIRE EXTINGUISHER SERVICES
DIVAL SAFETY**

WHEREAS, Resolution No. 524-2018 awarded quote (Q18076) for fire extinguisher services to Dival Safety; and

WHEREAS, Resolution No. 438-2019 renewed said quote for the period September 19, 2019 to September 18, 2020; and

WHEREAS, Dival Safety has agreed to a 12-month renewal at the current price structure with the addition of one item, inspections at a price of \$5.30 each; and

WHEREAS, The Purchasing Department recommends this quote renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of quote Q18076 with Dival Safety, 1721 Niagara Street, Buffalo, NY 14207 for fire extinguisher services per the tabulation sheets on file with the addition of inspections at a cost of \$5.30 each for a 1-year period starting September 19, 2020 through September 18, 2021; and further

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

**RESOLUTION NO. 559-2020
RESOLUTION TO ENTER INTO AGREEMENT WITH
THE TOWN OF HOPEWELL FOR SALT STORAGE
DEPARTMENT OF PUBLIC WORKS – BUILDINGS AND GROUNDS**

WHEREAS, The Town of Hopewell offers its facilities for the storage of county salt used in snow and ice control at county facilities and parking lots in Canandaigua and Hopewell; and

WHEREAS, Resolution No. 686-2016 authorized an agreement with the Town of Hopewell for County salt storage at the Town highway facility and said agreement expired October 14, 2018; and

WHEREAS, Resolution No. 685-2018 authorized an agreement with the Town of Hopewell for County salt storage at the Town highway facility and said agreement expires November 15, 2020; and

WHEREAS, This service to the County is vital in maintaining a convenient location to store salt and avoids the County having to build its own facilities; and

WHEREAS, The Town of Hopewell has agreed to provide salt storage for a cost of \$1500.00 per year; and

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

RESOLVED, That the Town of Hopewell be paid \$1500.00 per year for said salt storage; and further

RESOLVED, That the contract shall start on November 16, 2020 and expire on November 15, 2022; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby approves an agreement with the Town of Hopewell for salt storage; and further

RESOLVED, The County Administrator is authorized to sign the agreement and any other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Town of Hopewell, 2716 County Road 47, Canandaigua, NY 14424.

RESOLUTION NO. 560-2020
AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR
SANITARY SEWER INFILTRATION AND INFLOW STUDY
HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT

WHEREAS, The New York State Environmental Facilities Corporation and the New York State Department of Environmental Conservation selected the Sanitary Sewer

Infiltration and Inflow Study for the Honeoye Lake County Consolidated Sewer District (the "Project") to receive a Wastewater Infrastructure Engineering Planning Grant; and

WHEREAS, Resolution No. 90-2020 authorized the County Administrator to execute an Engineering Planning Grant agreement with the New York State Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill Ontario County's obligations under said Grant Agreement; and

WHEREAS, Resolution No. 480-2020 the Board of Supervisors determined that the proposed Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) subparagraph (24); and

WHEREAS, Resolution No. 481-2020 authorized & appropriated the minimum 20 percent local match as required by the Engineering Planning Grant Program for the Sanitary Sewer Infiltration and Inflow Study for the Honeoye Lake County Consolidated Sewer District; and

WHEREAS, Resolution No. 481-2020 specified local match must be at least 20 percent of the Engineering Planning Grant award of \$100,000; and

WHEREAS, Resolution No. 481-2020 specified that the source of said local match, and any amount in excess of the required match, shall be the Honeoye Lake County Consolidated Sewer District Capital Improvement Fund; and

WHEREAS, Resolution No. 481-2020 specified that maximum local match shall not exceed \$20,000 based upon a total estimated maximum project cost of \$120,000; and

WHEREAS, Resolution No. 481-2020 specified that the County Administrator may increase said local match through the use of in kind services without further approval from the Board of Supervisors; and

WHEREAS, The Department of Public Works received two (2) proposals for Professional Services associated with Project from interested engineering firms; and

