

February 18, 2016

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

Upon roll call, all Members of the Board were present with Supervisors Lightfoote and Wickham declared necessarily absent.

The Pledge of Allegiance was led by Supervisor Evangelista.

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

The Clerk received copies of minutes of meetings held as follows:

- a. Ontario County Municipal Clerks Association held December 2, 2015.
- b. Planning & Research Committee held January 12, 2016.
- c. Governmental Operations & Improved Methods Committee held January 19, 2016.
- d. Public Safety Committee held January 19, 2016.
- e. Human Services Committee held January 20, 2016.
- f. Personnel Committee held January 20, 2016. FILED.

The Clerk presented a notice of 8-year review process for Ontario County Agricultural District No. 6, dated January 29, 2016, received from New York State Agriculture and Markets. FILED.

The Clerk received the following Resolutions from Yates County Legislature:

- a. No. 60-16 entitled, Reappointment to Flint Creek Administrative Board.
- b. No. 66-16 entitled, Resolution Opposing the NYS Labor Commissioner's Order to Raise the Minimum Wage to \$15.00 an Hour for Employees of Fast-Food Chain Restaurants in NY. FILED.

The Clerk presented Local Law No. 1 (Intro.) 2016 proposing to amend Local Law No. 8-1999, superseding Public Officers Law Section 2(1) Residency of Certain Officers. FILED.

**Ontario County
Local Law No. 1 (Intro.) of 2016**

**AMENDMENT TO LOCAL LAW 8 of 1999, superseding Public Officers Law
Section 3(1) Residency of Certain Officers.**

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

SECTION 1: LEGISLATIVE INTENT

The Board of Supervisors hereby finds that it is in the public interest that certain officers in the service of Ontario County reside in the county, while the residency of other officers does not contribute to their ability to perform their duties. It is the intent of this local law to endorse the continued application of Public Officers Law Section 3(1) to certain officers, and to supersede its provisions as they may apply to the remaining county officers.

SECTION 2: RESIDENCY REQUIRED

The Board of Supervisors hereby declares that the following positions shall be occupied by residents of Ontario County:

All Elected Positions
All Public Safety Positions, Office of Sheriff Assistant County Attorney
Assistant District Attorney
Auditor and Financial Officer
Commissioner of Public Works
Commissioner of Social Services
County Administrator
County Attorney
Deputy County Administrator
Director, Emergency Management Office
Director of Community Mental Health Services
Director of Community Public Health Services
Director of Finance
Economic Developer
Election Commissioners
Health Facility Administrator
Human Resources Director
Planning Director
Real Property Tax Services Director
Solid Waste Management Director

SECTION 3: EXEMPTION

The provisions of Public Officers Law Section 3(1) requiring public officers employed by Ontario County to be residents of Ontario County shall not prevent a person from holding any county officer's position not enumerated in Section 2 hereof, provided that such person resides in the State of New York.

SECTION 4: LAWS REPEALED

Local Laws 5-94 and 6-99, establishing residency conditions for the Auditor and Financial Officer and Purchasing Director, respectively, are hereby repealed.

SECTION 5: SEPARABILITY

If any clause, sentence, paragraph, or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall have been rendered.

SECTION 6: EFFECTIVE DATE

This local law shall take effect immediately, except as to those officers specified in Section 2 who are, at the time of adoption of this local law, non-residents of Ontario County. Said officers shall be exempt from the provisions of Public Officers Law Section 3(1), which is hereby superseded as to said officers, so long as they maintain said residences. Upon the occurrence of vacancies in the said positions, this local law shall apply to said positions.

The Clerk received Corrections of Errors on 5 parcels, town and county tax rolls, from the Ontario County Treasurer Gary Baxter. FILED.

The Clerk received from NYS Association of Counties, Executive 2016-2017 State Budget Proposal, County Impact Summary. FILED.

The Clerk received the Ontario County Landfill Expansion Air Title V Permit from the New York State Department of Environmental Conservation. FILED.

The Clerk received the Ontario County Planning Board, Re-Examination of Purpose, from the Ontario County Planning Department. FILED.

County Administrator Krause informed the Board that the search is going well for a new Director of Finance and a resolution for appointment should be coming to the Board at the March 10, 2016 Meeting.

Supervisor Vedora addressed the 2016 Regulatory Compliance Committee annual report. The county places a lot of emphasis on compliance with the large amount of funding we receive. It's an important part of the County's accountability and transparency to the tax payers. Ms. Gates and staff work very hard to make sure the county is in compliance.

Supervisor Baker offered the following block of three resolutions and moved its adoption, seconded by Supervisor Green:

**RESOLUTION NO. 84-2016
AMENDMENT TO AND ADOPTION OF THE ONTARIO COUNTY
CASH MANAGEMENT AND INVESTMENT POLICY**

WHEREAS, New York State General Municipal Law (Section 39) requires all counties, cities, towns, villages, school districts and district corporations to adopt, by resolution, a comprehensive investment policy; and

WHEREAS, Resolution No. 694-87, adopted December 11, 1987, established an Ontario County Cash Management and Investment Policy; and

WHEREAS, That Policy stipulates that at least annually, the Board of Supervisors shall review and amend, if necessary, the established Guidelines; and

WHEREAS, Changes are needed to the Policy as recommended by the Finance Department and have been reviewed and approved by the Financial Management Committee; now, therefore, be it

RESOLVED, That the attached Ontario County Cash Management and Investment Policy is hereby adopted; and further

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

**RESOLUTION NO. 85-2016
ADOPTION OF THE
BUDGET TRANSFER POLICY AND PROCEDURES - 2016**

WHEREAS, Resolution No. 36-86 adopted on January 30, 1986, established a Budget Transfer Policy and Procedures; and

WHEREAS, This Board of Supervisors wishes to establish a Budgetary Transfer Policy for 2016 which is in the interest of sound financial management; and

WHEREAS, Along with the policy, this Board also wishes to establish a budget transfer procedure which produces accountability, yet reduces paperflow, and shortens the time involved in approving transfers needed on an immediate basis; and

WHEREAS, The Financial Management Committee has reviewed this policy and procedure and recommends the adoption; now, therefore, be it

RESOLVED, That the attached Budget Transfer Policy and Budget Transfer Procedure be approved; and further

RESOLVED, That copies of this resolution be transmitted by the Clerk of the Board to the County Administrator, the Director of Finance, and all county department heads.

**RESOLUTION NO. 86-2016
TRANSFER OF FUNDS – 2015 COUNTY BUDGET**

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

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

RESOLVED, That the following transfers be made:

2015 Budget	FROM	TO	NET
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and further

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

RESOLVED, That certified copies of this resolution be transmitted by the Clerk of this Board to the Director of Finance.

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 87-2016
TRANSFER OF FUNDS – 2016 COUNTY BUDGET**

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

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

RESOLVED, That the following transfers be made:

2016 Budget	FROM	TO	NET
Proposed New Position	A 3110 F 1050		20,000.00
Appropriated Stop DWI		A 0511 B 7182	+ 16,000.00
Law Enforcement		A 3110 F 2500	+ 1,800.00

and further

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

RESOLVED, That certified copies of this resolution be transmitted by the Clerk of this Board to the Director of Finance.

Supervisor Baker made the motion, seconded by Supervisor Singer, to amend Resolution No. 87-2016, as follows:

**RESOLUTION NO. 87-2016
TRANSFER OF FUNDS – 2016 COUNTY BUDGET – AS AMENDED**

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

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

RESOLVED, That the following transfers be made:

2016 Budget	FROM	TO	NET
Proposed New Position	A 3110 F 1050		20,000.00

and further

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

RESOLVED, That certified copies of this resolution be transmitted by the Clerk of this Board to the Director of Finance.

The foregoing amendment was adopted.

Resolution No. 87-2016, as amended, was adopted.

Supervisor Bendzlowicz offered the following resolution and moved its adoption, seconded by Supervisor Hilton:

**RESOLUTION NO. 88-2016
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
LOCAL LAW NO. ONE (1) INTRO. OF 2016**

WHEREAS, There has been presented and introduced at a meeting of this Board held on February 18, 2016, a proposed local law entitled, **AMENDMENT TO LOCAL LAW 8 of 1999, "Superseding Public Officers Law Section 3 (1) Residency of Certain Officers"**; now, therefore, be it

RESOLVED, That a public hearing shall be held on March 10, 2016, at 6:30 PM in the Supervisors' Chambers, Ontario County Safety Training Facility, 2914 County Road 48, Canandaigua, NY; 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.

Adopted.

Supervisor Bendzlowicz offered the following block of twenty three resolutions and moved its adoption, seconded by Supervisor Vedora:

**RESOLUTION NO. 89-2016
RESOLUTION THANKING THE GOVERNOR AND THE STATE
LEGISLATURE FOR MAKING HEROIN AND OPIOD ABUSE PREVENTION A
TOP PUBLIC SAFETY, PUBLIC HEALTH, AND MENTAL HEALTH
PRIORITY IN NEW YORK STATE IN 2016**

WHEREAS, Communities across the nation and New York State are seeing a dramatic use of heroin and opioid abuse; and

WHEREAS, Between 2005-2014 heroin treatment admissions among upstate New York residents increased by 115% and admissions on Long Island increased by 116%, according to the NYS Office of Alcoholism and Substance Abuse Services; and

WHEREAS, Heroin and opioid abuse and addiction does not discriminate: it can happen in any household, in any family, in any neighborhood, and in any community; and

WHEREAS, The illegal use, addiction and abuse of heroin and opioids affect many areas of county government ranging from public safety, public health, mental health and corrections; and

WHEREAS, Opioid and heroin addiction often starts from the dependence of such painkillers as Oxycodone, OxyContin and Percocet; and

WHEREAS, When prescription opioids become too expensive and difficult to obtain, opioid addicted individuals often turn to heroin, which is more readily available and much cheaper to obtain; and

WHEREAS, The opioid and heroin addiction have reached crisis proportions and the Federal Government, New York State and several counties have begun programs designed to combat the illegal use of these drugs; and

WHEREAS, In order to help monitor the growing problem with heroin and opioids, in 2013 the state instituted the Internet System for Tracking Over-Prescribing (ISTOP) and the Prescription Drug Monitoring Program (PDMP) to prevent prescription opioid abuse by tracking the prescribing and dispensing of controlled prescription drugs to patients; and

WHEREAS, In 2014, Attorney General Schneiderman established the Community Overdoses Prevention (COP) program that gives eligible law enforcement agencies funding for access to naloxone, which is also known as narcan; and

WHEREAS, By leveraging \$5 million of funds appropriated from crime seizure monies through the 2014/15 Enacted State Budget, the Attorney General provided funding to offset the cost of a “naloxone kit” for every sworn officer in the state; and

WHEREAS, In addition, during the 2014 Legislative Session the Senate, Assembly and Governor worked together to sign a comprehensive package of bills that ensure treatment for those affected by addiction, prevents the spread of drug use, and gives law enforcement the tools they may need to curb this growing epidemic; and

WHEREAS, In July of 2015, the U.S Centers for Disease Control (CDC) released a study showing the continued increase in heroin use and overdose deaths; and

WHEREAS, The CDC report showed from 2002-2004, 379,000 Americans reported using heroin within a 12-month period, a statistic that nearly doubled by 2011-12, when the number increased to 663,000 Americans reporting using the drug; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors thanks the Governor and the State Legislature for making heroin and opioid abuse a top public safety, public health and mental health priority in the state in 2016; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, and Senator Rich Funke.

**RESOLUTION NO. 90-2016
RESOLUTION CALLING ON THE STATE OF NEW YORK TO
ENACT CHANGES TO BECOME REAL ID COMPLIANT**

WHEREAS, the REAL ID Act was enacted in 2005 on the 9/11 Commission’s recommendation that the Federal Government “set standards for the issuance of sources of identification”; and

WHEREAS, the Act established minimum security standards for state-issued driver's licenses and identification cards, and prohibited Federal agencies from accepting for official purposes licenses and identification cards from states that do not meet these standards; and

WHEREAS, the Act is intended to increase public safety within the United States and improve travel security; and

WHEREAS, according to the United States Division of Homeland Security, starting January 22, 2018, passengers who have driver's licenses issued by a state that is not yet compliant with REAL ID, and that state has not received an extension will need to show an alternative form of acceptable identification for domestic air travel; and

WHEREAS, starting October 1, 2020, every air traveler will need to present a REAL ID-compliant license or another acceptable form of identification for domestic air travel; and

WHEREAS, 52 counties run DMV offices and serve agents for the state, providing drivers' licenses and other forms of identification; and

WHEREAS, driver license applications processed at county DMVs provide an opportunity for New Yorkers to register as organ and tissue donors; and

WHEREAS, county officials are aware of the growing concern with their residents that New York State must make multiple changes to state issued identification documents, including drivers' licenses, to increase security and become REAL ID compliant; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors urges the Governor and the State Legislature to develop a plan and set aside resources so the state can implement necessary changes to state issued identification as soon as practicable in order to become fully compliant with REAL ID and increase safety and security throughout the state; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke and Ontario County County Clerk Matthew Hoose.

RESOLUTION NO. 91-2016
RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF REVENUE
COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES

WHEREAS, 52 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, this local DMV operation is one of many examples of shared services that counties provide for the state; and

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

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

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

WHEREAS, increasing the county DMV revenue sharing rate will provide counties with needed revenue to continue to provide necessary local government services and reduce pressure on property taxes without increasing costs or fees to local residents; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs, to fulfill these DMV services needed for state residents, yet the State takes 87.3% of the revenue generated from providing these services; and

WHEREAS, the State Senate recognized this inequity placed on counties and attempted to reduce the burden of local property taxpayers by overwhelmingly passing Senator Patty Richie's bill S.4964, which would raise the 12.7% county share up to a 25% share; and

WHEREAS, counties recognize the important function of the state DMV in providing both support to counties and resident services; accordingly, any loss in the state DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the state Legislature to require a substantial increase of the county DMV revenue share with the State; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County County Clerk Matthew Hoose.

RESOLUTION NO. 92-2016
RESOLUTION URGING NEW YORK STATE TO CONSOLIDATE THE
FEDERAL AND STATE PRIMARIES AND COVER THE ADDED COSTS OF
EARLY VOTING

WHEREAS, State Election Law requires that a primary election be held on the first Tuesday after the second Monday in September before every general election unless otherwise changed by an act of the legislature; and

WHEREAS, New York must conduct its federal primary election on a date no later than 35 days prior to the 45-day advance deadline set by the Federal Military and Overseas Voter Empowerment (MOVE) Act for transmitting ballots to the State's military and overseas voters, or at least 80 days before the federal general election; and

WHEREAS, in 2016, New York State must hold a presidential primary in April and a federal primary election for congressional candidates for congressional races on or before August 18th to adhere to the MOVE Act; and

WHEREAS, the federal primary cannot be held on the current State and local primary date in September and remain in compliance with federal election law; and

WHEREAS, Election Law Section 8-100 permits the date of the New York primary to be changed by an act of the State Legislature; and

WHEREAS, county boards of elections are responsible for managing election operations, and paying for all or most of the costs of these operations; and

WHEREAS, if the State Legislature fails to move the normal September primary elections to coincide with the federal primary, there will be 3 primary elections in New York in 2016, which will increase costs for county boards of elections; and

WHEREAS, the proposed 2016-17 State Budget requires counties to provide early voting sites for up to 12 days prior to all special, primary, and general elections; and

WHEREAS, the number of early voting polling sites be based on the number of registered voters in each county (no less than one polling site per county, and at least one polling station per 50,000 registered voters, not to exceed 7 sites per county); and

WHEREAS, at the polling places must be open at least 8 hours per weekday (with extended hours at least twice a week) and at least 5 hours per weekend or holiday during the early voting period; and

WHEREAS, the effective date for most of the early voting provisions is April 1, 2017; and

WHEREAS, the state estimates the cost of implementing early voting to cost counties between \$3-4 million statewide; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls upon Governor Andrew M. Cuomo, and the New York State Legislature to amend Election Law to permit the federal primary election and the New York primary election to be held on the same date; and further

RESOLVED, that if the Governor and the State Legislature do not wish for the federal congressional primary election and the New York State and local primary election to be held on the same day, that New York State absorb the costs of holding the New York primary election; and further

RESOLVED, that if the Governor and State Legislature agree to the early voting provisions proposed in the Executive Budget, then the state must reimburse counties for the added costs of this new mandate; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, Ontario County Democratic Commissioner Mary Salotti, and Ontario County Republican Commissioner Michael Northrup.

**RESOLUTION NO. 93-2016
RESOLUTION CALLING ON THE GOVERNOR AND THE STATE
LEGISLATURE TO REJECT THE PRIVATE ACTIVITY BOND ALLOCATION
ACT OF 2016**

WHEREAS, Part R of the Article VII TED budget legislation would require projects financed by local Industrial Development Agencies with tax-exempt private activity bonds subject to the bond volume cap be approved by the Public Authority Control Board (PACB); and

WHEREAS, The PACB was created by Chapter 38 of the Laws of 1976 to monitor and approve state public authority debt in response to a growing amount of state public

debt issued by state public authorities, which contributed significantly to the New York State/New York City fiscal crisis of the mid-1970s; and

WHEREAS, The law requires eleven statewide public authorities to receive a resolution of approval from the PACB prior to entering into project-related financings; and

WHEREAS, Tax-exempt private activity bonds issued are the obligation and liability of the borrower, as stated in the agreement contained in the bond documents; and

WHEREAS, In 1986, Congress and the President enacted comprehensive tax reform which limited the amount of tax-exempt private activity bonds that could be issued in a state. The bond volume cap was established as a per capita dollar amount. The law established a 50-50 allocation of tax-exempt private activity bond capacity for statewide and local issuers; and

WHEREAS, New York responded by creating a law that allocated tax-exempt Private Activity Bonds (PAB) according to the following formula: one-third for state issuers; one-third for local issuers (IDAs); and one-third for a bond reserve that could be accessed by state or local issuers should they exhaust their local allocation but still have projects to be financed; and

WHEREAS, Today, the federal formula allocates \$100 times the population of the state, allowing New York just under \$2 Billion in PAB capacity, one third of which is reallocated to local agencies; and

WHEREAS, This formula established state control of its allocation and local control of bond capacity allocated to IDAs; and

WHEREAS, State control over the local allocation casts aside the principle of local control of the local allocation of the state volume cap; and

WHEREAS, These bonds finance very specific types of projects authorized in IRS regulations, including manufacturing, pollution control equipment, waste disposal facilities and affordable housing; and

WHEREAS, The bond cap allocation is a vital resource for the City; and

WHEREAS, Over the last two years, the City has financed more than 16,700 affordable apartments across five boroughs using their bond cap allocations; and

WHEREAS, These local projects have no impact on state debt, and language proposed in the Governor's budget would eliminate the principle of local control provided in the current statute, which has operated effectively for 29 years; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on Governor Cuomo and State Legislature to reject the budget proposal regarding the Private Activity Bond Allocation Act of 2016; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Economic Developer Michael Manikowski.

