

**February 18, 2021**

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:31 p.m. via WebEx on ontariocountyny.webex.com and at 74 Ontario Street, Canandaigua, NY 14424, with Chairman John Marren presiding.

The Pledge of Allegiance was led by Supervisor Rich Russell.

Upon roll call, all the Members of the Board were present with twelve members via WebEx.

Minutes of the preceding session was approved without being read by motion of Supervisor Todd Campbell, seconded by Supervisor Kris Singer; motion carried.

Director of Preventive Services, Kate Ott gave a report on COVID-19 cases and activities regarding vaccine clinics and the pressure of kids returning to school from the parents.

County Administrator, Chris DeBolt reported on the County Operations, noting the report from Human Resources had no active COVID cases. The Finger Lakes Region is now the third or fourth lowest in the state for positivity rate. Mr. DeBolt could not say enough good about the volunteers staffing the clinics. He reported the Governor is allowing reopening of entertainment and weddings; however, it is at the discretion of the local health department. He said there is no guidance to date for the reopening of event venues and entertainment businesses. Mr. DeBolt noted the South African variant has been found in New York State. Mr. DeBolt reported Supervisor Campbell has been doing a great job leading on the Police Reform and Reinvention Collaborative. They hope to have the draft posted to the Sheriff's County website by Monday, February 22<sup>nd</sup> so the public has an opportunity to provide some comment if they'd like to before the next Public Safety Committee.

Chairman Marren stated two weeks ago, the Governor announced that restaurant employees, taxi drivers, Uber drivers, and Lyft drivers can now be vaccinated. The nine County Region here within the Finger Lakes have said, no. There are not enough doses currently. There will be additional discussion at the next convening meeting. Chairman Marren also discussed the Federal government involvement and the issues with that.

Chairman Marren granted privilege of the floor to Supervisor Bob Green. Supervisor Green introduced Tracey Dello Stritto, Executive Director for The Partnership for Ontario County. Ms. Dello Stritto gave an update on the Partnership for Ontario County.

Supervisor Dominick Vedora, under Reports of County Officials, presented the Regulatory Compliance Report for 2020 and noted that the County has achieved 100% of employee compliance training. Additional questions can be directed to Michele Smith, the Compliance Officer and Chair of the Committee.

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

- Health and Human Services Committee held on January 19, 2021.
- Planning and Environmental Quality Committee held on January 19, 2021
- Public Works Committee held on January 19, 2021
- Public Safety Committee held on January 20, 2021
- Governmental Operations and Insurance Committee held on December 9, 2021

- Special Planning and Environmental Quality Committee held on January 28, 2021
- Seneca Watershed Intermunicipal Organization via Zoom held on January 28, 2021
- VAVS/Community Council Committee with Assembly of Management and Program Reports taking the place of the physical meeting scheduled for February 2021

Resolution No. 17-2021 entitled “Support for Article 78 action by the committee to Preserve the Finger Lakes, Seneca Lake Guardians vs. Greenidge Generation Plan received from Lori Guinan, City Clerk of the City of Geneva.

Notice of Obligational Authority (NOA) updating the funding that is used by our Local Workforce Development Area (LWDA) received from Russell Oliver, Director Division of Employment and Workforce Solutions, NYS Dept. of Labor.

Happy Tails Ontario County Humane Society’s Director’s Report for December 2020 received from William Martin.

Resolution No 71-21 entitled “Reappoint Chairman to the Flint Creek Administrative Board” regarding Edward Hansen and Res. No. 72-21 entitled “Reappointment to the Flint Creek Administrative Board” regarding Larry Christensen received from Clerk of the Yates County Legislature.

The 2020 Annual Report for Ontario County Planning Board received from Ontario County Planning Department.

Planning Department 2020 Accomplishments received from the Ontario County Planning Department.