WHEREAS, A selection committee was established by the Department of Public Works to review said proposals; and

WHEREAS, Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, New York 14614, having demonstrated a thorough understanding of the Project, most relevant experience, staff expertise, and providing an acceptable proposal, was determined to be the firm best qualified to perform this work; and

WHEREAS, Barton & Loguidice cost proposal for the project is \$143,000; and

WHEREAS, This Project is estimated to cost \$157,300 which includes a 10% contingency of \$14,300; and

WHEREAS, The 2020 Capital Improvement Plan includes \$200,000 of funding (Project #: S45-20) for said Project (\$100,000 of Sewer funding and \$100,000 of Engineering Planning Grant funding); and

WHEREAS, Department of Public Works recommends increasing the local match to \$57,300 for a total maximum project cost of \$157,300; and

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

RESOLVED, That the following budget transfer is hereby approved:

G5812099 54491	General Construction	-\$100,000.00
G5812099 54260	Consultation & Professional	+\$200,000.00
G5812099 43902	State Aid, Planning Grant	+\$100,000.00

and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves a contract with Barton & Loguidice, D.P.C., for Professional Services associated with Project for a cost not to exceed \$143,000, said contract will expire December 31, 2021; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with Barton & Loguidice, D.P.C., and all other documents necessary to effectuate the purpose of this resolution; and further

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

RESOLVED, That the Commissioner of Public Works, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate adjustments or change orders to the original contract within the limits agreed to in this resolution, subject to review and approval by the Office of the County Attorney; and further

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the President and CEO of the New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997, the Commissioner of the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1010, and Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, New York 14614.

The foregoing block of eighteen resolutions was adopted.

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

**RESOLUTION NO. 561-2020
ELECTION INSPECTORS PER DIEM RATE OF PAY**

WHEREAS, By Resolution #277-2018 the Board of Supervisors reclassified all Election Inspector positions as Ontario County employees; and

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

WHEREAS, The rate of pay for Election Inspectors was recently amended by Res #515-2019 to address the new Early Voting laws requirements; and

WHEREAS, Commissioner Evangelista and Commissioner Northrup have requested that the Election Inspector daily rate of pay be increased for 2021 to properly compensate for the 16 hours worked on the Primary and General Election days; and

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

RESOLVED, That the Board of Supervisors does hereby adopt the below pay schedule for Election Inspectors, effective January 1, 2021; and further

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

2021 ELECTION INSPECTOR	
General Elections	\$195.00 per day
Primary Elections	\$195.00 per day
Training	\$30.00 per day

Early Voting Day	\$12.50 per hour
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and further

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

**RESOLUTION NO. 562-2020
2020 AND REVISED 2021 RATES OF PAY
FOR PART-TIME HOURLY/DAILY PERSONNEL**

WHEREAS, The Board of Supervisors adopted Resolution #314-2020, which set forth the hourly/daily rate of pay for part-time hourly/daily employees, who are not represented by employee organizations under the Taylor Law; and

WHEREAS, The title of “Fire Instructor Aide, part-time”, was erroneously excluded from the salary schedule; and

WHEREAS, The Fire Instructor Aide, part-time has not received a salary increase since 2018; and

WHEREAS, The Ways and Means Committee has reviewed and recommends that the Part-time Hourly/Daily salary schedule be revised to reflect an increase beginning in January 2021 for the position of Fire Instructor Aide, part-time; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby adopt the attached pay schedule entitled, “Amended 2020 and Revised 2021 Rates of Pay for Part-Time Hourly/Daily Personnel,” effective as indicated in the table.