RESOLUTION NO. 94-2016

RESOLUTION URGING THE STATE TO RESOLVE RECENT FAA CLARIFICATIONS REGARDING THE DISPOSITION OF AVIATION FUEL SALES TAX RECEIPTS IN A WAY THAT PRESERVES CURRENT LOCAL SALES TAX RECEIPTS AND AUTHORITY

WHEREAS, in November 2014, the Federal Aviation Administration (FAA) issued a rule clarifying their policy on existing federal law restricting revenues raised by the State and local taxation of aviation fuel from being diverted to non-aviation uses; and

WHEREAS, the update was intended to make clear that “airport operators that have accepted federal assistance generally may use airport revenues only for airport-related purposes...” and that local taxes on aviation fuel are subject to airport revenue use requirements; and

WHEREAS, the FAA set a December 8, 2015, date for states to submit a plan for meeting the new requirements and New York State officials have requested an extension to April 1, 2016; and

WHEREAS, it is expected that meeting the new requirements may impose significant administrative burdens on tracking and accounting for all sales taxes collected on noncommercial aviation fuel and their subsequent reinvestment in aviation uses only; and

WHEREAS, with the state imposed property tax cap limiting local revenue capacity, given up any portion of local sales tax is not an option; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the State to continue working with the FAA and counties to come up with a solution to preserve these local sales tax receipts and local sales tax authority in a way that meets the intent of federal law in the least burdensome way for counties; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Economic Developer Michael Manikowski.

**RESOLUTION NO. 95-2016
RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE DIVISION OF BUDGET TO PRIORITIZE REIMBURSING COUNTY COSTS FOR EARLY INTERVENTION SERVICES THAT WERE PROVIDED AND PAID FOR PRIOR TO THE STATE FISCAL AGENT ADMINISTRATIVE TAKEOVER AND REMAIN OUTSTANDING**

WHEREAS, prior to 2013, counties funded 100% of the cost of the state’s Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, the state implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, due to limitations of the New York State Department of Health (NYSDOH) New York Early Intervention System (NYEIS) system, and inaccuracies in reporting and data that continue since its launch in 2010, counties have sought to settle these outstanding reimbursements for almost three years, but are reliant on the NYSDOH to provide data to identify the exact claims outstanding; and

WHEREAS, NYSDOH and a special work group of counties that has been in place for over two years, has made minimal progress due to a lack of dedicating resources and prioritizing the issue by NYSDOH; and

WHEREAS, this initial work is finding that up to 20% of claims submitted by counties for state share reimbursement remain outstanding after several years for a variety of NYEIS computer system technical problems; and

WHEREAS, some of these unreimbursed claims are nearly five years old; and

WHEREAS, counties estimate that tens of millions of dollars remain unreimbursed by the state as a result; and

WHEREAS, counties cannot afford to wait any longer for reimbursement from the state, while also trying to maintain the state imposed property tax cap; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the Department of Health and the Division of Budget to dedicate the resources to the repayment of these outstanding claims to all counties including New York City a top priority with payments issued in the first quarter of the 2016-17 State Fiscal Year; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Public Health Director Mary Beer.

**RESOLUTION NO. 96-2016
RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE
DIVISION OF BUDGET TO REQUIRE PROVIDERS TO MAXIMIZE
REIMBURSEMENT FROM ALL THIRD-PARTY PAYERS**

WHEREAS, prior to 2013, counties funded 100% of the cost of the state's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, the state implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, the State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the New York State Department of Health's Early Intervention System (NYEIS); and

WHEREAS, counties cannot afford to wait any longer for reimbursement from the state, while also trying to maintain the state imposed property tax cap; and

WHEREAS, recent problems have arisen under the State Fiscal Agent platform related to service providers filing for payment from insurance companies in the first instance as the law requires and a lack of follow through by providers when insurers ask for more information; and

WHEREAS, any extensive delay in providing such information to insurance companies can result in a denial by the insurance company due to untimely filing, these claims then fall to the state and counties to pay; and

WHEREAS, we commend the Governor's budget proposals for timely provider claims to enforce current insurance regulations regarding payment of Early Intervention service claims and attempt to increase commercial insurance collections; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on New York State to implement policies and procedures to ensure that provider claims are filed in a timely manner to commercial insurance providers and Medicaid; and further

RESOLVED, the State Fiscal Agent must implement systematic changes to the billing system to track claims and, as outlined in the state Early Intervention reform proposal, ensure providers exhaust all appeals in a timely manner before moving on to the next payer of record; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke and Ontario County Public Health Director Mary Beer.

RESOLUTION NO. 97-2016

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO GRADUALLY ELIMINATE THE COUNTY FISCAL RESPONSIBILITY FOR PRESCHOOL SPECIAL EDUCATION AND SUMMER SCHOOL SPECIAL EDUCATION PROGRAMS

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

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

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

WHEREAS, we commend the Governor and New York State Legislature for the recent reimbursement reforms, including SEIS regional rates, in the preschool special education program; and

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

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

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

WHEREAS, over the last decade the failure of the state to fund these costs has shifted more than \$1.5 billion to county property taxpayers, exceeding \$250 million annually today, raising costs for homeowners and small business throughout New York; now, therefore, be it

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

RESOLVED, the first phase should include capping county fiscal liability for preschool special education at no more than what each county paid in 2013 and then implementing a three-year plan to incrementally reduce the county fiscal liability for this program to no more than 25% as intended at the inception of the program to help reduce pressure on property taxes; and further

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

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Public Health Director Mary Beer.

RESOLUTION NO. 98-2016
RESOLUTION SUPPORTING RABIES PREVENTION ACROSS THE STATE
AND PROVIDING APPROPRIATE FUNDING NECESSARY TO ACHIEVE
THIS GOAL

WHEREAS, rabies is a deadly disease caused by a virus that attacks the central nervous system, and is almost always fatal once symptoms appear; and

WHEREAS, rabies is most often seen among wild animals such as raccoons, bats, skunks, and foxes; and infected mammals can transmit the rabies virus to humans and other mammals including cattle, cats and dogs; and

WHEREAS, the first signs of a rabies infection is usually change in an animal's behavior, an animal may become aggressive or tame, it may lose its fear of humans, or froth at the mouth; and

WHEREAS, without vaccination dairy farms are at great risk when sending their cattle out to pasture where they could come in contact with rabid animals; and

WHEREAS, rabies vaccination shots are expensive and can cost farms thousands of dollars annually; and

WHEREAS, losing a single animal can be a significant financial burden for a farmer; and

WHEREAS, luckily, humans are typically only exposed to rabies when an infected animal bites them, or when saliva from an infected animal enters an open cut or mucous membrane such as one's eyes, nose or mouth, but those who work on farms are at a greater risk of contracting rabies if working with unvaccinated livestock; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the Governor to increase funding available to counties for rabies awareness and vaccination in the 2016-17 state budget; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke and Ontario County Public Health Director Mary Beer.

RESOLUTION NO. 99-2016
RESOLUTION CALLING ON THE NYS OFFICE OF PEOPLE WITH DEVELOPMENTAL DISABILITIES AND THE GOVERNOR OF THE STATE OF NEW YORK TO IMPLEMENT A PROCESS OF TRANSPARENCY, INFORMATION-SHARING AND COLLABORATION WITH THE LOCAL GOVERNMENTAL UNITS (LGUS) TO ENSURE THE ADEQUACY OF COMMUNITY BASED PROGRAMS AND SERVICES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES WHO ARE BEING TRANSITIONED FROM INSTITUTIONAL SETTINGS INTO THE COMMUNITY

WHEREAS, under *Olmstead v. L.C.*, the United States Supreme Court held that unjustified segregation of people with disabilities constitutes discrimination in violation of Title II of the Americans with Disabilities Act, and public entities must provide services in the most integrated setting appropriate to a person's needs; and

WHEREAS, in order to comply with the *Olmstead* Decision, the Office of People with Developmental Disabilities (OPWDD) is implementing a comprehensive Transformation Agenda to enable self-direction and move people to the most integrated settings, including transitioning people with developmental disabilities to the community from state-operated Developmental Centers; and

WHEREAS, the implementation of OPWDD's Transformation Agenda represents a major shift in the structure of the service delivery system for OPWDD from institutional care in Developmental Centers to community-based care for people with developmental disabilities with complex needs; and

WHEREAS, to implement this major shift to community-based care, new services need to be developed and funded in the community to successfully and safely transition people with developmental disabilities from institutional to community settings; and

WHEREAS, Article 41 of the Mental Hygiene Law charges the Local Governmental Unit (LGU) with the responsibility for the planning, development, implementation and oversight of the system of services for individuals with mental illness, substance use disorders and developmental disabilities who are living in the community; and

WHEREAS, in order to identify and meet the service needs of people with developmental disabilities (as well as with mental illness and substance use disorders) the Local Governmental Unit is required to conduct a comprehensive local services planning process which is reliant on both data and the input of local consumers, family members, advocates, service providers and state agency representatives; and

WHEREAS, OPWDD is not sharing information and working collaboratively with the LGUs to ensure that adequate community-based programs and services are available to meet the needs of people with developmental disabilities before they are transitioned into the community from institutional settings; and

WHEREAS, when the Office of Mental Health (OMH) began downsizing the state psychiatric centers, OMH used a transparent, data-informed process, involved the LGUs and community stakeholders in the planning and development of needed services, and invested funding for those services prior to transitioning individuals into the community from state facilities; and

WHEREAS, OPWDD should adopt a model of collaboration with the LGUs, families and other stakeholders to facilitate a transparent process to ensure services are available in the community to successfully transition individuals with developmental disabilities; and

WHEREAS, LGUs are ready to partner with OPWDD and community organizations to deliver needed services to people with developmental disabilities who are transitioning from institutional to community settings; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the Governor and the Office of People With Developmental Disabilities to develop a transparent process, share detailed information and collaborate with the Local Governmental Units to ensure that adequate services are funded and available for individuals with developmental disabilities who are transitioning from an institutional setting into the community; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Director of Community Services Diane Johnston.

RESOLUTION NO. 100-2016

RESOLUTION URGING NEW YORK STATE TO FULLY FUND ALL COSTS RELATED TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY AND ENSURE THAT ANY STATUTORY OR ADMINISTRATIVE CHANGES FULLY RECOGNIZE THE RESPONSIBILITY OF LOCALLY ELECTED DISTRICT ATTORNEYS TO PROMOTE PUBLIC SAFETY, MAINTAIN VICTIMS' RIGHTS AND ENSURE ACCOUNTABILITY IN THE JUSTICE SYSTEM

WHEREAS, the Governor is prioritizing fundamental reform of the juvenile justice system in New York State, including a statutory change to the age of criminal responsibility; and

WHEREAS, structural changes to raising the age of criminal responsibility will require a significant investment in services based on a children and families social services model; and

WHEREAS, these services will produce the need for job-training skills, high school equivalency education, transportation, drug and alcohol treatment, family and individual counseling, coordinated mental health services, case management, and other interventions resulting in higher expenses; and

WHEREAS, many regions of the state currently do not have adequate capacity to provide such services in their local communities; and

WHEREAS, the state currently caps funding for foster care and youth detention, and also limits reimbursement for other child welfare and probation costs, resulting in a significant unfunded mandate on counties which will grow worse if the state changes the age of criminal responsibility while not also providing full funding to alleviate these new costs; and

WHEREAS, locally elected district attorneys are responsible for protecting the public safety, maintaining victim's rights and ensuring accountability for all in the criminal justice system; and

WHEREAS, the District Attorney's Association of the State of New York has provided recommendations to state legislative leaders on their proposals to reform the juvenile justice system including: 1) providing local prosecutorial consent for the removal of all violent felonies and some non-violent felonies from criminal court to family court, 2) not allowing adjustment for violent and serious non-violent felonies, 3) any new presumption for granting youthful offender status should be limited to certain classes of non-violent felony offenses, 4) reduced sentencing should not be offered for certain violent crimes and 5) ensuring that some level of secure detention options be maintained for certain cases; and

WHEREAS, these recommendations are intended to preserve the delicate balance between offender rehabilitation and accountability, and public safety; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the State of New York to fully cover all new costs associated with changing the age of criminal responsibility to avoid the imposition of a new unfunded mandate on counties; and further

RESOLVED, fiscal caps must be removed for foster care and youth detention as part of this age of criminal responsibility reform, and state funding must be provided to build capacity for infrastructure and services under child welfare and probation services, and to identify mental health and drug and alcohol issues and strategies to minimize absences without leave from the education system; and further

RESOLVED, the state must also reverse state budget reimbursement rate cuts it made to counties for local child welfare services, restoring the state reimbursement rate to 65% from the current 62% level to ensure counties have more resources to provide critical services to children and families in need of services; and further

RESOLVED, that recommendations from local District Attorneys should be provided due consideration and inclusion if the reform proposal moves forward; and further

RESOLVED, there will need to be flexibility in recognition of the differences between small and large counties and rural versus urban areas, such that, a staggered roll-out may be appropriate in some counties depending on local conditions and service capacity; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Director of Probation Jeffrey Rougeux.

RESOLUTION NO. 101-2016

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO MORE EQUITABLY AND EFFICIENTLY IMPOSE THE 9-1-1 SURCHARGE ON ALL WIRELESS COMMUNICATIONS DEVICES AND USE REVENUES TO FINANCE COUNTY 9-1-1

WHEREAS, the State of New York imposes a \$1.20 public safety surcharge on wireless "contract telephones," which, when it was enabled in statute, was intended to fund 9-1-1 operations and help dispatchers, first responders and law enforcement officers to communicate and respond to emergencies; and

WHEREAS, the “pre-paid” cellular phone market is currently not contributing resources to support 9-1-1 service; and

WHEREAS, it is estimated at least 1/3 of all cell phones are “pre-paid” and do not pay the \$1.20 state surcharge or the \$.30 local surcharge; and

WHEREAS, more than 30 states have expanded their 9-1-1 surcharge to “pre-paid” phones; and

WHEREAS, the growth of smart phones into the “prepaid” marketplace in recent years is accelerating and providers are moving away from annual contracts toward “prepaid” monthly programs; and

WHEREAS, the State’s revenues from the \$1.20 surcharge totals nearly \$200 million annually but is declining, with the majority of which is used by the state for purposes other than 9-1-1; and

WHEREAS, current funding mechanisms do provide enough funding to address the essential needs of all counties nor the implementation of NextGen 9-1-1; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to determine a way to ensure adequate funds are available for emergency needs and authorize all counties the authority to impose a local surcharge up to a \$1.20 on ALL wireless devices that are capable of accessing 911 services; and further

RESOLVED, that any expansion of the state surcharge to prepaid plans should commensurately authorize local surcharges for the same purpose; and further

RESOLVED, the state should provide optional authority for the local wireless \$.30 surcharge for the 8 counties that do not currently impose this surcharge; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Sheriff Philip Povero.

RESOLUTION NO. 102-2016

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 911 IN NEW YORK STATE AND CREATE A NEW YORK STATE 911 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES

WHEREAS, counties provide 911 services in New York State by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire, and police assistance; and

WHEREAS, counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

WHEREAS, these changes are a fundamental shift toward an IP based 911 system that is commonly referred to as Next Generation (NG) 911; and

WHEREAS, NG 911 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies; and

WHEREAS, the majority of states across the country have aggressively begun preparing for NG 911 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG 911 system; and

WHEREAS, New York State has done comparatively little to prepare for NG 911 and is facing significant risk in becoming a straggler in the deployment of NG 911 technologies; and

WHEREAS, a lag in planning and investment in NG 911 places New York's citizens at risk as they rely on a legacy 911 system that is rapidly becoming obsolete; and

WHEREAS, the NYS Public Service Commission (PSC) conducted a telecommunications study on 911 that required the insight of public safety and 911 experts to relay relevant public safety information to the PSC as they make 911 related telecommunications decisions; and

WHEREAS, the NYS Public Service Commission (PSC) intends to work collaboratively with the Department of Homeland Security and Emergency Services (DHSES), the 911 Advisory Board and the Public Safety Broadband Working Group to further advance the implementation of NG 911 in New York State, while maintaining their oversight of 911 system affordability and reliability as it pertains to providers of 911 services; and

WHEREAS, a New York State effort to provide coordinated leadership in the area of 911 would be most appropriately empowered to both support the mission of the PSAPs in the state as well as transition the current state's 911 legacy system to a NG 911 system that will better serve its citizens for years to come; and

WHEREAS, leadership from New York State is crucial to ensure success and to prevent future tragedies related to the 911 network in NYS; and

WHEREAS, counties urge New York State to adopt the Automated Secure Alarm Protocol (ASAP) which automates all alarms coming from alarm companies and allows for an electronic link between the Central States Alarm Association, the NLETS system and the PSAP's via the NYS e-justice system; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of Homeland Security and Emergency Services to create a New York State 9-1-1 Department that best serves the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency 9-1-1 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and further

RESOLVED, that the Ontario County Board of Supervisors calls upon the State Legislature and the Governor to enable a State 9-1-1 Department that would:

- Provide funding;
- Issue RFPs and award contracts as necessary to support 9-1-1;
- Establish standards for 9-1-1;
- Apply for and distribute Federal Grant Funds
- Coordinate and provide training for 9-1-1 directors, supervisors and call takers;
- Provide Public Education;
- Provide necessary networks to support 9-1-1 both in a legacy and NG 9-1-1 environment;

- Provide a Statewide ESInet to support interoperability within and outside of New York State;
- Create, maintain and distribute GIS databases;
- Create and maintain NG 9-1-1 and other appropriate databases to support 9-1-1 efforts;
- Provide and propose appropriate regulation / legislation / tariffs to support 9-1-1;
- Represent New York State in efforts to support and advance 9-1-1 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC;
- Provide consultative services to PSAPs in NYS in regards to industry trends, products, techniques, and standards;
- Help manage Civil Service exams;
- Manage the TERT program;
- Provide legal expertise in 9-1-1 related matters;
- Serve as the liaison to 9-1-1 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufacturers, etc.);
- Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 911 field;
- Provide for connectivity via the e-justice system to allow for the Automated Secure Alarm Protocol (ASAP).

and further

RESOLVED, that the Ontario County Board of Supervisors supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices as essential to preserving current resources for 911 services; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Sheriff Philip Povero.