Supervisor David Baker said at the Governmental Operations and Insurance Committee and the Ways and Means Committee meetings last week, the question of limiting 3<sup>rd</sup> party delivery fees was discussed. He said the question originally came up in a letter to the city manager, John Goodwin, City of Canandaigua from Pierre Heroux and Denise Chappel, the Canandaigua Business Improvement District Director. They were concerned with the fees being charged to the local businesses that traditionally do not rely on delivery but are relying on delivery during the pandemic. He said the businesses are struggling to survive. He said the pandemic has forced them to be creative such as curb side pick-up, delivery and a common dining area in parking lots. Supervisor Baker went on to explain the challenges of the businesses and said that a 30% fee seems like an overcharge. He compared it to scalping tickets to the public for concerts and cannot excessively charge customers for water and ice for natural emergencies. He suggested and option of the chairman to issue and executive order limiting the 3<sup>rd</sup> party fees, however, executive orders have to be renewed often, the other option suggested was to limit the fees through a local law, with a sunset provision related to dining capacity; noting the local law would not need renewals. The final option that Supervisor Baker felt made the most sense was a hybrid of the first two options. It was suggested to continue taking the question through the Governmental Operations and Insurance Committee and the Ways and Means Committee and if they endorse it and then discuss at the Board meeting and if the Board in general should pursue the concept and work on crafting the

right local law to do it. The local law requires a public hearing which would allow the opportunity for both “parties” to give their voice. Mr. Baker pointed out the Finger Lakes Visitor’s Connection Board of Directors endorse the limitation on the fees. Mr. Pierre Heroux from Simply Crepes shared that he is thankful for the delivery services, but, with that said, there is a limit to which they believe they should be charging fees which may include sales fees, delivery fees, processing fees, marketing fees, and error fees. He noted the additional costs they have incurred this year with PPE. Valerie Knoblauch with the Finger Lake Visitor’s Center echoed Mr. Heroux’s comments. Ms. Knoblauch had contacted the NYS Restaurant Association and the NYS Tourism Industry Association because in the broad spectrum of hospitality and tourism, both the restaurants and the delivery services are part of the industry overall. A lengthy discussion resumed between the Supervisors on the concerns of whether they should move forward with the proposal with several questions. One of which if going forward would lose the benefits of the services and the other is this something government should get involved with private businesses.

Supervisor David Baker offered a motion for the County Attorney to be directed to craft a local law limiting 3<sup>rd</sup> party delivery fees to 15% and 5% for other fees and the draft of the ordinance to move through committees. In the meantime, the Board endorse the Chairman to use his authority to issue an executive order limiting to the 15% delivery fee and 5% other fees with the executive order to be renewed every 5 days until a committee takes action to either move forward, or drop the question of a local law. Supervisor Rich Russell seconded the motion.

Chairman Marren asked for a roll call vote on the motion presented by Supervisor Baker on the directive regarding limiting 3<sup>rd</sup> party delivery fees.

A simple majority roll call vote resulted as follows:

Ayes:	2,483	Supervisors Singer, Baker, Russell, Wille, Ingalsbe, Venuti, Guard, Bendzlowicz, Wickham, Dan Marshall, Marren, and Campbell
Noes:	2,013	Supervisors Green, Menikotz Vedora, Lightfoote, Bateman, Phillips, Hicks, Teed, and Daryl Marshall
Absent		No absentees

The motion was approved with more than the required 2,249 votes necessary for approval.

Supervisor Rich Russell offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Fred Wille:

**RESOLUTION NO. 51-2021  
RESOLUTION OF DENIAL  
CORRECTION OF ERROR – 2021 COUNTY/TOWN TAX ROLL**

WHEREAS, An application for corrected tax roll for the 2021 County/Town tax roll has been received by the Real Property Tax Director in accordance with RPTL §554; and

WHEREAS, The property owner is Cornell University with a mailing address of 15 Thornwood Drive, Ithaca, NY 14850. The property at issue is a solar energy system located on Sutton Road in the town of Seneca. The tax map identification number is 103.00-1-7.112/SOL; 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, After review of the findings, the Governmental Operations and Insurance Committee has accepted the recommendation of the Real Property Tax Director to deny the application for correction of error; 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 denied; and further

RESOLVED, That copies of this resolution be sent to the Town of Seneca and Cornell University.