Amended 2020 and Revised 2021 Rates of Pay for Part-Time Hourly/Daily Personnel,					
TITLE	DEPT	2019 WAGE/hr	2020 WAGE/hr. effective 1/1/20	2021 WAGE/hr effective 1/1/21	COMMENTS
Human Services Worker, Seasonal	Social Services	\$16.54	\$17.04	\$17.04	Comparable to A08, Step 1 (CSEA) - no change
Community Aide & Com Aide, P-T	Workforce Development	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Examination Monitor, Part-Time	Human Resources	\$11.88	\$12.18	\$12.50	2021 tied to NYS Minimum Wage effective 12/31/2020
Student Aide	HR/Public Works	\$11.31	\$11.80	\$12.50	NYS Minimum Wage

Legal Aide	County Attorney	\$16.14	\$16.54	\$16.54	no change to rate
Information Technology/HR Intern	Information Services	\$15.99	\$16.39	\$16.39	no change to rate
Fire Training Aide Instructor, part-time	Emergency Management	\$17.74	\$17.74	\$18.54	Adjustment for consistency
Motor Equipment Operator I, Seasonal	Public Works	\$17.65	\$18.18	\$18.18	Grade HH2, Step 1 (CSEA)
Aquatics Supervisor	Public Works	\$14.05	\$14.40	\$14.90	Consistent with industry
Senior Lifeguard	Public Works	\$12.54	\$14.00	\$14.00	Consistent with industry
Lifeguard	Public Works	\$11.65	\$13.50	\$13.50	Consistent with industry
Laborer, Seasonal	Public Works	\$14.05	\$14.40	\$14.40	no change to rate
Weed Harvester Operator, Seasonal	Planning	\$19.48	\$19.97	\$19.97	no change to rate
Client Transportation Driver, P-T, on-call sub	Social Services	\$15.53	\$15.92	\$15.92	no change to rate
Food Site Aide, PT	Office for the Aging	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Bus Driver, Substitute	Office for the Aging	\$13.57	\$14.04	\$14.04	Comparable to Grade A02, Step 1 (CSEA) - no change
Election Clerk	Board of Elections	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Election Custodian	Board of Elections	\$14.64	\$15.01	\$15.01	no change to rate
Election Technician	Board of Elections	\$16.73	\$17.15	\$17.15	no change to rate
Election Inspector	Board of Elections	Per Res. 515-2019	Per Res. 515-2019	Per Res.	3 daily rates (\$30/training day; \$195/primary or general election day; \$12.50/hour early voting days)
Clerk, Part-Time	Public Health/Rabies	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Medical Director, Part-Time	Public Health	\$100.00	\$100.00	\$100.00	no change to rate
Psychiatrist	Mental Health	\$162.00	\$162.00	\$162.00	no change to rate
Clerk, Seasonal	Social Services	\$13.63	\$14.04	\$14.04	Comparable to Grade A02, Step 1

					(CSEA) - no change
Registered Prof. Nurse, On-call, Substitute	Sheriff	\$25.92	\$26.70	\$26.70	Comparable to Grade SP2, Step 1 (SGU) - no change
Part-time hours for titles in MCP Plan	Various			Varies by title	Hourly rate is calculated based on full-time position annual salary at step 1.

**RESOLUTION NO. 563-2020
SALE OF REAL PROPERTY ACQUIRED THROUGH
ENFORCEMENT OF DELINQUENT TAXES**

WHEREAS, Pursuant to Resolution No. 416-2020, delinquent tax properties were held out for an online public auction beginning September 30, 2020, and ending October 14, 2020, by Auctions International; and

WHEREAS, The Ways and Means Committee recommends accepting the following high bids:

Auction Lot Number	High Bidder	Bid Amount
Lot 23	No Sale	\$0
Lot 29	Brian K. Connors	\$560.00
Lot 34	Tammy J. Drake	\$100.00
Lot 44	Russell Management LLC	\$85,700.00
Lot 94	Marcus V. Franz	\$78,300.00
Lot 96	WC Premier Properties LLC	\$540.00
Lot 108	Log and Timber Structures LLC	\$23,100.00
Lot 109	Log and Timber Structures LLC	\$30,300.00
Lot 110	Log and Timber Structures LLC	\$30,300.00
Lot 111	Justin M. Caswell	\$65,100.00
Lot 137	Tammy J. Drake	\$880.00
Lot 218	Darlene M. Fox	\$21,100.00
Lot 239	Guillermo Rafael Calucho	\$660.00
Lot 284	Tasty Alimentos LLC	\$12,400.00
Lot 285	Darlene M. Fox	\$73,100.00
Lot 298	Thomas R. Plantone	\$26,900.00
Lot 321	Alfredo P. Resendiz	\$23,100.00
Lot 327	Joseph J. Rosicka III	\$10,200.00
Lot 334	Joseph D. Hessney	\$50,100.00
Lot 344	Michael Williams	\$17,200.00
Lot 397	Robert A. Sheppard	\$1,275.00

now, therefore, be it

RESOLVED, That the above bids be accepted; and further

RESOLVED, That upon review and approval of the County Attorney, the Ontario County Treasurer be, and he hereby is, authorized to execute a Quitclaim Deed of the County's interest in each of the above Lots for, and in consideration of, the corresponding Bid Amount set forth above; and further

RESOLVED, That the Ontario County Treasurer be, and he hereby is, authorized to accept the Bid Amounts set forth above as payment for all taxes currently with the County Treasurer with respect to each corresponding Lot, with any excess or any deficit to be reflected on the Treasurer's records as appropriate; and further

RESOLVED, That the Clerk of the Board of Supervisors email a certified copy of this resolution to the County Treasurer.

**RESOLUTION NO. 564-2020
CREATION OF INDEX CLERK POSITION**

WHEREAS, Mr. Matthew J. Hoose, Ontario County Clerk, has filed a New Position Duties Statement with the Director of Human Resources for a full-time position he would like to create; and

WHEREAS, Said position has been classified as Index Clerk by Personnel Officer Classification Certification #44-2020; and

WHEREAS, The Management Compensation Personnel Committee and the Ways and Means Committee have reviewed and recommend the creation of an Index Clerk position in the Office of the County Clerk; and

WHEREAS, Sufficient funds exist within the appropriate line items in the County Clerk's budget; now, therefore, be it

RESOLVED, That a position of Index Clerk (01381/#7) be created effective upon adoption; and further

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

**RESOLUTION NO. 565-2020
CREATION OF POSITION
ASSESSMENT CONTROL CLERK, PART-TIME (TEMPORARY)
REAL PROPERTY TAX**

WHEREAS, Donna LaPlant, has filed a New Position Duties Statement with the Director of Human Resources for a part-time position she would like to create temporarily; and

WHEREAS, Said position has been classified as Assessment Control Clerk, Part-Time (Temporary) by Personnel Officer Certification No. 46-2020; and

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

RESOLVED, That the part-time position of Assessment Control Clerk (Temporary) (11281/#1) be created effective upon adoption for a period of up to 3 months; and further

RESOLVED, That sufficient funding exists within the Real Property Tax Office's budget for this position.

**RESOLUTION NO. 566-2020
CREATION OF POSITION
VICTIM ASSISTANCE COORDINATOR (DBL)
DISTRICT ATTORNEY'S OFFICE**

WHEREAS, James Ritts, has filed a New Position Duties Statement with the Director of Human Resources for a position he would like to create temporarily during the disability of a Victim Witness Coordinator in the District Attorney's Office; and

WHEREAS, Said position has been classified as Victim Witness Coordinator (DBL) by Personnel Officer Certification No. 47-2020; and

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

RESOLVED, That the temporary, full-time position of Victim Witness Coordinator (DBL) (01400/#2) be and hereby is created, for a period of up to six months, effective upon adoption; and further

RESOLVED, That sufficient funding exists within the District Attorney Office's budget for this position.