RESOLUTION NO. 103-2016

RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS AND JAILS

WHEREAS, county Probation Departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law, and the Family Court Act; and

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

WHEREAS, state funding for Probation was drastically reduced between 1990 and 2015 from a 46.5% State share in 1990 to less than 12% in 2015, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and

WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with

NYSAC and State leaders to bring more awareness to the important work that Probation does to protect the public; now, therefore, be it

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

- Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.
- In response to Violation of Probation Petitions:
 - Require counties to develop swift, certain graduated responses
 - Require the courts to dispose of the VOP's within 90 days
- Enable Probation to administratively modify Conditions of Probation in the provision of graduated responses.
- Establish a dedicated funding stream for juvenile services provided directly to Probation through DCJS/OPCA.
- Eliminate the requirement for dual supervision of Ignition Interlock parolees by delegating direct supervision to NYS Parole only of defendants sentenced to DOCS.

and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Director of Probation Jeffrey Rougeux.

**RESOLUTION NO. 104-2016
RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
GRADUALLY RESTORE THE 50/50 STATE/COUNTY COST SHARING FOR
THE SAFETY NET PROGRAM AND TO INCREASE SHELTER GRANT
REIMBURSEMENTS TO COUNTIES**

WHEREAS, the 2011-12 State Budget dramatically lowered the state's fiscal responsibility in the Safety Net Program by shifting the cost to 71% county / 29% state, severing the historic 50% state / 50% county partnership; and

WHEREAS, this continues a long line of state legislative actions that has transferred the state's constitutional and fiscal responsibility to care for the needy to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

WHEREAS, the Safety Net funding shift also builds upon recent trends where the state has leveraged significant savings from maximizing available federal resources largely for state financial plan purposes only, at the expense of local property taxpayers; and

WHEREAS, the net effect of this state practice forces local property taxes to be higher than they should because available savings are being spent by the state rather than used to lower the cost of state mandates which can provide direct relief to local property taxpayers; and

WHEREAS, nearly half of the states do not have Safety Net programs and New York is one of only 11 states that provide benefits to childless adults that do not have some disability; and

WHEREAS, most other states do not require counties to fund such a large share of public assistance costs; and

WHEREAS, counties in New York are required to finance the vast majority of Safety Net costs, putting in twice as much funding as the State; and

WHEREAS, for the first half of 2015, state data indicates that county Safety Net costs have increased by nearly 9% over the prior year; and

WHEREAS, counties believe that the rising cost of providing shelter assistance to recipients is a major contributor to this increase; and

WHEREAS, the reduction of state funding support for Safety Net Assistance is part of a larger trend where the state has reduced its fiscal commitment for nearly every public assistance program including child welfare, adoption subsidies, food stamp administration, Safety Net, Child Support Enforcement, juvenile justice and programs designed to help recently released state incarcerated offenders return to the community; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the State to gradually restore the historic 50/50 state/county cost sharing for the Safety Net program over a five year period, starting with an increase in county reimbursement for shelter assistance, which has not been raised in over a decade, in order to help lower the local property tax burden for homeowners and small businesses; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senators Michael Nozzolio and Rich Funke and Commissioner of Social Services Eileen Tiberio.

RESOLUTION NO. 105-2016
RESOLUTION URGING THE STATE TO PROVIDE TECHNICAL AND
FINANCIAL ASSISTANCE TO COUNTIES TO HOLD LOCALITIES
HARMLESS FROM NEW COSTS ASSOCIATED WITH FEDERAL CHILD
CARE LAW CHANGES TO ENSURE LOCAL CHILD CARE SLOTS ARE NOT
LOST DUE TO INCREASED COSTS OF MEETING THE NEW FEDERAL
MANDATES

WHEREAS, the federal government is implementing new child care safety and quality standards that are intended to improve child care services nationwide; and

WHEREAS, the new federal standards will require all child care providers to be checked against a variety of databases including FBI fingerprinting, National Crime Information Center, National Sex Offender Registry, state criminal and sex offender registry, and child abuse and neglect registry in each state an applicant has resided over the past five years; and

WHEREAS, the state estimates there are over 220,000 regulated and legally-exempt providers as well as household members over the age of 18 that would be required to have a background check at a cost of nearly \$102 per person; and

WHEREAS, these federal standards will require annual, unannounced full inspections of all facilities, including legally-exempt providers, which will require New York to conduct 25,000 additional inspections each year; and

WHEREAS, new federal rules will require a mandatory pre-service/orientation and ongoing health and safety training for all child care staff in a variety of topical areas including first aid/CPR; and

WHEREAS, in New York the cost of First Aid/CPR classroom training is estimated at \$125 per person and would apply to as many as 220,000 individuals; and

WHEREAS, the state has estimated that meeting these new standards could increase costs for the state, counties and child care providers by up to \$90 million; and

WHEREAS, while the federal regulation focuses on child development, it is essential that we recognize that child care is critical as a work support, and that the added costs of implementation will reduce subsidies to low income families who need child care in order to go to work; and

WHEREAS, due to significantly constrained property tax cap limits, counties do not have the ability to absorb new costs of this magnitude while also meeting new federal subsidy requirements including 12-month eligibility redetermination and the graduated phase-out of families leaving the subsidy program; and

WHEREAS, without additional federal or state funding support to cover these increased costs counties may be forced to close intake (including closing active cases) or lower income thresholds, which will reduce the number of low income working families receiving subsidized child care services; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls on the Governor and State Legislature to hold counties harmless from a fiscal perspective to ensure that existing child care slots and subsidies provided by counties are not jeopardized over the coming years as these new federal standards are implemented; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke and Ontario County Commissioner of Social Services Eileen Tiberio.

RESOLUTION NO. 106-2016
RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
ELIMINATE ADMINISTRATIVE FUNDING CAPS ON STATE
REIMBURSEMENTS TO LOCAL SOCIAL SERVICE DISTRICTS FOR
SAFETY AND SECURITY IMPROVEMENTS

WHEREAS, state financial support for local social service district administrative costs was essentially eliminated several years ago to help balance state budget shortfalls; and

WHEREAS, with the exception of local costs for administration of the State Medicaid program, local social service district administrative responsibilities for a variety of state and federal programs continue to increase each year with no commensurate financial support; and

WHEREAS, in 2015 alone, more than 50 new Administrative Directives (ADMs) or guidance letters from OCFS, OTDA and DOH were sent to counties for implementation; and

WHEREAS, county social service districts are struggling with implementing these new directives without any new fiscal support from the state or federal government; and

WHEREAS, counties are dealing with the tightest property tax cap since the program was implemented; and

WHEREAS, recent security breaches, including violence committed against county employees at local social service districts, both nationally and locally highlight the increased need for enhanced safety and security investments at local social service district offices; and

WHEREAS, current state administrative reimbursement caps to local social service districts makes such safety and security investments highly challenging; and

WHEREAS, while the safety of all public employees is a priority, the need in certain county offices is more critical; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors urges the Governor and State Legislature to exempt certain local investments that enhance the safety and security of local social services district employees and clients from state administrative reimbursement caps; and further

RESOLVED, that upon an act of violence perpetrated upon a local social services district employee in New York (or when an incident of national attention occurs against similar public employees), for safety and security reasons the state should acknowledge the act and notify all local district social services of the activity; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Commissioner of Social Services Eileen Tiberio.

RESOLUTION NO. 107-2016

RESOLUTION CALLING ON THE STATE OF NEW YORK TO RESTORE FUNDING PARITY BETWEEN THE CAPITAL PLANS OF THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA) AND THE NY STATE DEPARTMENT OF TRANSPORTATION (NYSDOT)

WHEREAS, Governor Andrew Cuomo and Mayor de Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly \$11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS, as part of this agreement, the Governor is committing \$8.3 billion in state resources to cover the MTA plan's multi-year deficit; and

WHEREAS, while we may agree that this vital investment in downstate transit is needed, the state's new Department of Transportation 5-Year Capital Plan being developed must assess current conditions and provide for the future needs of a modern, safe, reliable and efficient multimodal transportation system; and

WHEREAS, the enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the state to develop and fund a Transportation 5Year Capital Plan; and

WHEREAS, for nearly two decades, through 2009, a parity agreement for the five-year capital programs of the MTA and the NYS Department of Transportation (DOT) were similar in size as well as adopted within a month of each other; and

WHEREAS, three of the last four DOT/MTA five-year capital programs were virtually identical in size; and

WHEREAS, since 2009 that parity agreement has not been honored; and

WHEREAS, locally-owned roads and bridges are deteriorating at a rapid rate as counties continue to struggle to find adequate funding for their maintenance and replacement; and

WHEREAS, a 2014 Comptroller's report states that thirty-four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the state are rated fair or poor and getting worse; and

WHEREAS, The proposed 2016-17 State Budget calls for \$22 billion for a multi-year transportation capital plan to upgrade roads, bridges and other vital transportation infrastructure throughout the New York; and

WHEREAS, full funding mechanisms for this capital plan has not been included in the 2016-17 State budget or the five year State Fiscal Plan; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls upon the Governor and the Legislature to support a level of funding that restores parity between the NYSDOT transportation capital program and the MTA's capital program, so that local governments have enough resources to fund the local needs as described above; and further

RESOLVED, that the state work with counties to develop and fully-fund the 5 Year Capital Plan that will provide the necessary and proper funding to New York's counties by substantially increasing CHIPS and Marchiselli funding and establishing a 5 year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their vast transportation infrastructure; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Commissioner of Public Works William Wright.

RESOLUTION NO. 108-2016
RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE TO
ALLOCATE THE LOCAL PORTIONS OF THE PROPOSED
TRANSPORTATION FUNDING THROUGH THE EXISTING CHIPS
FORMULA

WHEREAS, this Executive's proposed 2016-17 State Budget includes \$438,097,000.00 for CHIPS funding and \$39,700,000.00 for Marchiselli funding, which is consistent with last year's budget; and

WHEREAS, the proposed budget calls for \$22 billion for a multi-year transportation capital plan to upgrade roads, bridges and other vital transportation infrastructure throughout the New York; and

WHEREAS, the \$22 billion plan includes \$1 billion each for the BRIDGE NY and PAVE NY programs to replace, rehabilitate, pave and maintain state and local bridges and roads; and

WHEREAS, \$500 million of each program would go to fund state roads and bridges and \$500 million of each would go to fund local road and bridges; and

WHEREAS, the funding formula for allocating the total \$1 billion in local road and bridge funding has yet not been made clear; and

WHEREAS, the state budget proposal also includes \$500 million for the Extreme Weather Infrastructure Hardening program, which will make investments in roadways across the state susceptible to flooding and other extreme weather related events; and

WHEREAS, while this funding is welcomed and needed for our transportation infrastructure, it needs to be allocated in a fair and equitable method so that all local governments receive increases in transportation funding; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors calls upon the Governor and the Legislature to allocate the local portions of the proposed PAVE NY funding through the existing CHIPS formula, which is based on local highway mileage (for all municipalities) and motor vehicle registrations (for counties and NYC); and further

RESOLVED, that BRIDGE NY local funding that is proposed to be distributed via a competitive solicitation must assure regional level decision-making and include local highway department representation, or be distributed through a CHIPS like formula similar to PAVE NY as another way to assure real state/local equality, regional balance, and improved local decision-making and flexibility; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, and Ontario County Commissioner of Public Works William Wright.

**RESOLUTION NO. 109-2016
RESOLUTION OF APPROVAL
CORRECTION OF ERROR – 2016 COUNTY/TOWN TAX ROLL**

WHEREAS, An application for corrected tax roll for the 2016 County/Town tax roll has been received by the Real Property Tax Director in accordance with RPTL §554, and

WHEREAS, The property owner is Annette G. (Zielinski) Briggs who resides at the property located at 1856 Quaker Meeting House Rd, Honeoye Falls, NY 14472, in the town of West Bloomfield. The tax map identification number is 50.02-1-63.100, and

WHEREAS, The Real Property Tax Director has completed an investigation pursuant to RPTL §554, and has filed a copy of the findings of that investigation, and

WHEREAS, The 2015-2016 school taxes have been paid in full, and were erroneously included on the list of unpaid taxes returned to the County Treasurer by the Honeoye Falls-Lima Central School District, and

WHEREAS, The Real Property Tax Director has recommended approval of the application for correction of error and the Governmental Operations & Improved Methods Committee concurs, now therefore be it

RESOLVED, That the report of findings has been reviewed by this Board, and further

RESOLVED, That the application for Correction of Error is approved, and further

RESOLVED, That the 2016 County/Town tax bill shall be corrected by subtracting the amount of the school relevy, (\$3,984.31), for a corrected amount of \$1,690.54, and further

RESOLVED, that copies of this resolution be sent to the Ontario County Treasurer, Ms. Annette G. (Zielinski) Briggs, Honeoye Falls-Lima Central School District, West Bloomfield Town Tax Collector, and the Ontario County Real Property Tax Director.

RESOLUTION NO. 110-2016
RESOLUTION OF SUPPORT OF ASSEMBLY BILL 5133 / SENATE BILL 1000-
A AN ACT TO AMEND THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW

WHEREAS, Section 8 of the Volunteer Firefighters' Benefit Law provides for disability benefits in the case of the total and permanent disability of a volunteer firefighter; and

WHEREAS, The State has enacted these benefits in recognition of the enormously important service that these volunteers provide to our communities; and

WHEREAS, The law does not currently provide for cost of living increases for such benefits; and

WHEREAS, Inflationary forces make it increasingly difficult to subsist on a fixed income; and

WHEREAS, Assemblyman Joseph Morelle and Senator Rich Funke have introduced bills A.5133 / S. 1000-A, an act to amend the Volunteer Firefighters' Benefit Law, which would provide for an annual cost of living increase for benefits to volunteer firefighters who became permanently and totally disabled due to a catastrophic injury sustained in the line of duty; and

WHEREAS, Victor, New York resident Michael Nicholson has requested support from the Ontario County Board of Supervisors for Assembly bill 5133 and Senate bill 1000-A to provide for a cost of living adjustment to benefits received by disabled volunteer firefighters in New York State; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby expresses its support of this Act; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mr. Nicholson, 922 Fenwick Lane, Victor, New York 14564, Assemblyman Joseph Morelle, State Senator Rich Funke.

RESOLUTION NO. 111-2016
RESOLUTION TO APPOINT MEMBERS TO THE
ONTARIO COUNTY COMPLIANCE COMMITTEE

WHEREAS, The Ontario County Compliance Plan states that the Governmental Operations and Improved Methods Committee recommends members to serve on the County's Compliance Committee; and

WHEREAS, In addition to the representative of the Committee named by the Committee Chairman to serve on the Compliance Committee, the Committee recommends the following appointments to the Board of Supervisors; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby appoints the following persons to serve on the Ontario County Compliance Committee effective February 18, 2016, as recommended by the Governmental Operations and Improved Methods Committee; and further

Sean Barry, Chief Information Officer
Mary Beer, Director of Community Public Health
Mary Burnett, Manager of Audit and Financial Projects
Mary Gates, Deputy County Administrator and Compliance Officer
Julie Hoffman, Director of Employee Relations
Arthur James III, Assistant County Attorney
Diane Johnston, Director of Community Mental Health Services
Robert Kramer, Deputy Commissioner of Social Services
Denise Morley, Director of Human Resources
Emily Phillips, Human Resource Analyst
Lorrie Scarrott, Manager of Financial Operations
Dominic Vedora, GO Committee Representative

RESOLVED, That certified copies of this resolution be sent by the Clerk to the Board to each person named above.

The foregoing block of twenty three resolutions was adopted.

Supervisor Vedora offered the following resolution and moved its adoption, seconded by Supervisor Bendzlowicz:

RESOLUTION NO. 112-2016
RESOLUTION CALLING UPON THE NEW YORK STATE LEGISLATURE TO
IMMEDIATELY END THE GAP ELIMINATION ADJUSTMENT AND
SUPPORT FOUNDATION AID TO SCHOOL DISTRICTS

WHEREAS, The New York State Gap Elimination Adjustment (GEA) was implemented in 2010 as a one-time reduction in education aid to help New York State balance its budget and the GEA has continued in every budget since then; and

WHEREAS, Supervisor Dominick Vedora, City of Geneva Wards 1 & 2, has brought to the attention of this Board that school districts throughout Ontario County have lost millions of dollars in State aid due to the implementation of the GEA; and

WHEREAS, This reduction in State aid has resulted in a cost shift to the local property taxpayers of Ontario County; and

WHEREAS, This cost shift has resulted in unsustainable measures to balance budgets in the school districts throughout Ontario County, included reduction and elimination of school programs, personnel and services, and the reduction of school district fund reserves necessary for many of these districts; and

WHEREAS, With the implementation of the State's Real Property Tax Cap limit, the school districts were promised a review and elimination of costly unfunded and underfunded mandates yet to date, little in the way of mandate relief has been approved by the State; and

WHEREAS, Efforts by school districts to sustain programs and services are severely constrained by increases in pension and health care costs, the mandated implementation of Common Core Learning Standards and teacher/principal performance reviews in addition to the tax cap limits and those unfunded and underfunded mandates; and

WHEREAS, Adequate State funding is constitutionally mandated and essential to meet all mandates and obligations and to maintain the quality of education in public schools in New York State; and

WHEREAS, While New York State has provided recent aid increases, overall school districts are receiving less in State Aid now than they were in 2008-09 ; and

WHEREAS, The Governmental Operations and Improved Methods Committee has reviewed and supports this resolution; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby urge the New York State Legislature to immediately eliminate the Gap Elimination Adjustment, completely restore Foundation Aid so that districts can maintain a “Sound Basic Education”, and eliminate costly mandates as promised at the time the New York State Real Property Tax Cap limit was enacted; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, Senator Rich Funke, Bloomfield Central School District, Canandaigua City School District, Geneva City Schools, Honeoye Central School District, Honeoye Falls-Lima Central School District, Livonia Central School District, Lyons Central School District, Manchester-Shortsville Central School District, Marcus Whitman Central School, Naples Central School, Newark School District, Palmyra-Macedon Central School District, Penn Yan Central School District, Phelps-Clifton Sprints Central School District, Pittsford Schools, Victor Central School District, and Wayland-Cohocton Central School.