**RESOLUTION NO. 52-2021**  
**AUTHORIZATION TO CONTRACT WITH NTS DATA SERVICES FOR REGISTERED VOTER NOTICE CARD PREPARATION AND MAILING**

WHEREAS, The Ontario County Board of Elections is required annually by NYS Election Law to mail Voter Check Cards to registered voters of Ontario County annually during the month of April which NTS Data Services Inc. will complete; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed and recommends contracting with NTS Data Services, Inc. for the purpose of generating and mailing Voter Check Cards; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby approves a contract with NTS Data Services, Inc. 2079 Sawyer Drive, Niagara Falls, New York 14304, for the term of January 1, 2021, through December 31, 2021 for an amount not to exceed \$40,000; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with NTS Data Services, Inc., and all other documents necessary to effectuate the purpose of this resolution; and further

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

**RESOLUTION NO. 53-2021  
AUTHORIZATION TO CONTRACT WITH  
VARIOUS ONTARIO COUNTY SCHOOL DISTRICTS  
FOR USE OF VOTING MACHINES**

WHEREAS, On May 18, 2021, Canandaigua, Geneva, Honeoye, Naples, Palmyra-Macedon and Phelps-Clifton Springs school districts will need Help America Vote Act compliant voting machines; and

WHEREAS, Ontario County desires to partner with these school districts to provide the equipment, supplies and technicians necessary to meet this need; and

WHEREAS, Ontario County Board of Elections has worked diligently with Ontario County school districts in developing an acceptable contract to allow for provision of these services; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed this request and recommends contracting with these school districts interested in using the County's voting machines; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby authorizes a contract with Canandaigua City School District, Geneva City School District, Honeoye Central School District, Naples Central School District, Phelps-Clifton Springs Central School District and Palmyra-Macedon Central School District to provide Help America Vote Act compliant voting machines under the terms and conditions included with the contract on file with this Board; and further

RESOLVED, That the County Administrator and Election Commissioners are hereby authorized to execute the necessary documents to affect the intent of this resolution.

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 54-2021  
RESOLUTION CALLING ON THE GOVERNOR  
AND STATE LEGISLATURE TO RESTORE  
VIDEO LOTTERY TERMINAL (VLT) FUNDING TO  
LOCAL GOVERNMENTS IN THE 2021-2022 STATE BUDGET**

WHEREAS, New York State has distributed VLT funding to local governments for over a decade since the original agreement to expand gaming to many racetracks in the State; and

WHEREAS, The distribution of this revenue was agreed to as a way to benefit the taxpayers who reside in the municipalities which are impacted by the presence of these racetracks in their communities; and

WHEREAS, Governor Cuomo has proposed the distribution of this funding to local governments be completely eliminated in the 2021-2022 budget except for the portion provided to the City of Yonkers; and

WHEREAS, Ontario County (\$591,000) and the Town of Farmington (\$1.8 million) are among the municipalities which would endure the loss of this revenue; and

WHEREAS, This revenue ensures the provision of critical programs and services, funds capital projects and infrastructure improvements and directly reduces the amount needed to be raised in property taxes; and

WHEREAS, The Ways and Means Committee has reviewed the significant impact of the loss of VLT funding on and in Ontario County and strongly recommends the adoption of this resolution; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors urges Governor Andrew Cuomo and the members of the New York State Legislature to fully restore VLT funding in the 2021-2022 New York State budget in order that Ontario County, the Town of Farmington and the other impacted municipalities can continue to receive these critical revenues to benefit their taxpayers and residents in accordance with this funding's original intent; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Pamela Helming, Senator Samra Brouk, Assemblyman Jeffrey Gallahan, the Legislative Chair of the other seven impacted counties, the New York State Association of Counties and the Association of Towns.

Adopted.

Supervisor Danial Marshall offered the following two resolutions as a block and moved for its adoption, seconded by Supervisor Ted Bateman:

**RESOLUTION NO. 55-2021**  
**APPOINTMENT TO THE OFFICE FOR THE AGING ADVISORY COUNCIL**  
**MARION (SHELLY) MCDONALD**

BE IT RESOLVED, That Marion McDonald, residing at 80 Parrish St. Canandaigua, NY 14424 is hereby appointed to serve on the Office for the Aging Advisory Council; and further

RESOLVED, That the term of appointment shall be for three (3) years, with said term to be from February 1, 2021 through January 31, 2024; and further

RESOLVED, That certified copies of this resolution be sent to the aforementioned person and the County Clerk.