**RESOLUTION NO. 567-2020
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
LOCAL LAW NO. 6 (INTRO.) 2020**

WHEREAS, There has been introduced at a meeting of this Board held on October 22, 2020, a proposed local law entitled "A Local Law Applying the Management Compensation Program to Certain County Officers Appointed for Definite Terms for the Year 2021"; now, therefore, be it

RESOLVED, That a public hearing shall be held on November 12, 2020, at 6:30 P.M. at 74 Ontario Street, Canandaigua, New York and via WebEx at

<https://ontariocountyny.webex.com>. The meeting code is 718 078 254 and the meeting password is 2020. You may also call in using phone number 1-408-418-9388; and further

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

**RESOLUTION NO. 568-2020
AUTHORIZATION TO EXECUTE DEFERRED PAYMENT PLAN WITH
TOSHIBA BUSINESS SOLUTIONS FOR MULTIFUNCTION COPIERS
FOR ALL COUNTY DEPARTMENTS**

WHEREAS, The current contract for multifunction copiers for all county departments expires January 31, 2021 and the technology for the current machines is an older version and not working at optimum with the papercut software used by the Information Technology department; and

WHEREAS, Purchasing and Information Technology staff have reviewed the proposal from Toshiba Business Solutions to piggyback on the Eastern Suffolk BOCES award #2020-044-0502 at a one-time cost of \$566; and

WHEREAS, Toshiba Business Solutions, based on pricing through the Eastern Suffolk BOCES award with financing through the Deferred Payment Plan option for a 60 month term, will result in a savings of \$180.99 a month and \$10,859 over the course of the contract based on this pricing that includes service and all supplies except paper and staples:

Model #	Monthly Cost	B&W Copy Cost	Color Copy Cost
ES5516ACT	\$140.14	.0045	.044
ES6516ACT	\$162.74	.00561	.0478
ES3515AC	\$109.30	.00561	.0478
ES2518A	\$ 63.46	.0062	

now; therefore, be it

RESOLVED, That the award for multifunction copiers be made to Toshiba Business Solutions, 180 Kenneth Dr. Suite 200, Rochester NY 14623 with pricing based on Eastern Suffolk BOCES award #2020-044-0502; and further

RESOLVED, That, said award shall be for the term of sixty (60) months, starting February 1, 2021 by approval of this Board of Supervisors; and further

RESOLVED, That a certified copy of this resolution be sent to Toshiba Business Solutions by the Clerk of this Board.

**RESOLUTION NO. 569-2020
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
THE TENTATIVE BUDGET
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021**

WHEREAS, There has been presented to this Board of Supervisors, and on file with the Clerk of this Board of Supervisors, the tentative budget of the County of Ontario for the fiscal year beginning January 1, 2021; now, therefore, be it

RESOLVED, That a public hearing shall be held on November 12, 2020, at 6:30 p.m. at the Supervisors' Chambers, 74 Ontario Street, Town of Canandaigua, Canandaigua, New York, at which time all persons may be heard concerning said budget; and further

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

**RESOLUTION NO. 570-2020
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
PROPOSED CAPITAL IMPROVEMENT PLAN**

WHEREAS, That the County Administrator has submitted to the County Board of Supervisors and filed with the Clerk of this Board of Supervisors a proposed *Capital Improvement Plan 2021 - 2026*; now, therefore, be it

RESOLVED, That a public hearing on said Capital Improvement Plan shall be held on November 12, 2020, at 6:30 p.m. at the Supervisors' Chambers, 74 Ontario Street, Town of Canandaigua, Canandaigua, New York, at which time all persons may be heard concerning said Capital Improvement Plan; and further

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

The foregoing block of ten resolutions was adopted.

At 7:35 pm, Supervisor Daniel Marshall, seconded by Supervisor Robert Green, motioned to move into Executive Session, to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the

appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 9:12 pm, Supervisor Robert Green, seconded by Supervisor Norman Teed, motioned to move out of Executive Session.

On motion of Supervisor Todd Campbell, seconded by Supervisor Gregory Bendzlowicz, the meeting was adjourned at 9:12 pm.

DRAFT