Adopted.

Supervisor Vedora noted that he brought this resolution to Governmental Operations because the school districts have lost millions since 2009 resulting in the loss of many programs, staff, and other services for students.

Supervisor Wille was directly affected by this with being a former school Superintendent for Bloomfield School District. He knows that in Bloomfield alone they have lost about \$ 10 million in the past five years. Gap elimination had four goals: to aid access to all education programs; fairness across school districts for access; whole idea of excellence; and equity among all school districts. This did not happen as the recession of 2008 brought this idea to a halt and was cut from the State budget.

Supervisor Hilton offered the following block of six resolutions and moved its adoption, seconded by Supervisor Campbell:

**RESOLUTION NO. 113-2016
AUTHORITY TO RENEW CONTRACT
U.R. THOMPSON HEALTH
PUBLIC HEALTH PROGRAMS – 2016-2017**

WHEREAS, The Ontario County Public Health Department desires to renew the professional service contract with U.R. Thompson Health for the provision of services for Public Health Department Programs; and

WHEREAS, U.R. Thompson Health will continue to provide services for the period January 1, 2016, through December 31, 2017, as follows:

Contractor	Professional Services	Time Period
U.R. Thompson Health	Lead, Rabies and Tuberculosis	January 1, 2016

350 Parrish St. Canandaigua, NY 14424	Medical Services, X-Ray and Lab Services, Provision of Prescription Drugs and Pharmacy Dispensing Services	through December 31, 2017
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WHEREAS, Funds have been budgeted; and

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

WHEREAS, The County Administrator and the Health and Medical Services Committee recommend the renewal of this contract; now, therefore, be it

RESOLVED, That the County Administrator be, and she hereby is, authorized and directed to execute the agreement with U.R. Thompson Health for the time period of January 1, 2016, through December 31, 2017; and further

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

**RESOLUTION NO. 114-2016
AUTHORITY TO RENEW CONTRACT
CLIFTON SPRINGS HOSPITAL
PUBLIC HEALTH PROGRAMS – 2016-2017**

WHEREAS, The Ontario County Public Health Department desires to renew the professional service contract with Clifton Springs Hospital for the provision of services for Public Health Department Programs; and

WHEREAS, Clifton Springs Hospital will continue to provide services for the period January 1, 2016, through December 31, 2017, as follows:

Contractor	Professional Services	Time Period
Clifton Springs Hospital 2 Coulter Road Clifton Springs, NY 14432	Lead, Rabies and Tuberculosis Medical Services, X-Ray and Lab Services, Provision of Prescription Drugs and Pharmacy Dispensing Services	January 1, 2016, through December 31, 2017

WHEREAS, Funds have been budgeted; and

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

WHEREAS, The County Administrator and the Health and Medical Services Committee recommend the renewal of this contract; now, therefore, be it

RESOLVED, That the County Administrator be, and she hereby is, authorized and directed to execute the agreement with Clifton Springs Hospital for the time period of January 1, 2016, through December 31, 2017; and further

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

**RESOLUTION NO. 115-2016
AUTHORIZATION OF CONTRACT
GENEVA COMMUNITY HEALTH
AND ONTARIO COUNTY PUBLIC HEALTH**

WHEREAS, Resolution No. 838-2011 established a contract with Finger Lakes Community Health, now known as Geneva Community Health, for the provision of STD and tuberculosis related medical services which expired December 31, 2015; and

WHEREAS, It is now necessary to renew this contract; and

WHEREAS, Funds have been budgeted to pay this provider; and

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

WHEREAS, The Public Health Director and the Health & Medical Services Committee recommend the renewal of this contract; now, therefore, be it

RESOLVED, That the County Administrator be, and she hereby is, authorized and directed to execute this agreement with the provider for the time frame January 1, 2016, through December 31, 2017; and further

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

**RESOLUTION NO. 116-2016
AUTHORIZATION: PROFESSIONAL CONSULTANT AGREEMENT
GRETCHEN N. FOLEY, MD**

WHEREAS, There is a need for additional psychiatric hours in the Clinic Treatment Program serving Ontario County residents; and

WHEREAS, Gretchen N. Foley, MD, 224 Mill Street., Apt. 3C, Rochester, NY 14614, is qualified and willing to provide as needed court related psychiatric services; and

WHEREAS, The Director of Community Mental Health Services has recommended Gretchen N Foley, MD, to the County Administrator and the Health and Medical Services Committee to provide court related psychiatric services; and

WHEREAS, Sufficient funds exist within the 2016 budget for this contract; and

WHEREAS, The Health and Medical Services Committee has reviewed and approved the agreement; and

WHEREAS, The agreement is on file in the Office of the Clerk of the Board, now, therefore, be it

RESOLVED, That this Board of Supervisors awards a contract to Gretchen N. Foley, MD, 224 Mill St., Apt. 3C, Rochester, NY 14614, for said services beginning February 19, 2016, and ending December 31, 2016, for an amount not to exceed \$10,000; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and directed to sign the agreement with Gretchen Foley, MD; and further

RESOLVED, That certified copies of this resolution be forwarded by the Clerk of this Board to the Finance Department and Gretchen N. Foley, MD, 224 Mill St., Apt. 3C, Rochester, NY 14614.

**RESOLUTION NO. 117-2016
AUTHORIZATION TO ACCEPT VITAL ACCESS PROVIDER (VAP) GRANT
MENTAL HEALTH**

WHEREAS, Ontario County Mental Health Department has been awarded a maximum of \$400,917 from the Vital Access Provider (VAP) grant; and

WHEREAS, Authorization to apply for the funding was approved pursuant to Resolution No. 785-2014; and

WHEREAS, The grant funds will be awarded only if specific metrics are met in compliance with the grant specifications; and

WHEREAS, The grant funds are requested to fund two (2) additional positions within the Mental Health Department, enhancement of the Electronic Case Record and Billing software and completion of a needs assessment for the clinic; and

WHEREAS, The positions were approved in the 2016-2017 budget cycle, thus funds are presently secured in the budget if the metrics are not met; and

WHEREAS, The Health and Medical Services Committee and the Financial Committee have reviewed and approved this request; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors, hereby accepts the \$400,917 grant award;

RESOLVED, That the grant fund opportunity will end 10/31/2017; and further

RESOLVED, That the County Finance Office shall be authorized to make the necessary budgetary and account entries to effect the intent of this resolution; and further

RESOLVED, That the County Administrator be authorized to sign necessary contract documents with New York State Office of Mental Health; and further

RESOLVED, That certified copies of this resolution shall be sent by the Clerk of this Board to the Department of Finance and Ontario County Department of Mental Health.

**RESOLUTION NO. 118-2016
RESCIND RESOLUTION NO. 704-2015
PROFESSIONAL CONSULTANT CONTRACT
RIDA Y RIZK, MD – MENTAL HEALTH – 2015**

WHEREAS, Ontario County Board of Supervisors authorized Ontario County Mental Health to enter into a professional consultant service contract with Rida Y Rizk, MD for professional services related to the provision of Psychiatric Services; and

WHEREAS, Ontario County Mental Health no longer wishes to enter into a professional consultant service contract with Rida Y Rizk, MD at this time; and

WHEREAS, No services have been provided and it is recommended that the resolution be rescinded; and

WHEREAS, The Health and Medical Services Committee has reviewed and recommends rescinding said authorizing resolution; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes rescinding Resolution No. 704-2015; and further

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

The foregoing block of six resolutions was adopted.

Supervisor Helming offered the following block of four resolutions and moved its adoption, seconded by Supervisor Bendzlowicz:

RESOLUTION NO. 119-2016
RESOLUTION SUPPORTING THE REQUEST FOR NEW YORK STATE TO
INCREASE FUNDING STREAMS FOR YOUTH DEVELOPMENT PROGRAM

WHEREAS, Governor Cuomo has submitted his proposed 2016-17 Executive Budget without including last year's fully funded amount for the Youth Development Program; and

WHEREAS, The Youth Development Program offers the distribution of funds to all counties through the county youth bureau, ensuring the availability of positive youth development services across New York State; and

WHEREAS, The Youth Development Program supports positive youth development programs and prevention services that are provided through a fair and equitable formula-driven allocation through the New York State Office of Children and Family Services; and

WHEREAS, The Youth Development Program, through youth bureau structures, ensures appropriate local monitoring, evaluation and accountability; and

WHEREAS, Youth development, prevention and intervention are essential for critical services to children and youth; and

WHEREAS, Increased need in the number of youth served by county and local youth bureaus and by community-based organizations in Ontario County continues to increase; and

WHEREAS, The Human Services Committee believes that providing services and programs for children and youth is an investment, not only in delinquency prevention, but also in the development of all our young people thus enriching our society and nation as a whole; and

WHEREAS, The Ontario County Human Services Committee recommends this resolution to the Board of Supervisors for adoption, now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby requests Governor Cuomo and the New York State Legislature increase the current Youth Development Program funding streams in the 2016-17 state budget; and further

RESOLVED, That Governor Cuomo and the New York State Legislature re-appropriate the \$1.28 million restoration which was included in the 2015-16 enacted budget, to bring calendar year 2016 funding to the actual 2015 calendar year levels and to prevent programmatic reductions; and further

RESOLVED, That Governor Cuomo and the New York State Legislature add \$28.33 million to increase expansion of funding for the Youth Development Program; and further

RESOLVED, That the Clerk of the Ontario County Board of Supervisors is hereby directed to forward a certified copy of this resolution to Governor Andrew Cuomo, Assembly Speaker Carl Heastie, Senate Majority Leader John Flanagan, Senator Catharine Young, Assembly Member Donna Lupardo, Assembly Member Herman Farrell, Senator Michael F. Nozzolio, Senator Richard Funke, Assembly Minority Leader Brian M. Kolb, Inter-County Association of Western New York, and the New York State Association of Counties.

RESOLUTION NO. 120-2016
ENDORSEMENT OF APPOINTMENT TO THE
FINGER LAKES WORKFORCE DEVELOPMENT BOARD
FINGER LAKES WORKFORCE INVESTMENT BOARD, INC.

WHEREAS, The Workforce Innovation and Opportunity Act (WIOA) was signed into law by President Obama on July 22, 2014, to replace the Workforce Investment Act of 1999 which is the federal legislation for the public workforce system; and

WHEREAS, The Counties of Ontario, Wayne, Seneca, and Yates, through official action of their legislative bodies, and with approval of the Governor of the State of New York, established a Workforce Investment Area in 1999 consisting of the four Counties, and the Finger Lakes Workforce Investment Board, Inc., in accordance with the Workforce Investment Act and agree to the same designated area under the Workforce Innovation and Opportunity Act, effective July 1, 2015; and

WHEREAS, The following public sector member term automatically expire June 30, 2015, under WIA legislation and have accepted appointment to the Finger Lakes Workforce Development Board and Finger Lakes Workforce Investment Board, Inc. under the WIOA legislation; and

WHEREAS, The member must be endorsed by the respective Board of Supervisors and/or Legislative Boards; and

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

RESOLVED, That the following public sector individual be appointed to the Finger Lakes Workforce Development Board and Finger Lakes Workforce Investment Board, Inc., for the term of July 1, 2015, to June 30, 2018:

Joseph R. Pellerite
Executive Vice President of Operations
O'Connell Electric Co. Inc.
830 Phillips Road
Victor, New York 14564
Organized Labor Representative

and further

RESOLVED, That the above endorsement is subject to unanimous endorsement of the four Counties as the Finger Lakes Workforce Development Area and approval of the Finger Lakes Workforce Investment Board, Inc. and Finger Lakes Workforce Development Board; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department, the appointee, the Finger Lakes Workforce Investment Board, Inc., and to the Counties of Seneca, Wayne, and Yates.

**RESOLUTION NO. 121-2016
APPOINTMENT - ONTARIO COUNTY YOUTH BOARD**

BE IT RESOLVED, That this Board of Supervisors does hereby approve the following appointment to the Ontario County Youth Board:

- Michael Woody, 4665 Pre-Emption Road, Geneva, New York, 14456;

for a three-year term to expire November 30, 2018; and further

RESOLVED, That certified copies of this resolution be sent to Finance Department, Mr. Woody, Youth Bureau, and the County Clerk.

**RESOLUTION NO. 122-2016
AUTHORIZATION: FOUR YEAR PLAN APRIL 1, 2016 – MARCH 31, 2020
ANNUAL FUNDING APPLICATION APRIL 1, 2016 - MARCH 31, 2017
OFFICE FOR THE AGING**

WHEREAS, The Office for the Aging is required to submit a Four Year Plan beginning April 1, 2016, through and including March 31, 2020, and Funding Applications for April 1, 2016, through March 31, 2017, for the programs/services that it intends to offer and for which it receives federal/state financial assistance; and

WHEREAS, The Office for the Aging has prepared the Four Year Plan for program years 2016-2020 and Annual Funding Applications for 2016-2017 with Public Hearings held on September 15, 18 and 24, 2015; and

WHEREAS, Due to the time frames for submission of the application, the County Administrator authorized submission of the application; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby approve and authorize the submission of the Four Year Plan and the Funding Applications for the following programs: Title III-B, III-D, IIIC, III-E, V, CSI, Wellness in Nutrition Program (WIN), Community Services for the Elderly Program (CSE), the Expanded In-Home Services for the Elderly Program (EISEP), the Nutrition Services Incentive Program (NSIP), Transportation, and Health Insurance Information Counseling and Assistance Program (HIICAP), with a copy of said plan being on file in the Office of the Clerk of this Board; and further

RESOLVED, That the Chairman of this Board and the Director of the Office for the Aging are hereby authorized and directed to sign said plan on behalf of the County; and further

RESOLVED, That certified copies of this resolution be sent to the Department of Finance and the NYS Office for the Aging.

The foregoing block of four resolutions was adopted.

Supervisor Singer offered the following block of eight resolutions and moved its adoption, seconded by Supervisor Helming:

**RESOLUTION NO. 123-2016
CONTRACT WITH COMMUNITY MAGAZINE GROUP, INC.
AND ITS AFFILIATE COMMUNITY MEDIA GROUP, INC.
FOR PUBLICATION OF COUNTY HEALTH AND WELLNESS MAGAZINE**

WHEREAS, Resolution No. 81-2014 authorized a contract with Community Magazine Group, Inc., having an office at 1550 South Indiana Street, Chicago, Illinois 60605, to publish a quarterly County health and wellness magazine in 2014; and

WHEREAS, Excellus funded the cost of this magazine in 2015 directly, so no contract was necessary, but is no longer able to provide funds for wellness activities due to the Affordable Care Act; and

WHEREAS, The Wellness Committee would like to continue this magazine in 2016; and

WHEREAS, Funds have been provided in the 2016 A1431 Budget for wellness activities; and

WHEREAS, The Personnel Committee has reviewed and recommends contracting with Community Magazine Group, Inc., to publish the health and wellness magazines for County employees; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby authorize a one-year contract with Community Magazine Group, Inc. and its affiliate Community Media Group, Inc., in order to publish a quarterly County health and wellness magazine in 2016, at a not-to-exceed cost of \$2,500 per quarterly magazine (\$10,000 annual cost); and further

RESOLVED, That the County Administrator be authorized to sign said agreement after review and approval by the County Attorney; and further

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

**RESOLUTION NO. 124-2016
AUTHORIZATION TO CONTRACT WITH
NATIONAL EMPLOYERS COUNCIL, INC., DBA PEOPLESYSTEMS
ONTARIO COUNTY HUMAN RESOURCES**

WHEREAS, The Department of Human Resources would like to enter into a contract with National Employers Council, Inc., dba PeopleSystems, to provide unemployment insurance claims and tax rating administration services in 2016; and

WHEREAS, PeopleSystems has agreed to include their human resource helpline consultation service at no additional cost for one year as part of this contract; and

WHEREAS, The \$3,000 annual cost for this contract would be funded from the A Fund unemployment insurance line in the 2016 Budget; and

WHEREAS, The County Administrator and the Personnel Committee have reviewed and recommend contracting with PeopleSystems for 2016; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby authorize a contract between Ontario County and the National Employers Council, Inc., dba PeopleSystems, to provide comprehensive unemployment insurance claim audits, representation at unemployment insurance hearings, and the PeopleSystems human resource helpline consultation service at a not-to-exceed cost of \$3,000 for 2016; and further

RESOLVED, That the County Administrator shall be authorized to sign this agreement subject to the review and approval of the County Attorney's Office; and further

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

**RESOLUTION NO. 125-2016
SALARY ADJUSTMENT – SEAN ST. CYR
OFFICE OF SHERIFF**

WHEREAS, Sheriff Philip C. Povero, has recommended the salary adjustment of Mr. Sean St. Cyr, County Police Officer, to Grade R15, Step 4 (\$26.71/hr.) based on his years of service with Ontario County; and

WHEREAS, The Personnel Committee has reviewed and approved the salary adjustment for Mr. St. Cyr, effective upon his date of appointment to the position of County Police Officer; and

WHEREAS, Sufficient funding exists within the Office of Sheriff's budget for this salary adjustment; now, therefore, be it

RESOLVED, That the salary for Mr. Sean St. Cyr, County Police Officer, be set at Grade R15, Step 4 (\$26.71/hr.) effective upon his date of appointment; and further

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

**RESOLUTION NO. 126-2016
SALARY ADJUSTMENT – CHELSEA CARTER
PUBLIC DEFENDER'S OFFICE**

WHEREAS, Ms. Leanne Lapp, Public Defender, has recommended a salary adjustment for Assistant Public Defender Chelsea Carter to MCP Band 5/Step 1 (\$90,778), based on her years of experience, to be effective April 1, 2016; and

WHEREAS, The Personnel Committee and the Public Safety Committee have reviewed and approved the salary adjustment for Attorney Carter, effective April 1, 2016; and