**RESOLUTION NO. 56-2021**  
**APPOINTMENT TO THE OFFICE FOR THE AGING ADVISORY COUNCIL**  
**JANET STARR**

BE IT RESOLVED, That Janet Starr, residing at 6317 Murphy Dr. Victor, NY 14564 is hereby appointed to serve on the Office for the Aging Advisory Council; and further

RESOLVED, That the term of appointment shall be for three (3) years, with said term to be from February 1, 2021 through January 31, 2024; and further

RESOLVED, That certified copies of this resolution be sent to the aforementioned person and the County Clerk.

The foregoing block of two resolutions was adopted.

Supervisor Lou Guard offered the following resolution and moved for its adoption, seconded by Supervisor Dan Marshall:

**RESOLUTION NO. 57-2021**  
**APPOINTMENT TO THE OFFICE FOR THE AGING ADVISORY COUNCIL**  
**THOMAS J. GUARD**

BE IT RESOLVED, That Thomas J. Guard, residing at 311 Washington St., Geneva, NY 14456 is hereby appointed to serve on the Office for the Aging Advisory Council; and further

RESOLVED, That the term of appointment shall be for three (3) years, with said term to be from February 1, 2021 through January 31, 2024; and further

RESOLVED, That certified copies of this resolution be sent to the aforementioned person and the County Clerk.

Adopted.

Supervisor Kristine Singer offered the following five resolutions as a block and moved for its adoption, seconded by Supervisor Fred Lightfoote:

**RESOLUTION NO. 58-2021  
RESOLUTION APPROVING THE OFFICIAL UNDERTAKING OF  
PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR  
GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

WHEREAS, The County of Ontario has appropriated the sum of \$9,970.00 as its share of the Year 2021 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, Pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has designated Jay A. Gsell, Interim Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by McGee and Noto Agency, General Insurance, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Genesee/Finger Lakes Regional Planning Council, Attn: Jay A. Gsell, Interim Executive Director, 50 West Main Street, Suite 8107, Rochester, NY 14614.

**RESOLUTION NO. 59-2021  
ADOPTION OF THE 2021 ONTARIO COUNTY UPDATED  
ECONOMIC DEVELOPMENT STRATEGIC PLAN**

WHEREAS, In June 1997 the Board of Supervisors approved Resolution No. 295-1997 adopting a strategic plan for Ontario County; and



WHEREAS, In 2004, the Board of Supervisors approved Resolution No. 298-2004 updating the Ontario County Economic Development Strategic Plan; and

WHEREAS, In 2010, the Board of Supervisors approved Resolution No. 552-2010 adopted the 2010 Ontario County Updated Economic Development Strategic Plan; and

WHEREAS, In 2016 the Board of Supervisors approved Resolution No. 345-2016 adopted the 2016 Ontario County Updated Economic Development Strategic Plan; and

WHEREAS, The Strategic Plan has proven to be a necessary guiding document for successfully delivering technology-led economic development in Ontario County for the past fifteen years; and

WHEREAS, This Board of Supervisors has determined that it is necessary to periodically review the effectiveness of the strategies included in the Strategic Plan and update them to address changes in local, national, and international economic conditions; and

WHEREAS, Resolution No. 816-2019 authorized a contract with Fairweather Consulting to update the Ontario County Economic Development Strategic Plan; and

WHEREAS, A workshop was held on January 28, 2021 to input the updated strategic plan; and

WHEREAS, Presentations have been made to the Planning and Research Committee and to members of the Boards of the Ontario County Economic Development Corporation, the Ontario County Industrial Development Agency, the Ontario County Local Development Corporation, and the Board of Supervisors for the purpose of providing an opportunity for review and comment; now, therefore, be it

RESOLVED, That this Board of Supervisors adopt a document titled, "An Update of the Ontario County Economic Development Strategic Plan" on file with the Clerk of the Board and it be known as the "2021 Ontario County Updated Strategic Plan"; and further

RESOLVED, That a copy of this resolution be emailed by the Clerk of this Board to the Office of Economic Development.