WHEREAS, Sufficient funds exist within the Public Defender's Budget to fund this salary adjustment; now, therefore, be it

RESOLVED, That the salary for Assistant Public Defender Carter be set at MCP Band 5/Step 1 (\$90,778), effective April 1, 2016; and further

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

**RESOLUTION NO. 127-2016
AMENDMENT TO RESOLUTION NO. 728-2015
COOK (DBL) - OFFICE FOR THE AGING**

WHEREAS, Resolution No. 728-2015 created a position of Cook (DBL) for ninety days, during which time the Food Service Helper filled this position; and

WHEREAS, Ms. Irene Coveny, Director of Office for the Aging, would like to continue this position until such time as the Cook returns from disability; and

WHEREAS, Sufficient funds exist within the Office for the Aging budget to cover the cost of this position continuation; and

WHEREAS, The Personnel Committee has reviewed and recommends that Resolution No. 728-2015 be amended to continue the position of Cook (DBL) until April 20, 2016, or the Cook on disability returns, whichever occurs first; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby amend Resolution No. 728-2015 to continue the Cook (DBL) position until April 20, 2016, or the date the Cook returns, whichever occurs first; and further

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

**RESOLUTION NO. 128-2016
AMENDMENT TO RESOLUTION NO. 492-2015
CREATION OF DISPATCHER POSITIONS – OFFICE OF SHERIFF**

WHEREAS, Resolution No. 492-2015 created seven Dispatcher II positions and two Dispatcher II, Part-Time positions in anticipation of the transition of the Geneva PSAP to the Ontario County 9-1-1 Center on or about July 1, 2016; and

WHEREAS, As part of this resolution, two positions of Dispatcher II were scheduled for creation on July 1, 2016; and

WHEREAS, Mr. Philip C. Povero, Ontario County Sheriff, has requested that one of the positions scheduled for creation on July 1, 2016, be moved up to April 1, 2016; and

WHEREAS, Sufficient funds exist to cover the cost of this position creation change; and

WHEREAS, The Public Safety Committee, Personnel Committee and the Financial Management Committee have reviewed and recommend the earlier creation date of April 1, 2016, for one of the positions originally planned for creation on July 1, 2016; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby amend Resolution No. 492-2015, to move up the creation of a Dispatcher II position from July 1, 2016, to April 1, 2016; and further

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

RESOLUTION NO. 129-2016

**AUTHORIZATION TO EXTEND CONTRACT WITH 207 RESOLUTIONS,
L.L.C. FOR GENERAL MUNICIPAL LAW 207 CLAIMS REVIEW
ONTARIO COUNTY HUMAN RESOURCES**

WHEREAS, The current contract with 207 Resolutions, L.L.C. expired on December 31, 2015; and

WHEREAS, The Department of Human Resources would like to extend this contract with 207 Resolutions, L.L.C. to provide assistance with ongoing workers compensation/General Municipal Law 207 claims; and

WHEREAS, Ms. Paula Tiner, Principal of 207 Resolutions L.L.C., has agreed to provide these services on an as-needed basis at the same hourly rate of \$85.00, plus mileage, when applicable; and

WHEREAS, Funding exists within the Workers Compensation Budget for this contract; and

WHEREAS, The Personnel Committee has reviewed and recommends this contract to the full Board; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby authorize an extension agreement with 207 Resolutions, L.L.C., effective January 1, 2016, through December 31, 2017; and further

RESOLVED, That the County Administrator shall be authorized to sign this agreement after review and approval by the County Attorney's Office; and further

RESOLVED, That certified copies of this Resolution be sent by the Clerk of this Board to the Finance Department, and to Ms. Paula Tiner, 207 Resolutions L.L.C., 8417 Oswego Road, PMB 111, Baldwinsville, New York 13027.

**RESOLUTION NO. 130-2016
AUTHORIZATION TO CONTRACT WITH BENEFIT RESOURCE, INC.
AS PLAN ADMINISTRATOR OF ONTARIO COUNTY'S
BENEFIT CHOICE PLAN AND SECTION 105(H) PLANS**

WHEREAS, Resolution 778-2012 authorized a three year agreement with Benefit Resource, Inc., to act as Plan Administrator for Ontario County's Benefit Choice Plan, in addition to providing Flexible Spending Account (FSA) Program services, and Section 105(h) Health Reimbursement (HRA) Plan services, with no increase in cost; and

WHEREAS, The County's agreement with Benefit Resource, Inc., expired December 31, 2015; and

WHEREAS, The County's Insurance Broker, Smola Consulting, has negotiated a three-year agreement with Benefit Resource, Inc., to provide all the services required by Ontario County at a reduced cost of \$4.00/employee/month, a savings of almost 16%; and

WHEREAS, The cost of this program is offset in part annually by the County's FICA and Medicare savings related to employee contributions to the FSA program, as well as refunds of unclaimed employee funds due to separation which are returned to the County to offset administrative expenses; and

WHEREAS, The Personnel Committee has reviewed and recommends that Benefit Resource, Inc., continue as Plan Administrator for the above mentioned programs from 2016-2018; now, therefore, be it

RESOLVED, That the Board of Supervisors authorizes Ontario County to enter into a three-year agreement with Benefit Resource, Inc., to continue as Plan Administrator for the Benefit Choice Plan, in addition to providing Section 125 Plan services, and Section 105(h) (HRA) Plan services, for the period, January 1, 2016, through December 31, 2018; and further

RESOLVED, That the County Administrator shall be authorized to sign the agreement following review and approval by the County Attorney's Office; and further

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

The foregoing block of eight resolutions was adopted.

Supervisor Green offered the following block of seven resolutions and moved its adoption, seconded by Supervisor Vedora:

RESOLUTION NO. 131-2016
RE-APPOINTMENT TO THE ONTARIO COUNTY FOUR SEASONS LOCAL
DEVELOPMENT CORPORATION

WHEREAS, Mrs. Alexa Gifford and Mr. Mike Kauffman were re-appointed to the Ontario County Four Seasons Local Development Corporation for a term to expire on September 30, 2018, by Resolution No. 795-2015, adopted by the Board of Supervisors on December 3, 2015; and

WHEREAS, The above-named individuals failed to take their oath of office, and such failure disqualifies the appointment; now, therefore, be it

RESOLVED, That Mrs. Alexa Gifford, 1285 Elmira Road, Penn Yan, New York, 14527, and Mr. Mike Kauffman, EASTVIEW Mall, 7979 Pittsford-Victor Road, Victor, New York, 14564, be, and they hereby are, reappointed to the Ontario County Four Seasons Local Development Corporation for a term to expire September 30, 2018, and instructed to take their oath of office; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Treasurer, County Clerk, Ontario County Four Seasons Local Development Corporation, the Planning Department, and the appointees.

RESOLUTION NO. 132-2016
RESOLUTION AUTHORIZING A CONTRACT WITH
THE OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT
FOR TRANSFER OF SFY 2015-2016 STATE GRANT FUNDING UNDER THE
FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE

WHEREAS, Ontario County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes – Lake Ontario Watershed Protection Alliance, has been allocated NYS Environmental Protection Funds administered by the Department of Environmental Conservation (NYSDEC) for SFY2015-16 in the amount of \$67,200.00 (Sixty seven thousand and two hundred dollars) for its associated water quality program under the Finger Lakes – Lake Ontario Watershed Protection Alliance

(FLOWPA) described in Schedule A and which is on file with the Clerk of the Board; and

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

WHEREAS, the term of this contract is April 1, 2016 through March 31, 2018, yet eligible expenses incurred back to January 1, 2016 may be reimbursed under this grant; and

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

Payment 1	Initial Advance Payment – SFY15-16 State Grant Funds	\$50,400.00
Payment 2	Final Payment (Retainage) – SFY 15-16 State Grant Funds	\$16,800.00

And

WHEREAS, The Planning and Research Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the County Administrator to execute a contract with the Oswego County Soil and Water Conservation District for the Finger Lakes – Lake Ontario Watershed Protection Alliance as specified in said contracts to secure the transfer of SFY 2015-2016 FLOWPA funding to Ontario County, and to act as the official representative of Ontario County in connection with all contracts between Ontario County and the DISTRICT for FLOWPA funds, subject to approval of said Contracts by the County Attorney; and further

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

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

RESOLVED, That this resolution take effect immediately.

**RESOLUTION NO. 133-2016
AUTHORIZING 2016 CONTRIBUTION TO
SENECA LAKE PARTNERS IN 5 COUNTIES (SLAP-5)**

WHEREAS, The County of Ontario has been awarded a grant of Fifty Seven Thousand Six Hundred Dollars (\$57,600.00) from the NYS Environmental Protection Fund for State Fiscal Year 2014 – 2015 through the Finger Lakes/Lake Ontario Watershed Protection Alliance (FLOWPA); and

WHEREAS, These funds are budgeted for 2016 for the purpose of funding Cooperative Land and Water Conservation Projects; and

WHEREAS, The annual contribution to the Seneca Lake Area Partners in 5 Counties (SLAP-5) is specifically listed in Ontario County's narrative and budget as one of the projects to be funded; and

WHEREAS, The Ontario County Soil and Water Conservation District (SWCD) has provided descriptions of recent work conducted by SLAP-5 on behalf of Ontario County and indicated that continuing this work is crucial in facilitating municipal relationships that can foster cooperative action and implementation of the Seneca Lake watershed management plan adopted in 2015, and recommends continued annual support of this organization; and

WHEREAS, The Planning and Research Committee has reviewed the activities of SLAP-5 in furthering the Counties interests in watershed protection and is recommending approval of this annual contribution; now, therefore, be it

RESOLVED, That the Director of Planning is hereby authorized to make payment of \$2,000 from Consultation and Professional budget line A 8020 E 4260 to the Ontario County Soil and Water Conservation District as Treasurer for SLAP-5, to serve as Ontario County's 2016 contribution; and further

RESOLVED, That this resolution shall take effect only upon execution of a contract between Ontario County and Oswego County Soil and Water Conservation District for transfer of SFY 2015-16 FLOWPA grant funding; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Treasurer, the Director of Planning, and Patrick J. Emerick, Treasurer of SLAP-5 and District Manager, Ontario County Soil and Water Conservation District, 480 N. Main Street, Suite #2, Canandaigua, NY 14424.

RESOLUTION NO. 134-2016
RESOLUTION OF RECOGNITION AND APPRECIATION
PETER A. OSBORNE

WHEREAS, Resolution No. 99-1966 created the Ontario County Planning Board to perform key roles in the continuing planning, development, and management of important agricultural and natural resources of Ontario County; and

WHEREAS, Resolution No. 393-2004 appointed Mr. Peter A. Osborne, residing at 6490 County Road 33, Naples, NY 14512, in the Town of South Bristol, as the Town of South Bristol's representative to the County Planning Board effective July 31, 2004; and

WHEREAS, Mr. Osborne has served faithfully for over eleven (11) years as a member of the Ontario County Planning Board; and

WHEREAS, Mr. Osborne has informed the County of his resignation from said board effective February 11, 2016; and

WHEREAS, Mr. Osborn's service as a member of the Ontario County Planning Board has been voluntary and without remuneration, and

WHEREAS, the Ontario County Planning Board and the Town of South Bristol continue to rely on dedicated citizen volunteers like Mr. Osborne to help make decisions regarding Ontario County Planning Policy and community development; now, therefore be it

RESOLVED, That this Board does hereby recognize the experience, dedication, and many years of exemplary work rendered by Mr. Peter A. Osborne as a member of the County Planning Board and to the County; and further

RESOLVED, That Ontario County Board of Supervisors does hereby extend its sincere thanks and appreciation to Mr. Osborne for his many years of service; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Planning Board, the Town of South Bristol, and Mr. Peter A. Osborne 6490 County Road 33, Naples, NY 14512.

RESOLUTION NO. 135-2016
RESOLUTION OF RECOGNITION AND APPRECIATION FOR SERVICE ON
THE GENESEE VALLEY REGIONAL MARKET AUTHORITY

WHEREAS, The Genesee Valley Regional Market Authority was created by statute in 1951 and serves as a centrally located food distribution center for a nine-county area in Western New York; and

WHEREAS, Ms. Gertrude Watkins, 3274 Lake to Lake Road, Stanley, New York 14561, has served faithfully as one of the two members representing Ontario County on the Board of Directors of the Genesee Valley Regional Market Authority since April 17, 2008; and

WHEREAS, Said service has been voluntary and without remuneration, and

WHEREAS, The Genesee Valley Regional Market Authority and the County of Ontario continue to rely on dedicated citizen volunteers like Ms. Watkins to provide local markets for agricultural products and in providing grant funding for agricultural projects throughout the 9 county region; now, therefore, be it

RESOLVED, That this Board does hereby recognize the experience, dedication and many years of exemplary work rendered by Ms. Watkins as a member of the Genesee Valley Regional Market Authority on behalf of the residents and agricultural businesses within Ontario County; and

RESOLVED, That Ontario County Board of Supervisors does hereby extend its sincere thanks and appreciation to Mr. Hansen for his many years of service; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Genesee Valley Regional Market Authority and Ms. Gertrude Watkins, 3274 Lake to Lake Road, Stanley, New York 14561.

RESOLUTION NO. 136-2016
RESOLUTION OF RECOGNITION AND APPRECIATION FOR SERVICE ON
THE GENESEE VALLEY REGIONAL MARKET AUTHORITY

WHEREAS, The Genesee Valley Regional Market Authority was created by statute in 1951 and serves as a centrally located food distribution center for a nine-county area in Western New York; and

WHEREAS, Mr. Edward Hansen, 3995 Old Mill Road, Stanley, NY 14561, has served faithfully as one of the two members representing Ontario County on the Board of Directors of the Genesee Valley Regional Market Authority since November 26, 1985; and

WHEREAS, Said service has been voluntary and without remuneration, and

WHEREAS, The Genesee Valley Regional Market Authority and the County of Ontario continue to rely on dedicated citizen volunteers like Mr. Hansen to provide local markets for agricultural products and in providing grant funding for agricultural projects throughout the 9 county region; now, therefore be it

RESOLVED, That this Board does hereby recognize the experience, dedication and many years of exemplary work rendered by Mr. Hansen as a member of the Genesee Valley Regional Market Authority on behalf of the residents and agricultural businesses within Ontario County; and

RESOLVED, That Ontario County Board of Supervisors does hereby extend its sincere thanks and appreciation to Mr. Hansen for his many years of service; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Genesee Valley Regional Market Authority and Mr. Hansen, 3995 Old Mill Road, Stanley, NY 14561.

**RESOLUTION NO. 137-2016
APPOINTMENT TO THE
GENESEE VALLEY REGIONAL MARKET AUTHORITY
BOARD OF DIRECTORS**

WHEREAS, The Genesee Valley Regional Market Authority was created by statute in 1951 and serves as a centrally located food distribution center for a nine-county area in Western New York; and

WHEREAS, Two members shall be appointed to represent Ontario County, as named by this Board of Supervisors in accordance with Section 878 of Article 4, Title 4 of the Public Authorities Law of the State of New York; and

WHEREAS, There currently exists two vacancies on this board representing Ontario County; and

WHEREAS, The Planning and Research Committee, upon review, does hereby recommend the appointment of Jessica Holloway and Joshua Watkins to fill these positions; now, therefore, be it

RESOLVED, That Jessica Holloway, Food Safety Coordinator, Hansen Farms, LLC., 3995 Old Mill Rd, Stanley, NY 14561, and Joshua Watkins, 3274 Lake to Lake Road, Stanley, NY 14561, are hereby appointed to the Genesee Valley Regional Market Authority Board of Directors representing Ontario County for 2-year terms each, beginning March 1, 2016, and expiring on February 29, 2018; and further

RESOLVED, That during the term of their appointments, said appointees are hereby required to:

1. Appear and make an annual report to the Planning and Research Committee summarizing activities, grant opportunities, and issues of interest involving agriculture and agri-business involving said Authority.
2. Provide or ensure that meeting agendas and minutes of the Board of Directors of said Authority are promptly provided to the Ontario County Planning Department for distribution to the Planning and Research Committee and filing with the Clerk of the Board of Supervisors.
3. Consult with the Director of Planning and the Executive Director of Cornell Cooperative Extension of Ontario County on a regular basis concerning issues,

grant opportunities, and any issues of interest involving agriculture and agri-business.

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department, County Clerk, Genesee Valley Regional Market Authority, Jessica Holloway and Joshua Watkins.

The foregoing block of seven resolutions was adopted.

Supervisor Green offered the following block of eleven resolutions and moved its adoption, seconded by Supervisor Hilton:

**RESOLUTION NO. 138-2016
ACCEPTANCE OF BID FOR UNIFORM CLEANING
OFFICE OF SHERIFF**

WHEREAS, The Purchasing Department advertised for and received, per the tabulation sheet on file in the Board Office, sealed bids for dry cleaning of uniforms for the Office of Sheriff (B16012); and

WHEREAS, The County spends approximately \$25,000 annually for dry cleaning of uniforms; and

WHEREAS, one bid response was received from K & L Cleaners, Ltd., 2469 State Route 54A, Penn Yan, New York 14527, has been providing this service satisfactorily for the Office of the Sheriff; and

WHEREAS, The Public Safety Committee has reviewed the bid results and recommends this award for dry cleaning of uniforms to K & L Cleaners, Ltd ; now, therefore, be it

RESOLVED, That the bid submitted by K & L Cleaners, Ltd., for dry cleaning of uniforms for the Office of Sheriff be awarded for the period of March 1, 2016, through February 28, 2017, by the Ontario County Board of Supervisors with the option of two(2) renewals for twelve (12) months if mutually agreeable by both parties; and further

RESOLVED, That certified copies of this resolution be sent copies to the Department of Finance and K & L Cleaners, Ltd., by the Clerk of the Board.

**RESOLUTION NO. 139-2016
AUTHORIZATION – “AGREEMENTS FOR SERVICES”
EMERGENCY SERVICE INSTRUCTORS**

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

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

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

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

RESOLVED, "Agreements for Services", authorized by the Director of Emergency Management Office, on file with the Clerk of the Board of Supervisors, be approved by this Board of Supervisors for the period January 1, 2016 - December 31, 2016; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board of Supervisors to the Department of Emergency Management and the County Finance Department.

RESOLUTION NO. 140-2016
RESOLUTION IN OPPOSITION TO THE AMENDMENT OF THE
NEW YORK STATE NAVIGATION LAW

WHEREAS, The Ontario County Office of Sheriff operates a Marine and Recreational Unit; and

WHEREAS, Police Officers employed by the Ontario County Office of Sheriff provide enforcement of the New York State Navigation Law on Canandaigua and Honeoye Lakes; and

WHEREAS, Funds from New York State are critical in being able to adequately provide these police law enforcement services on our lakes; now, therefore be it,

RESOLVED, That the Ontario County Board of Supervisors opposes the proposed amendment to the New York State Navigation Law contained in the Governor's proposed 2016-2017 Executive Budget, which would cut the reimbursement rate to Ontario County for navigation law enforcement from fifty to twenty-five percent for the expenses incurred by providing such marine patrol services; and further

RESOLVED, That certified copies of this resolution be sent to the Governor of the State of New York, the members of the New York State Legislature representing Ontario County, the New York State Sheriffs' Association, and the Ontario County Office of Sheriff.

RESOLUTION NO. 141-2016
APPROVAL – ASSIGNED COUNSEL PLAN

WHEREAS, This Board of Supervisors, by Resolution No. 212-1965, dated October 28, 1965, adopted an Assigned Counsel Plan; and

WHEREAS, This Board of Supervisors, by Resolution No. 698-1989, adopted a revised Assigned Counsel Plan; and

WHEREAS, The Ontario County Board of Supervisors, pursuant to Local Law No. 3 of 2013, as amended, established the Office of Conflict Defender to further serve the legal needs of the indigent population of the County by creating a new office to directly provide mandated representation in certain conflict situations, and to otherwise manage, administer and supervise mandated representation services that are not provided by the Public Defender; and

WHEREAS, The Conflict Defender recommended the adoption of a revised Assigned Counsel Plan, after providing the opportunity for comments and recommendations of the Ontario County Bar Association and other interested parties; and

WHEREAS, The Ontario County Bar Association approved the revised Assigned Counsel Plan at its January 29, 2016 meeting; and

WHEREAS, The Public Safety Committee also recommends adoption of the revised Assigned Counsel Plan; now, therefore, be it

RESOLVED, That this Board does hereby adopt and approve the new Assigned Counsel Plan, with a copy of said Plan being on file in the Office of the Clerk of this Board, subject to the review and approval of the County Attorney; and further

RESOLVED, That the effective date of the Plan shall be February 1, 2016, subject to approval by the State of New York; and further

RESOLVED, That the Office of the Conflict Defender is hereby directed to take the necessary steps required to have the Plan approved by the State; and further

RESOLVED, That certified copies of this resolution be sent to the County Attorney, the Finance Department and the Office of the Conflict Defender.

**RESOLUTION NO. 142-2016
AWARD OF CONTRACT TO FINGER LAKES COMMUNICATION FOR
SOFTWARE MAINTENANCE OF COUNTY EMERGENCY RADIO
COMMUNICATION SYSTEM**

WHEREAS, The County Emergency Radio Communication System is no longer covered under warranty; and

WHEREAS, There is a need to provide software maintenance, system updates, and antivirus protection for the County Emergency Communication System, including ongoing support for 2016; and

WHEREAS, Finger Lakes Communication Co., Inc., has quoted a total price of \$140,000 for software maintenance from January 1, 2016, through December 31, 2016; and

WHEREAS, Pursuant to Resolution No. 63-2016 that returned \$108,945 to Fund Balance, this amount from Fund Balance is now requested to be used towards funding this contract; and

WHEREAS, The Public Safety and Financial Management Committees have reviewed this request and recommends awarding the radio system software maintenance to Finger Lakes Communication Company, Inc.; now, therefore, be it

RESOLVED, That the award for software maintenance of the Emergency Radio Communication System be made to Finger Lakes Communication Co. Inc., 305 Clark Street, Auburn, New York 13021, and that said award shall be in effect for twelve (12) months starting January 1, 2016, through December 31, 2016; and further

RESOLVED, That the following budget transfer is hereby approved for the additional funding

From:			Revenue	Appropriation
	A 0511 B 7178	Appropriated Reserve	911 +\$ 31,055	
To:	A 0599 B 0000	Appropriated Fund Balance	+ \$ 108,945	
	A 3020 E 4270	Service Contracts		+ \$ 140,000

and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said contract on behalf of the County of Ontario; and further

RESOLVED, That the Clerk of this Board shall forward a certified copy of this resolution to Finger Lakes Communication Co. Inc., and the Finance Department

**RESOLUTION NO. 143-2016
AUTHORIZATION TO APPLY FOR
ELDER ABUSE PREVENTION GRANT**

WHEREAS, As part of the New York State Office for the Aging Statewide Elderly Abuse Education and Outreach initiative, funding is being provided through the Monroe County Office of the Aging to the Elderly Abuse Education and Outreach Program administered by Lifespan of Greater Rochester, Inc., 1900 S. Clinton Avenue, Rochester, New York 14618; and

WHEREAS, Lifespan will award grants to ten (10) successful respondents to provides funding for the education, collaboration, and/or implementation to increase awareness of issues pertaining to elder abuse, neglect and exploitation in Ontario County up to \$6,500; and

WHEREAS, It is advantageous for Ontario County Sheriff to apply for these funds to support the collaboration with the Ontario County Office of Aging to increase awareness of issues pertaining to elder abuse, neglect and exploitation; and

WHEREAS, There is no County match requirement for this grant; and

WHEREAS, The Public Safety and Financial Management Committees have reviewed this request and recommend the Ontario County Sheriff authorization to apply for this funding; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby authorize submitting the application for funding from Lifespan's Elder Abuse Prevention Grant in support; and further

RESOLVED, That the County Administrator is authorized and directed to sign said application and necessary documents which may be required; and further

RESOLVED, That certified copies of this resolution be sent to the Ontario County Department of Finance.

**RESOLUTION NO. 144-2016
AUTHORIZATION TO APPLY FOR
MISSING ALZHEIMER'S PATIENT ASSISTANCE PROGRAM GRANT**

WHEREAS, Project Lifesaver International has been awarded funding from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to assist expanding the Project Lifesaver program across the country, directly helping individuals with Alzheimer's or Dementia, who wander; and

WHEREAS, Project Lifesaver International is seeking applications for the "Family Stipends" through the Missing Alzheimer's Patient Assistance Program, a grant that

provides funding for Project Lifesaver equipment to be utilized by individuals with Alzheimer's or Dementia in Ontario County; and

WHEREAS, It is advantageous for Ontario County Sheriff to apply for these funds to support the Project Lifesaver Program; and

WHEREAS, The only cost to the County will be to pay for shipping costs of \$14/stipend; and

WHEREAS, The Public Safety and Financial Management Committees have reviewed this request and recommend the Ontario County Sheriff authorization to apply for this funding; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby authorize submitting the application for funding from Project Lifesaver International Missing Alzheimer's Patient Assistance Program Grant in support of the Project Lifesaver Program; and further

RESOLVED, That the County Administrator is authorized and directed to sign said application and necessary documents which may be required; and further

RESOLVED, That certified copies of this resolution be sent to the Ontario County Department of Finance.

RESOLUTION NO. 145-2016
AUTHORITY TO SIGN AGREEMENTS FOR THE RECEPTION, TEMPORARY
HOUSING AND CARE OF OUT-OF-COUNTY ALLEGED OR ADJUDICATED
JUVENILE DELINQUENTS AND PINS AT THE ONTARIO COUNTY YOUTH
CARE FACILITY

WHEREAS, The County has a Youth Care Facility located in the Town of Hopewell, Ontario County, New York; and

WHEREAS, The Youth Care Facility is a non-secure detention facility created for the purposes of reception, temporary housing, and care of alleged or adjudicated juvenile delinquents and persons in need of supervision (collectively "Juvenile") being held at the direction of the New York State Family Court; and

WHEREAS, The Youth Care Facility has an operating certificate to provide non-secure detention services; and

WHEREAS, The Youth Care Facility has a total of eight (8) beds that are from time to time, not in use; and

WHEREAS, Other New York counties do not have a certified youth care facility or have insufficient room for their Juveniles; and

WHEREAS, Those counties have a need to place their Juveniles in a certified youth care facility; and

WHEREAS, The Public Safety Committee recommends that the County contract with other New York counties to house their Juveniles because such arrangement enables the Youth Care Facility to operate at a higher capacity and recover costs in so doing; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby authorize the County Administrator to execute agreements with other New York counties to house their

Juveniles at the Facility for 2016, subject to the review and approval of such agreements by the County Attorney; and further

RESOLVED, That certified copies of this resolution be sent to the Probation Department and the Finance Department.

**RESOLUTION NO. 146-2016
AUTHORIZATION TO AMEND CONTRACT WITH
EASTVIEW MALL, LLC., FOR ONTARIO COUNTY SHERIFF
TO PROVIDE DEPUTIES ON SITE AT EASTVIEW MALL**

WHEREAS, Resolution No. 201-2015, adopted on February 23, 2015, entered into an Agreement with Eastview Mall, LLC., 7979 Pittsford-Victor Road, Victor, New York 14564, to provide two onsite full-time deputies at Eastview Mall for approximately forty (40) hours per week for an annual amount not to exceed \$117,500 from January 1, 2015, through December 31, 2016; and

WHEREAS, The Eastview Mall and the Office of Sheriff have determined there is an additional continued need for onsite presence at Eastview Mall for an additional forty(40) hours per week for which Eastview Mall will reimburse annual an additional \$25,000; and

WHEREAS, The Ontario County Office of Sheriff is capable of providing the requisite manpower, and expertise to perform such services with a Full-Time County Police Officer for Eastview Mall; and

WHEREAS, The Public Safety Committee has reviewed the matter and recommends authorization to amend the Agreement for the provision of such services; now, therefore, be it

RESOLVED, That the Ontario County Office of Sheriff is authorized and empowered to amend the Agreement with Eastview Mall, LLC for the provision of one (1) additional, three (3) in total, full time County Police Deputies at Eastview Mall at a total amount not to exceed \$142,500 for the term January 1, 2016, through December 31, 2016, subject to review and approval by the County Attorney; and further

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes and empowers the County Administrator, upon review by the County Attorney, to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department, Office of Sheriff and Eastview Mall, LLC.

**RESOLUTION NO. 147-2016
CAPITAL PROJECT NO. 6-2015
AUTHORIZATION OF CONTRACT WITH MCFARLAND-JOHNSON, INC.
FOR PROFESSIONAL CONSULTANT AND ENGINEERING SERVICES
CLOSING OF GENEVA PSAP PROJECT**

WHEREAS, Resolution No. 86 - 2015 created Capital Project No. 6 of 2015 as the Closing of Geneva PSAP; and

WHEREAS, Resolution No. 86 - 2015 authorized a contract with L. R. Kimball to identify the need for and then finalize a proposed location for a new emergency radio

communication site to provide in building coverage in the City of Geneva consistent with nationally accepted public safety standards; and

WHEREAS, L. R. Kimball has recommended use of the rooftop at 529 Exchange Street in the City of Geneva as the most desirable location to provide the requisite radio coverage; and

WHEREAS, Resolution No. 609-2015 authorized a lease with Lake Area Development Corporation and the Geneva Housing Authority, to rent use of the rooftop at 529 Exchange Street in the City of Geneva, use of an existing storage room for equipment, provide backup emergency power from an emergency generator, and allow the installation of all utilities through said building as the County finds necessary for the use of said storage room and rooftop for the County's emergency radio communications system; and

WHEREAS, Electrical design and HVAC engineering services are needed to ensure proper modifications to the rented space that will support the County's Digital P25 700MHz emergency radio communications system and the County's UHF simulcast radio system equipment; and

WHEREAS, McFarland-Johnson, Inc., 49 Court Street, Metrocenter, PO Box 1980, Binghamton, NY 13902, has provided a quote for the above referenced scope dated February 5, 2016, in the amount of Ten Thousand and Thirty Dollars (\$10,030.00), a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Public Safety Committee and Financial Management Committee recommend approval of this resolution; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby accepts the proposal from McFarland-Johnson, Inc., 49 Court Street, Metrocenter, PO Box 1980, Binghamton, NY 13902, dated February 5, 2016, in the amount of Ten Thousand and Thirty Dollars (\$10,030.00), and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with McFarland-Johnson, Inc., 49 Court Street, Metrocenter, PO Box 1980, Binghamton, NY 13902, dated February 5, 2016, in the amount of Ten Thousand and Thirty Dollars (\$10,030.00), subject to approval of the form of contract by the Office of the County Attorney; and further

RESOLVED, That the term of said contract will begin on February 19, 2016, and terminate on December 31, 2016; and further

RESOLVED, That the Capital Project budget for Capital Project No. 6-2015 be, and hereby is, amended as follows:

<u>Line Item</u>	<u>Description</u>	<u>Existing Budget</u>	<u>Change</u>	<u>New Budget</u>
HCE 3171 R 5036	Interfund Transfer – A Fund	\$1,116,881.00	\$0.00	\$1,166,881.00
FROM:				
HCE 3171 E 2550	Signal and Communications	\$1,050,000.00	-\$10,030.00	\$1,039,970.00
HCE 3171 E 4010	Rent- Building/Property	\$4,500.00	\$0.00	\$4,500.00
TO:				
HCE 3171 E 4260	Consultation and Professional	\$107,000.00	+\$10,030.00	\$117,030.00
HCE 3171 E 4511	Licenses	\$5,000.00	\$0.00	\$5,000.00
HCE 3171 E 4731	Contingent	\$381.00	\$0.00	\$381.00

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 One Hundred Sixty Six Thousand Eight Hundred Eighty One Dollars (\$1,166,881.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department, the Planning Department and Mr. James M. Festa at McFarland- Johnson, Inc., 49 Court Street, Metrocenter, PO Box 1980, Binghamton, NY 13902.

**RESOLUTION NO. 148-2016
AWARD OF BID FOR ELECTRONIC HOME MONITORING GLOBAL
POSITIONING EQUIPMENT**

WHEREAS, The Ontario County Probation Department has a need for the use of Electronic Home Monitoring Global Positioning Equipment for various individuals, and

WHEREAS, The Ontario County Purchasing Department has solicited, received and tabulated sealed bids (B15008) for said service, and

WHEREAS, The Purchasing Department and Probation Department have agreed that the sole bidder and the apparent low responsive/responsible bidder that meets the specifications at a fee of \$4.10 per unit per day is 3M Electronic Monitoring, Inc., 1838 Gunn Highway, Odessa, Florida 33556; and

WHEREAS, Sufficient funds currently exist in the Probation Department budget for said service; and

WHEREAS, The Public Safety Committee has reviewed the bid results and recommends the award; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby awards the bid for the Electronic Home Monitoring Global Positioning Equipment with 3M Electronic Monitoring, Inc., for a period of one (1) year beginning April 17, 2016, through April 16, 2017, at a rate of \$4.10 per unit per day with an anticipated annual expenditure of approximately \$5,000.00; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board, Ontario County Finance Department, Probation Department and 3M Electronic Monitoring, Inc.

The foregoing block of eleven resolutions was adopted.

Supervisor Evangelista offered the following block of five resolutions and moved its adoption, seconded by Supervisor Gallahan:

**RESOLUTION NO. 149-2016
CAPITAL PROJECT NO. 2-2014
COUNTY ROAD 33 RECONSTRUCTION, PURCHASE OF LANDS
DEPARTMENT OF PUBLIC WORKS - BUREAU OF HIGHWAYS**

WHEREAS, Pursuant to Resolution No. 605-2014, this Board of Supervisors created Capital Project No. 2-2014 for the Reconstruction of County Road 33; and

WHEREAS, The Department of Public Works, having investigated the matter of acquiring additional permanent easement necessary for the Reconstruction of County Road 33, recommends purchasing easements as follows:

Easement No(s).	Tax Account Number	Amount
HE01-2015	176.00-1-1.110	\$500.00
HE04-2015	166.00-1-17.000	\$500.00
HE05-2015	166.00-1-12.111	\$1,200.00
HE07-2015	166.00-1-34.000	\$500.00
HE08-2015	166.00-1-32.110	\$500.00
HE09-2015	166.00-1-5.122	\$500.00
HE11-2015	166.00-1-38.000	\$500.00
HE13-2015	166.00-1-29.100	\$500.00
HE21-2015	166.00-1-17.000	\$500.00
HE22-2015	166.00-1-16.000	\$500.00
HE23-2015	166.00-1-46.121	<u>\$500.00</u>
		\$6,200.00

and

WHEREAS, It may be necessary to conduct title searches for these easements; and

WHEREAS, Pursuant to Resolution No. 234-2011, this Board authorized a contract with Crossroads Abstract Corporation to conduct title searches as directed by the County Attorney; and

WHEREAS, The Department of Public Works has established a cost estimate of \$1,375.00 to complete title searches for said parcels; and

WHEREAS, Sufficient funds exist in the Easements and Land Acquisition line of Capital Project No. 02-2014, HBX 5151 E 4820; and

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

RESOLVED, That the Ontario County Board of Supervisors, on the recommendation of the Public Works Committee, hereby approves the purchase of the aforesaid easement and the amounts hereinbefore set for an amount not to exceed \$7,575.00; and further

RESOLVED, The Department of Finance is hereby directed to make the necessary budgetary and accounting entries to affect the intent of this resolution for a total project budget of Nine Million Ninety One Thousand One Hundred Twelve Dollars and Fifty One Cents (\$9,091,112.51); 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 original purchase, subject to review and approval by the Office of the County Attorney; and further

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

RESOLUTION NO. 150-2016
AUTHORIZE CONTRACT AMENDMENT FOR PROFESSIONAL SERVICES
PUMP STATION IN FORCEMAIN REPLACEMENT PROJECT
DEPARTMENT OF PUBLIC WORKS - ROUTE 332 SEWER DISTRICT

WHEREAS, The approved 2015-2020 Capital Improvement Plan included funding for Project No. S4-15 Pump Station 1N Sanitary Sewer Forcemain Replacement; and WHEREAS, Resolution No. 581-2015 authorized a contract with Barton & Loguidice, D.P.C. for the preparation of a Preliminary Engineering Report for said project for a fee of \$16,500.00; and

WHEREAS, Barton & Loguidice, D.P.C. has prepared said Preliminary Engineering Report; and

WHEREAS, Said contract expired on January 31, 2016; and

WHEREAS, The County desires to proceed with the full scale design of said project and Barton & Loguidice, D.P.C. has submitted a proposal for the necessary Design Survey, Environmental, Right-of-Way, Detailed Design and Bidding Phase Services for a cost not to exceed \$91,400.00; and

WHEREAS, Sufficient funds are available in the Route 332 Sewer District Equipment Replacement Reserve to fund this proposal; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes a contract amendment with Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, New York 14614, for a cost not to exceed \$91,400.00; and further

RESOLVED, That the following budget transfer is hereby approved:

G4 0511 B 7200	Appropriated Reserve	+ \$91,400.00
G4 8111 E 4260	Consultation and Professional	+ \$91,400.00

and further

RESOLVED, That the term of said contact is extended to September 30, 2016; and further

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Department of Finance and Barton & Loguidice, D.P.C.