**RESOLUTION NO. 60-2021**  
**ADOPTION OF THE ONTARIO COUNTY DEPARTMENT OF SUSTAINABILITY**  
**AND SOLID WASTE MANAGEMENT STRATEGIC PLAN**

WHEREAS, Local Law No. 4-2018 authorized the creation of the Department of Sustainability and Solid Waste Management (the Department) to manage the County's sustainability and solid waste diversion efforts; and

WHEREAS, The County desired the development of a Strategic Plan to provide guidance and recommendations for the Department's focus and priorities; and

WHEREAS, Resolution No. 23-2020 authorized the execution of a contract with Causewave Community Partners (Causewave) for services related to completion of the Ontario County Department of Sustainability and Solid Waste Management Strategic Plan (the Plan); and

WHEREAS, With the Department, Causewave utilized multiple working groups and outreach to targeted groups, as well as a community wide residential survey to collect data essential to develop the Plan; and

WHEREAS, Presentations have been made to the Planning & Environmental Quality Committee and members of the Board of Supervisors providing opportunity for review and comment; and

WHEREAS, The Planning & Environmental Quality Committee recommends adoption of the Plan; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby accepts and adopts the Ontario County Department of Sustainability and Solid Waste Management Strategic Plan; and further

RESOLVED, That the Plan will be reviewed annually and updated when necessary, under the guidance of the Board; and further

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of this Board to the Department of Sustainability and Solid Waste Management.

**RESOLUTION NO. 61-2021  
AUTHORIZING A CONTRACT WITH  
OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR  
TRANSFER OF SFY 2020-21 STATE GRANT FUNDING UNDER  
THE FINGER LAKES-LAKE ONTARIO  
WATERSHED PROTECTION ALLIANCE**

WHEREAS, Ontario County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes – Lake Ontario Watershed Protection Alliance, has been allocated NYS Environmental Protection Funds administered by the Department of Environmental Conservation (NYSDEC) for State Fiscal Year (SFY)

2020-21 in the amount of Eighty Nine Thousand Two Hundred Dollars (\$89,200.00) (NYS Contract # C311775-2021, CFDA# N/A; MUNIS # G21004) for its associated water quality program under the Finger Lakes – Lake Ontario Watershed Protection Alliance (FOLLOWPA); and

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

WHEREAS, The DISTRICT has proposed a contract (DISTRICT CONTRACT) to provide FOLLOWPA grant funding allocated to Ontario County in the SFY 2020-21 budget to fund water quality improvement projects as described in Schedule A and Schedule B of the proposed contract on file with the Clerk of the Board; and

WHEREAS, The term of this contract is April 1, 2021 through March 31, 2023, yet eligible expenses incurred back to January 1, 2021 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	\$66,900.00
Payment 2	Final Payment (Retainage)	\$22,300.00

and

WHEREAS, \$40,000 of the SFY 2020-21 FOLLOWPA grant was included in the 2021 Budget under Environmental Control in account AA8090 Aquatic Vegetation Management Program, leaving an additional amount of \$49,200 in FOLLOWPA grant funding available to be added to the 2021 budget; and

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

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

RESOLVED, Upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes and empowers the County Administrator to execute a contract with the Oswego County Soil and Water Conservation District for the Finger Lakes

– Lake Ontario Watershed Protection Alliance to secure the transfer of SFY 2020-21 FLOWPA funding to Ontario County, and to act as the official representative of Ontario County in connection with all contracts between Ontario County and the DISTRICT for FLOWPA funds; and further

RESOLVED, That the following budget amendment is hereby approved:

Account	Description	Amended Budget
AA 8020 PL 43910 G21004 43910	State Aid Conservation Programs	+ 49,200.00
AA 8020 PL 54260 G21004 54260	Agency Contracts	+ 49,200.00
AA C801 43901	St Aid Conservation	- 1,233.00
AA C801 51800	Part time Hourly	- 1,233.00

and further

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

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

**RESOLUTION NO. 62-2021  
AUTHORIZING AN AMENDED SITE ACCESS AGREEMENT  
FOR THE FORMER LABELON SITE**

WHEREAS, 2240 North Forest Road, LLC (“Owner”) is the reputed title owner to property located at 10 Chapin Street, Canandaigua, New York 14424 (“Site”), which has been admitted into the New York State Brownfield Cleanup Program (“BCP”) as the Former Labelon Corp. Facility, Site No. C835016; and

WHEREAS, The Owner and Canandaigua Crossroads, LLC are considered volunteers for the Site under the BCP and are responsible for the Site’s remediation; and