**RESOLUTION NO. 151-2016
AUTHORIZE CONTRACT AMENDMENT AND EXTENSION AND BUDGET
TRANSFER BUILDING 3010 COOLING TOWER REPLACEMENT
BELL MECHANICAL CONTRACTOR, INC. –
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 622-2015 awarded a contract to repair/replace the heat exchanger and one (1) cooling tower at the Human Services Building, 3010 County Complex Drive, to Bell Mechanical Contractor, Inc., at a cost of \$128,400.00 (B15085); and

WHEREAS, Said Bid (B15085) included a unit price bid for up to three (3) cooling towers at \$68,000.00 per cooling tower; and

WHEREAS, The Department of Public Works has determined it is necessary to replace an additional cooling tower in order to maintain adequate reliability of its HVAC system in the Human Services Building; and

WHEREAS, Sufficient funding exists in the 2016 Buildings and Grounds CIP account to fund said additional cooling tower at a cost of \$68,000.00; and

WHEREAS, The addition of this second cooling tower will require additional time for Bell Mechanical to complete their work, requiring an extension of the project's completion date; and

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

RESOLVED, The following budget transfer is approved:

From:	A 1621 E 4031	Renovations	-\$68,000.00
To:	A 1621 E 2450	Building & Maint Equipment	+\$68,000.00

and further

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes a Contract Amendment with Bell Mechanical, Inc., 105 Lincoln Parkway, East Rochester, NY 14445, in the amount of \$68,000.00 for the addition of a second cooling tower at the County's Human Services Building resulting in a revised contract amount of \$196,400.00; and further

RESOLVED, Said contract, having commenced on October 2, 2015, will be extended sixty days and will now expire on July 4, 2016; and further

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

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution for a total project budget of One Hundred Ninety Six Thousand Four Hundred Dollars and Zero Cents (\$196,400.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance and Bell Mechanical Contractor, Inc.

RESOLUTION NO. 152-2016

ACCEPTANCE OF QUOTE – LEASING AND REFILL OF WELDING TANKS DEPARTMENT OF PUBLIC WORKS – FLEET MANAGEMENT

WHEREAS, The Purchasing Department advertised for, and received tabulation sheets on file with the Clerk of this Board, Quote (Q16003) for lease and refill of welding tanks; and

WHEREAS, After discussion, the Purchasing Department has deemed it to be in the County's best interest to award this quote to the low quoter; and

WHEREAS, Jackson Welding & Gas Products is the overall low responsive/responsible quote; and

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

RESOLVED, That the award of this quote be made to Jackson Welding & Gas Products, 4 Pixley Industrial Parkway, Rochester, New York 14624; and further

RESOLVED, That said quote shall be effective starting on March 29, 2016, and ending on March 28, 2017; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Department of Finance and Jackson Welding & Gas Products.

RESOLUTION NO. 153-2016
CAPITAL PROJECT NO. 06 – 2013, INTERSECTION IMPROVEMENTS
COUNTY ROAD 8 AT COUNTY ROAD 41 & SHORTSVILLE ROAD
AUTHORIZATION OF NO-COST TIME EXTENSION
BERGMANN ASSOCIATES - DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 641-2013 created Capital Project No. 06 – 2013, Intersection Improvements – County Road 8 at County Road 41 & Shortsville Road; and

WHEREAS, Resolution No. 641-2013, Resolution No. 465-2014, and Resolution No. 325-2015 awarded contracts with Bergmann Associates, 200 First Federal Plaza, 28 East Main Street, Rochester, NY 14614, for preliminary engineering, right-of-way services, detailed design, construction inspection and construction support services related to the Project for a total amended contract price of \$592,100.00; and

WHEREAS, Said contract expired on December 31, 2015; and

WHEREAS, Additional time is required; and

WHEREAS, The Public Works Committee has reviewed the progress of said work and recommends that Bergmann Associates be granted an extension to August 31, 2016, with no additional increase to the contract amount; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes a no-cost time extension to Bergmann Associates to August 31, 2016; and further

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Department of Finance and Bergmann Associates.

The foregoing block of five resolutions was adopted.

Supervisor Evangelista offered the following resolution and moved its adoption, seconded by Supervisor Gallahan:

RESOLUTION NO. 154-2016

**CAPITAL PROJECT NO. 05-2012: SPACE UTILIZATION AND
REALLOCATION PROJECT PHASE III – ONTARIO COUNTY COURT
HOUSE BUDGET TRANSFER AND AWARD OF
CONSTRUCTION CONTRACTS**

WHEREAS, Resolution No. 354-2012 created Capital Project No. 05-2012, Space Utilization and Reallocation Project, and awarded a contract to TY Lin International to design a unique space program and interior renovations for the Ontario County Court House, 20 Ontario Street, and 3019 County Complex Drive; and

WHEREAS, Bids for Phase III of the project have been released, duly advertised and opened by the Purchasing Department as Bid B15060 , copies of which are on file with the Clerk of this Board; and

WHEREAS, After reviewing the bids it was determined that the lowest responsive/responsible bids for the project were submitted by:

Item	Contract	Vendor Name	Base Bid (minus material allowances)	Material Allowances	Alternates	Total Contract
1	General Construction	Bouley Associates, Inc. 265 Genesee St. Auburn, NY 13021	\$563,000.00	\$14,000.00	\$60,000.00	\$637,000.00
2	HVAC	Leo J. Roth Corporation 841 Holt Rd Webster, NY 14580	\$99,420.00	\$575.00	\$0.00	\$99,995.00
3	Plumbing	Unified Mechanical Contractors, Inc. Middle St Geneva, NY 14456	\$92,950.00	\$4,050.00	\$19,700.00	\$116,700.00
4	Electrical	East Coast Electric, Inc. 546 Lyell Ave Rochester, NY 14606	\$86,723.00	\$3,052.00	\$72,784.00	\$162,559.00
	TOTALS		\$842,093.00	\$21,677.00	\$152,484.00	\$1,016,254.00

And

WHEREAS, An additional amount of \$76,219.05, representing 7.5% of the value of the total bids, will be placed in a separate line item in the capital project budget titled

“Change Order Contingency” to provide funding and flexibility for Change Orders that occur on construction projects ; and

WHEREAS, The estimated total construction cost of Phase III including material allowances and contingency is \$1,092,473.05; and

WHEREAS, There is \$912,203.05 available in the Contingency Line of Capital Project No. 05-2012, HBM 1645 E 4731; and

WHEREAS, Additional funding of \$180,270.00 is needed for Phase III and will be funded by the Capital Project Reserve; and

WHEREAS, The Public Works and Financial Management Committees have reviewed and recommend approval of this resolution; now, therefore, be it

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

From:	A 0511 B 0878	Appropriated Reserve	\$180,270.00
To:	A 9950 E 9920	Transfer to Capital Projects	\$180,270.00

and further

RESOLVED, That the budget for Capital Project No. 05-2012, Space Utilization and Reallocation Project, be amended as follows:

Line	Description	Existing Budget	Change	Amended Budget
<u>Expenditures:</u>				
HBM 5145 E 2100	Furniture & Furnishings	\$200,000.00		\$ 200,000.00
HBM 1645 E 2300	Computer Equipment	\$ 25,000.00		\$ 25,000.00
HBM 1645 E 2550	Signal & Communications	\$ 5,000.00		\$ 5,000.00
HBM 1645 E 2802	Security Equipment	\$ 20,000.00		\$ 20,000.00
HBM 1645 E 4038	Moving Expenses	\$ 50,000.00		\$ 50,000.00
HBM 1645 E 4260	Consultation & Professional	\$470,000.00		\$ 470,000.00
HBM 1645 E 4489	Construction Inspection	\$ 1,000.00		\$ 1,000.00
HBM 1645 E 4491	General Construction	\$825,691.80	+\$637,000.00	\$1,462,691.80
HBM 1645 E 4492	HVAC	\$413,378.52	+\$ 99,995.00	\$ 513,373.52
HBM 1645 E 4493	Electrical	\$277,256.11	+\$162,559.00	\$ 439,815.11
HBM 1645 E 4494	Plumbing & Fire Suppression	\$139,679.47	+\$116,700.00	\$ 256,379.47
HBM 1645 E 4495	Architectural & Engineering	\$322,425.00		\$ 322,425.00
HBM 1645 E 4498	Asbestos & Related Testing	\$ 18,630.00		\$ 18,630.00
HBM 1645 E 4731	Contingency	\$912,203.05	-\$912,203.05	\$ 0.00
HBM 1645 E	Change Order	\$ 4,009.05	+\$76,219.05	\$

4743			Contingency			80,228.10
HBM 4865	1645	E	Administration	\$ 10,000.00		\$ 10,000.00
<u>Revenue:</u>						
HBM 5036	1645	R	Interfund Transfer General Fund	-	\$ 354,000.00	\$ 354,000.00
HBM 5048	1645	R	Interfund Transfer-Reserve	\$3,340,273.00	+\$180,270.00	\$3,520,543.00

and further

RESOLVED, That the Ontario County Board of Supervisors awards contracts to the lowest responsive/responsible bidders for the Total Bid/Contract amounts as follows:

Item	Contract	Vendor Name	Base Bid (minus material allowances)	Material Allowances	Alternates	Total Contract
1	General Construction	Bouley Associates, Inc. 265 Genesee St. Auburn, NY 13021	\$563,000.00	\$14,000.00	\$60,000.00	\$637,000.00
2	HVAC	Leo J. Roth Corporation 841 Holt Rd Webster, NY 14580	\$99,420.00	\$575.00	\$0.00	\$99,995.00
3	Plumbing	Unified Mechanical Contractors, Inc. Middle St Geneva, NY 14456	\$92,950.00	\$4,050.00	\$19,700.00	\$116,700.00
4	Electrical	East Coast Electric, Inc. 546 Lyell Ave Rochester, NY 14606	\$86,723.00	\$3,052.00	\$72,784.00	\$162,559.00
	TOTALS		\$842,093.00	\$21,677.00	\$152,484.00	\$1,016,254.00

and further

RESOLVED, The County Administrator be and hereby is authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of the original contracts with said firms, subject to review and approval by the County Attorney; and further

RESOLVED, That William Wright, Commissioner of the Department of Public Works, is hereby designated as being administratively responsible for the construction of this project, and further

RESOLVED, That the following Change Order approval process is hereby approved for Capital Project No. 05-2012:

1. Mr. Wright is hereby authorized and empowered to approve and sign individual Change Orders up to Five Thousand Dollars (\$5,000.00) in value, upon recommendation of the Architect (TY Lin International) and the Construction Manager (Pike Company), provided that the total amount of all Change Orders Authorized does not exceed the funds available in Line HBM 1645 E4743 Change Order Contingency, and
2. Change Orders of more than Five Thousand Dollars (\$5,000.00) in value shall also require approval and signature of the Chairman of the County's Public Works Committee, and
3. A complete report of all Change Orders approved for the contracts awarded herein shall be presented by Mr. Wright at the regularly scheduled meeting of the Public Works Committee, and such report shall include an accounting of the remaining funds available in line HBM 1645 E4743 Change Order Contingency; and
4. Mr. Wright shall file fully executed originals of each Change Order with the Contractor, the Department of Finance, and the Clerk of the Board of Supervisors who shall place each Change Order in the contract file associated with this resolution; and
5. The Department of Finance is hereby authorized to transfer funds from line HBM 1645 E4743 Change Order Contingency to the appropriate expense line of Capital Project No. 05-2012 as necessary to fund each Change Order as it is Approved; and

further

RESOLVED, That the Department of Finance is hereby authorized to make any and all budgetary and accounting entries to effect the intent of this resolution for a total project budget of Three Million Eight Hundred Seventy Four Thousand Five Hundred Forty Three Dollars and Zero Cents (\$3,874,543.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the Finance Department and vendors listed herein.

Adopted.

Supervisor Evangelista gave a brief update on the project. The work on the courthouse will not interrupt court as most of the work will be done after court hours.

Supervisor Evangelista offered the following block of three resolutions and moved its adoption, seconded by Supervisor Teed:

**RESOLUTION NO. 155-2016
APPROVING CMAC BASEMENT IMPROVEMENTS BY THE
FRIENDS OF CMAC**

WHEREAS, Resolution No. 289-2005 granted a lease to certain property in the Town of Hopewell, New York, having tax map number 99.00-1-4.100 to the Ontario County Industrial Development Agency (OCIDA), said property being part of the main campus of Finger Lakes Community College; and

WHEREAS, OCIDA executed a Sublease Agreement to the FRIENDS OF THE CONSTELLATION BRANDS – MARVIN SANDS PERFORMING ARTS CENTER, INC. (“FRIENDS”) for said property; and

WHEREAS, Said leased area includes the Constellation Brands-Marvin Sands Performing Arts Center (CMAC); and

WHEREAS, Said lease and sublease requires approval of this Board of improvements proposed by the FRIENDS; and

WHEREAS, The FRIENDS have proposed to renovate areas of the basement at CMAC as described in the letter from David J. Crowe, AIA dated February 9, 2016, a copy of which is on file with the Clerk of this Board; and

WHEREAS, Replacement of the Aeon HVAC unit serving the basement is the responsibility of the County and will be managed by the Commissioner of Public Works; and

WHEREAS, The FRIENDS have proposed to bear the full cost of all the proposed renovations to the basement at CMAC; and

WHEREAS, The Director of Planning and the Commissioner of Public Works have reviewed the proposed plans for renovation of the basement at CMAC and recommend granting approval to the FRIENDS to make the proposed improvements; and

WHEREAS, The FLCC Board of Trustees has reviewed and recommends granting permission to the FRIENDS to make the proposed improvements; and

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

RESOLVED, That this Board of Supervisors does hereby approve the renovation of the basement at CMAC as proposed by the FRIENDS at the sole expense of the FRIENDS, subject to approval of the final plans and specifications by the Commissioner of Public Works and the granting of a Building Permit by the County Code Enforcement Officer; and further

RESOLVED, That a copy of this resolution be sent to the FLCC Board of Trustees and to the FRIENDS.

**RESOLUTION NO. 156-2016
ESTABLISH CAPITAL PROJECT NO. 1-2016
AS THE 2016 FLCC MAINTENANCE CAPITAL PROJECT AND AWARD OF
BID B15104 AND AUTHORIZATION TO CONTRACT WITH CITY HILL
EXCAVATING, INC.**

WHEREAS, Resolution No. 695-2015 Approved the 2016-2021 Ontario County Capital Improvement Plan (CIP); and

WHEREAS, Said CIP included \$1,000,000 in 2016 for Capital Maintenance at Finger Lakes Community College (FLCC), funded 50% by the County and 50% by the State of New York through the State University of New York; and

WHEREAS, The list of work items to be completed using said 2016 funding allocation for Capital Maintenance at FLCC is on file with the Clerk of this Board; and

WHEREAS, Resolution No. 292-2014 created and funded Capital Project No. 1 of 2014 as the 2014 FLCC Capital Maintenance Project; and

WHEREAS, Pursuant to Resolution No. 362-2015 the firm of TYLIN International was hired to design Site work improvements for parking lot D at FLCC with the design work funded from Capital Project No. 1 of 2015; and

WHEREAS, Using plans and specifications provided by TYLIN International bids for the project have been released, duly advertised, and opened by the County Purchasing Department as Bid B15104; and

WHEREAS, Copies of the bid submission are on file with the Clerk of this Board; and

WHEREAS, FLCC staff recommend acceptance of the bid for renovation work from City Hill Excavating Inc., located at 2199 Rt. 14, Penn Yan, New York 14527, as the overall low responsive/responsible bid submitted for bid B15104; and

WHEREAS, The list of work items to be completed using said 2016 funding for Capital Maintenance at FLCC includes the construction of site work improvements for parking lot D at FLCC; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby establishes Capital Project No. 01-2016 entitled 2016 FLCC Maintenance Project and assign it budget number HCM 2489; and further

RESOLVED, That the following budget transfer be and hereby is approved:
From:

	Line Item	Description	Change
From:	A2496 E 4030	Repair/Bldg Maintenance/Property	- \$ 500,000.00
To:	A 9950 E 9950	Transfer to Capital Projects	+ \$ 500,000.00

and further

RESOLVED, That the budget for Capital Project No. 01-2016 be, and hereby is, established as follows:

Line Item	Description	Change
<i>Appropriations</i>		
HCM 2489 E 4260	Consultation & Professional	\$ 100,000.00
HCM 2489 E 4491	General Construction	\$ 741,500.00
HCM 2489 E 4492	HVAC	\$ 25,000.00
HCM 2489 E 4493	Electric	\$ 50,000.00
HCM 2489 E 4494	Plumbing	\$ 25,000.00
HCM 2489 E 4743	Change Order Contingency	\$50,000.00

HCM 2489 E 4865	Administration	\$ 8,500.00
<i>Revenues</i>		
HCM 2489 R 3287	State Aid	\$ 500,000.00
HCM 2489 R 5036	General Fund - Interfund Transfer	\$ 500,000.00

and further

RESOLVED, That the FLCC Director of Buildings and Grounds shall be administratively responsible for this capital project; and further

RESOLVED, That the Public Works Committee is hereby designated to oversee said capital project; and further

RESOLVED, The list of projects to be funded from this Capital Project on file with the Clerk of this Board is hereby approved and any deviation from said project list shall not occur without the approval of the Public Works Committee on recommendation from the Project Manager and the Director of Planning; and further

RESOLVED, That at no time shall contracts be approved or funds appropriated from this Capital Project in excess of the total of the funding available from the county plus the confirmed funding available from the State of New York or other non-Ontario County sources; and further

RESOLVED, That the bid from City Hill Excavating, Inc., 2199 Route 14, Penn Yan, NY 14527, in the amount of Three Hundred Seventy Four Thousand Eight Hundred Eighty Five Dollars (\$374,885.00) for FLCC Parking Lot "D" Improvements pursuant to Ontario County Bid B15104 is hereby accepted as the low responsive/responsible bid; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with City Hill Excavating, Inc., for said amount, subject to approval of the form of contract by the County Attorney; and further;

RESOLVED, That said contract shall commence on February 19, 2016, and will expire on December 31, 2016; and further

RESOLVED, That the FLCC Director of Buildings and Facilities is hereby designated as the Project Manager for this Contract on behalf of this Board of Supervisors; and further

RESOLVED, That the following Change Order approval process is hereby approved for Capital Project No. 01-2016:

1. The FLCC Director of Buildings and Facilities is hereby authorized and empowered to approve and sign individual Change Orders up to Five Thousand Dollars (\$5,000.00) in value, upon recommendation of the Architect and the Construction Manager designated for an individual contract, provided that the total amount of all Change Orders so authorized does not exceed the funds available in Line HCM 2489 E 4743, Change Order Contingency nor 5% of the original bid award, whichever is less, and
2. Change Orders of more than Five Thousand Dollars (\$5,000.00) in value shall also require approval and signature of the Chairman of the County's Public Works Committee, and

3. A complete report of all Change Orders approved for construction contracts awarded shall be presented by the FLCC Director of Buildings and Facilities at the next regularly scheduled meeting of the Public Works Committee after such each Change Order is approved, and such report shall include an accounting of the remaining funds available in line HCM 2489 E 4743, Change Order Contingency; and
4. The FLCC Director of Buildings and Facilities shall promptly file fully executed originals of each Change Order with the Contractor, the County Planning Department, the County Finance Department, and the Clerk of the Board of Supervisors who shall place each Change Order in the contract file associated with the resolution awarding the involved construction contract; and
5. The Department of Finance is hereby authorized to transfer funds from line HCM 2489 E4743, Change Order Contingency to the appropriate expense line of Capital Project 01-2016 as necessary to fund each Change Order as it is approved; 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 One Million Dollars (\$1,000,000.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Director of Finance, the Vice President of Finance of Finger Lakes Community College, the Director of Planning, and City Hill Excavating, Inc., 2199 Route 14, Penn Yan, NY 14527.

**RESOLUTION NO. 157-2016
CAPITAL PROJECT NO. 1-2015
AUTHORIZATION TO CONTRACT WITH THE PIKE COMPANY, INC.
FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES
HVAC REHABILITATION IN THE FINE ARTS AND GRAPHIC DESIGN AREA
2015 FLCC CAPITAL MAINTENANCE PROJECT**

WHEREAS, Resolution No. 153 – 2015 established Capital Project No. 1-2015FLCC Capital Maintenance Project; and

WHEREAS, FLCC has provided a list of individual projects to be funded under Capital Project No. 1-2015 which is on file with the Clerk of this Board; and

WHEREAS, Said list includes HVAC Rehabilitation and Maintenance for a proposed budgeted amount of One Million Six Hundred and Twenty Thousand (\$1,620,000.00); and

WHEREAS, Resolution No. 926-2015 authorized a contract with PLANArchitectural Studio, P.C. to design the HVAC Rehabilitation in the Fine Arts and Graphic Design Area project at the FLCC Main Campus in Canandaigua, NY; and

WHEREAS, The services of a construction manager are needed as early as the design phase to provide design stage cost estimates and value engineering; and

WHEREAS, The Pike Company, Inc., One Circle Street, Rochester, NY 14607, has proposed to furnish the requisite Construction Management Consultant services for a total of One Hundred Twelve Thousand Dollars (\$112,000.00), as described in the proposal dated February 3, 2016 on file with the Clerk of this Board; and

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

RESOLVED, That the following budget transfer is hereby approved for Capital Project No. 01-2015 as follows:

Line	Description	Current Budget	Change	Revised Budget
<i>Appropriations:</i>				
TO:				
HBZ 2485 E 4260	Consultation & Professional	\$235,005.40	+\$112,000.00	\$347,005.40
HBZ 2485 E 4491	General Construction	\$877,650.00	\$ 0.00	\$877,650.00
HBZ 2485 E 4492	HVAC	\$822,000.00	\$ 0.00	\$822,000.00
HBZ 2485 E 4493	Electric	\$502,100.00	\$ 0.00	\$502,100.00
HBZ 2485 E 4494	Plumbing	\$185,250.00	\$ 0.00	\$185,250.00
FROM:				
HBZ 2485 E 4865	Administrative	\$127,994.60	-\$112,000.00	\$15,994.60
HBZ 2485 R 3287	State Aid	\$1,375,000.00	\$ 0.00	\$1,375,000.00
HBF 2485 R 5036	General Fund-Interfund Transfer	\$1,300,000.00	\$ 0.00	\$1,300,000.00
HBZ 2485 R 2240	Community College	\$75,000.00	\$ 0.00	\$75,000.00
and further				

RESOLVED, That the proposal of The Pike Company, Inc. to provide the Construction Management services for the design, bidding, and construction of FLCC HVAC Rehabilitation in the Fine Arts and Graphic Design Area is hereby accepted at a cost not to exceed One Hundred Twelve Thousand Dollars (\$112,000.00); and further

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the County Administrator to execute a contract with The Pike Company, Inc. for said services and amount, subject to the approval of the form of contract by the County Attorney; and further

RESOLVED, That the term of said contract shall commence on February 19, 2016, and shall terminate on September 30, 2017; and further

RESOLVED, That the Finance Department is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to the Department of Finance, FLCC Vice President of Finance, FLCC Director of Buildings and Grounds and Mr. Patrick Rogers, The Pike Company, Inc., One Circle Street, Rochester, NY 14607.

The foregoing block of three resolutions was adopted.

Supervisor Russell offered the following block of two resolutions and moved its adoption, seconded by Supervisor Vedora:

**RESOLUTION NO. 158-2016
AUTHORIZING BUDGET TRANSFER AND PAYMENT TO CSNY, INC. FOR
SERVICES RENDERED FOR THE GENEVA/DESALES PHONE RELOCATION
AND RENTAL SYSTEM GENEVA TEMPORARY LOCATION FLCC GENEVA
CAMPUS CENTER PROJECT**

WHEREAS, Resolution No. 346 – 2009 created Capital Project No. 4-2009, FLCC Geneva Campus Center; and

WHEREAS, Resolution No. 615-2014 awarded a bid and approved a contract with LeChase Construction Services, LLC. (LeChase) for the FLCC Geneva Campus Renovations and Additions; and

WHEREAS, Relocation of the FLCC telephone system was required during the construction of the FLCC Geneva Campus Center Project; and

WHEREAS, A Rental System for the Geneva temporary location was needed during the construction of the project; and

WHEREAS, Pursuant to Finger Lakes Community College (FLCC) Resolution No. 91-2015, Bid B15105 was awarded to CSNY, Inc.; and

WHEREAS, CSNY, Inc. has provided two proposals, one to relocate the present phone system to the permanent Geneva Campus location in the amount of Three Thousand Five Hundred Ninety-Six Dollars and Sixty Five cents (\$3,596.65), and one to provide and install one (1) NetLink Node License and provide and install one (1) Rental System in the temporary DeSales location following relocation of the existing system to the renovated permanent location in the amount of One Thousand Five Hundred Sixty-Nine Dollars and Fifty Two Cents (\$1,569.52), a copy of each proposal on file with the Clerk of the Board of Supervisors; and

WHEREAS, The FLCC Projects Committee and Financial Management Committee recommend approval of this resolution; now, therefore, be it

RESOLVED, That the Capital Project budget for Capital Project No. 4-2009 be, and hereby is, amended as follows:

Line Item	Description	Existing Budget	Change	New Budget
HAN 2475 R 2189	Other Income and Community Service	\$112,311.32	\$0.00	\$112,311.32
HAN 2475 R 2240	Community College Capital Costs	\$ 653,827.42	\$0.00	\$ 653,827.42
HAN 2475 R 2240	Interfund Transfer from CP5-2008	\$255,601.00	\$0.00	\$255,601.00
HAN 2475 R 2401	Interest from CP4-2009	\$19,902.42	\$0.00	\$19,902.42
HAN 2475 R 2401	Interfund Transfer Interest from CP5-2008	\$79,942.16	\$0.00	\$79,942.16
HAN 2475 R 2401	Interfund Transfer Interest from CP3-2008	\$4,218.70	\$0.00	\$4,218.70
HAN 2475 R 2401	Interfund Transfer Interest from CP1-2010	\$1,430.87	\$0.00	\$1,430.87
HAN 2475 R 2650	Sales of Scrap & Excess Material	\$5,100.00	\$0.00	\$5,100.00

HAN 2475 R 3287	State Aid	\$7,454,080.00	\$0.00	\$7,454,080.00
HAN 2475 R 5036	Interfund Transfer	\$305,300.00	\$0.00	\$305,300.00
HAN 2475 R 5048	Interfund Transfer – CPR Reserve	\$812,251.40	\$0.00	\$812,251.40
HAN 2475 R 5048	Interfund Transfer – Reserve	\$4,216.50	\$0.00	\$4,216.50
HAN 2475 R 5710	Serial Bonds	\$5,700,000.00	\$0.00	\$5,700,000.00
HAN 2475 E 2100	Furniture & Furnishings	\$99,307.32	\$0.00	\$99,307.32
HAN 2475 E 2300	Data Processing Equipment	\$258,587.08	\$0.00	\$258,587.08
TO:				
HAN 2475 E 2550	Signal Communication and	\$0.00	+	\$5,166.17
HAN 2475 E 4038	Moving Expenses	\$40,000.00	\$0.00	\$40,000.00
HAN 2475 E 4050	Utilities	\$18,756.04	\$0.00	\$18,756.04
HAN 2475 E 4090	Insurance	\$3,084.00	\$0.00	\$3,084.00
HAN 2475 E 4260	Consultation & Professional	\$701,060.00	\$0.00	\$701,060.00
HAN 2475 E 4280	Fees and Special Services	\$500.00	\$0.00	\$500.00
HAN 2475 E 4332	Lease of Land	\$218,840.00	\$0.00	\$218,840.00
HAN 2475 E 4444	Financing of Debt	\$26,437.95	\$0.00	\$26,437.95
HAN 2475 E 4488	Demolition	\$2,623,494.52	\$0.00	\$2,623,494.52
HAN 2475 E 4489	Construction Inspections	\$44,400.00	\$0.00	\$44,400.00
HAN 2475 E 4491	General Construction	\$9,086,630.75	\$0.00	\$9,086,630.75
HAN 2475 E 4493	Electrical Work	\$2,067.05	\$0.00	\$2,067.05
HAN 2475 E 4495	Architectural/Engineering	\$1,547,674.53	\$0.00	\$1,547,674.53
HAN 2475 E 4498	Asbestos & Related Testing	\$176,862.05	\$0.00	\$176,862.05
HAN 2475 E 4731	Contingent	\$0.00	\$0.00	\$0.00
FROM:				
HAN 2475 E 4743	Change Order Contingency	\$51,406.36	-	\$46,240.19
HAN 2475 E 4821	Purchase of Property	\$400,000.00	\$0.00	\$400,000.00
HAN 2475 E 4865	Administrative Expenses	\$19,025.00	\$0.00	\$19,025.00
and further				

RESOLVED, That approval of CSNY Solutions, Inc., 227 Castle Road, Rochester, NY 14623-4021, payment requests for services rendered for the relocation of the phone system to the permanent Geneva Campus location, provide and install one (1) Rental System in the temporary DeSales location, and the relocation of the existing system to the renovated permanent location as further described in each proposal is hereby approved for a total cost not to exceed Five Thousand One Sixty-Six Dollars and Seventeen Cents (\$5,166.17); and further

RESOLVED, That the Finance Department is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Fifteen Million Four Hundred Eight Thousand One Hundred Eighty One Dollars and Seventy-Nine Cents (\$15,408,181.79); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the Department of Finance, FLCC Vice President of Finance and CSNY, Inc., 227 Castle Road, Rochester, NY 14623-4021.

**RESOLUTION NO. 159-2016
CAPITAL PROJECT NO. 4-2009
AUTHORIZING BUDGET TRANSFER AND APPROVAL OF CONTRACT
WITH SIMPLEX GRINNELL FLCC GENEVA CAMPUS CENTER PROJECT**

WHEREAS, Resolution No. 346 – 2009 created Capital Project No. 4-2009, FLCC Geneva Campus Center; and

WHEREAS, Resolution No. 615-2014 awarded a bid and approved a contract with LeChase Construction Services, LLC. (LeChase) for the FLCC Geneva Campus Renovations and Additions; and

WHEREAS, In 2015 after the bid packages were released for the FLCC Geneva Campus Center the State of New York amended Part 1228 of Title 19 NYCRR to require all commercial buildings where the threat of carbon monoxide build-up exists be equipped with carbon monoxide detectors linked to the building's fire alarm system by June of 2016; and

WHEREAS, The FLCC Geneva Campus Center building is considered a commercial building and therefore must comply with Part 1228 of Title 19 NYCRR; and

WHEREAS, Simplex Grinnell provided and installed the fire alarm system and sensors at the FLCC Geneva Campus Center as a subcontractor to LeChase; and

WHEREAS, Simplex Grinnell has provided a proposal to provide and install the three carbon monoxide sensors required to comply with Part 1228 of Title 19 NYCRR at a cost of Two Thousand Sixty Seven Dollars and Five Cents (\$2,067.05), a copy of which is on file with the Clerk of this Board; and

WHEREAS, The FLCC Projects Committee and Financial Management Committee recommend approval of this resolution; now, therefore, be it

RESOLVED, That the Capital Project budget for Capital Project No. 4-2009 be, and hereby is, amended as follows:

Line Item	Description	Existing Budget	Change	New Budget
HAN 2475 R 2189	Other Income and Community Service	\$112,311.32	\$0.00	\$112,311.32
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HAN 2475 R 2401	Interest from CP4-2009	\$19,902.42	\$0.00	\$19,902.42
HAN 2475 R 2401	Interfund Transfer Interest from CP5-2008	\$79,942.16	\$0.00	\$79,942.16
HAN 2475 R 2401	Interfund Transfer Interest from CP3-2008	\$4,218.70	\$0.00	\$4,218.70
HAN 2475 R 2401	Interfund Transfer Interest from CP1-2010	\$1,430.87	\$0.00	\$1,430.87
HAN 2475 R 2650	Sales of Scrap & Excess Material	\$5,100.00	\$0.00	\$5,100.00
HAN 2475 R 3287	State Aid	\$7,454,080.00	\$0.00	\$7,454,080.00
HAN 2475 R 5036	Interfund Transfer	\$305,300.00	\$0.00	\$305,300.00
HAN 2475 R 5048	Interfund Transfer – CPR Reserve	\$812,251.40	\$0.00	\$812,251.40
HAN 2475 R 5048	Interfund Transfer – Reserve	\$4,216.50	\$0.00	\$4,216.50
HAN 2475 R 5710	Serial Bonds	\$5,700,000.00	\$0.00	\$5,700,000.00
HAN 2475 E 2100	Furniture & Furnishings	\$99,307.32	\$0.00	\$99,307.32
TO:				
HAN 2475 E 2300	Data Processing Equipment	\$258,587.08	\$0.00	\$258,587.08
HAN 2475 E 2550	Signal and Communication	\$0.00	\$0.00	\$0.00
HAN 2475 E 4038	Moving Expenses	\$40,000.00	\$0.00	\$40,000.00
HAN 2475 E 4050	Utilities	\$18,756.04	\$0.00	\$18,756.04

HAN 2475 E 4090	Insurance	\$3,084.00	\$0.00	\$3,084.00
HAN 2475 E 4260	Consultation & Professional	\$701,060.00	\$0.00	\$701,060.00
HAN 2475 E 4280	Fees and Special Services	\$500.00	\$0.00	\$500.00
FROM:				
HAN 2475 E 4332	Lease of Land	\$218,840.00	-\$0.00	\$218,840.00
HAN 2475 E 4444	Financing of Debt	\$26,437.95	\$0.00	\$26,437.95
HAN 2475 E 4488	Demolition	\$2,623,494.52	\$0.00	\$2,623,494.52
HAN 2475 E 4489	Construction Inspections	\$44,400.00	\$0.00	\$44,400.00
HAN 2475 E 4491	General Construction	\$9,086,630.75	\$0.00	\$9,086,630.75
HAN 2475 E 4493	Electrical Work	\$0.00	+\$2,067.05	\$2,067.05
HAN 2475 E 4495	Architectural/Engineering	\$1,547,674.53	\$0.00	\$1,547,674.53
HAN 2475 E 4498	Asbestos & Related Testing	\$176,862.05	\$0.00	\$176,862.05
HAN 2475 E 4731	Contingent	\$0.00	\$0.00	\$0.00
HAN 2475 E 4743	Change Order Contingency	\$53,473.41	-\$2,067.05	\$51,406.36
HAN 2475 E 4821	Purchase of Property	\$400,000.00	\$0.00	\$400,000.00
HAN 2475 E 4865	Administrative Expenses	\$19,025.00	\$0.00	\$19,025.00

RESOLVED, That a short term contract with Simplex Grinnell, 90 Goodway Drive, Rochester, NY 14623 to provide and install three carbon monoxide detectors at the FLCC Geneva Campus Center as is hereby approved at a cost not to exceed of Two Thousand Seven Dollars and Five Cents (\$2,067.05); and further

RESOLVED, That the Finance Department is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Fifteen Million Four Hundred Eight Thousand One Hundred Eighty One Dollars and Seventy-Nine Cents (\$15,408,181.79); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the Department of Finance, Simplex Grinnell, and FLCC Vice President of Finance.

The foregoing block of two resolutions was adopted.

Supervisor Green made the motion to call up Resolution No. 61-2016, entitled, "Authorization to Amend Award to SHI International Corp. for Civil Software – Ontario County Office of Sheriff", which was laid over at the last Board meeting.

Resolution 61-2016 was adopted.

On motion of Supervisor Baker, seconded by Supervisor Gallahan, the meeting was adjourned at 7:01 p.m.