WHEREAS, On May 7, 2018, the New York State Department of Environmental Conservation (“NYSDEC”) approved a Remedial Action Work Plan, dated March 21, 2018 (“Work Plan”), and issued a Decision Document, dated December 2017, detailing the remediation to be completed at the Site (“Site Remediation”); and

WHEREAS, In the process of preparing the required Environmental Easement for the Site, a possible title defect came to light, revealing that the County may have a claim to a portion of the Site (“Property”); and

WHEREAS, A portion of the Site Remediation must be performed on the Property (“Work”), which includes all activities undertaken to investigate and remediate environmental contamination in accordance with the BCP; and

WHEREAS, In an effort to continue the Site Remediation as scheduled, by Res. No. 457-2019, this Board authorized a Site Access Agreement with Owner to facilitate clean-up on the Property; and

WHEREAS, The NYSDEC is requiring that Canandaigua Crossroads, LLC, as former owner of the Site and a volunteer under the BCP also be given access to the Property; and

WHEREAS, The parties desire to amend the Site Access Agreement to comply with the DEC’s request; and

WHEREAS, This Board has no intention of taking any action that would violate any of the restrictions in the deed for such Property; and

WHEREAS, The Planning and Environmental Quality, Public Works and Governmental Operations and Insurance Committees recommend approval of the Amended Site Access Agreement; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form and in so far as the same may be done consistently with the reservations and condition subsequent in the grant of Liber 7 of Deeds Page 16, the Ontario County Board of Supervisors does hereby approve an Amended Site Access Agreement with Owner and Canandaigua Crossroads, LLC to facilitate remediation at the Property in accordance with the requirements of the NYSDEC, the Work Plan and any other applicable laws, rules and regulations; and further

RESOLVED, That the Site Access Agreement does not address ownership of the Property; and further

RESOLVED, That if the Site Access Agreement or actions hereunder are determined to be in violation of the restrictions and condition subsequent in Liber 7 of Deeds Page 16, then such actions and Site Access Agreement shall be absolutely void and of no effect whatsoever; and further

RESOLVED, That the Ontario County Administrator be and hereby is authorized and empowered to execute the Site Access Agreement and any other documents necessary to effectuate the purpose of this resolution.

The foregoing block of five resolutions was adopted.

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

**RESOLUTION NO. 63-2021  
AUTHORIZATION TO ACCEPT  
FY2021 CRIMES AGAINST REVENUE PROGRAM GRANT  
FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

WHEREAS, The District Attorney's Office has been awarded a grant of \$92,100 from the Crimes Against Revenue Program (CARP) Grant (DCJS Project #: CR21-1013-R2; DCJS# CR20445132; New York State Contract# C445132; CFDA#: N/A; MUNIS #G21005) through the New York State Division of Criminal Justice Services and NYS Department of Taxation and Finance for the purpose of funding an Assistant District Attorney position to continue the County's efforts to investigate, prosecute, and deter crimes adversely affecting government revenues and expenditures, and recoup lost State revenue; and

WHEREAS, The grant contract period extends from January 1, 2021 through December 31, 2021; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this resolution at their February 10<sup>th</sup>, 2021 Committee meetings and recommend acceptance of the FY2021 CARP grant; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors, hereby approves a contract with the New York State Division of Criminal Justice Services (DCJS) for a term of January 1, 2021 through December 31, 2021 at a budgeted County cost of \$60,586.33; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the FY2021 Crimes Against Revenue Program Agreement with the New York State Division of Division of Criminal Justice Services, and all other documents necessary to effectuate the purposes of this resolution; and further

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

TO:		Revenue	Appropriation
G21005 - 44089	Federal Aid Other	+ \$ 92,100	
G21005 - 51500	Salary, FT		+ \$ 69,401
G21005 - 58010	NYS ERS		+ \$ 10,411
G21005 - 58020	FICA		+ \$ 4,303
G21005 - 58021	Medicare		+ \$ 1,006
G21005 - 58060	Cafeteria Plan		+ \$ 5,208
G21005 - 58067	Dental Insurance		+ \$ 168
G21005 - 58070	401A Contribution		+ \$ 1,388
G21005 - 58075	Health Reimbursement Acct		+ \$ 215
TOTAL:		+ \$ 92,100	+ \$ 92,100

and further

RESOLVED, That the Clerk of this Board shall email a certified copy of this resolution to the District Attorney's Office.

**RESOLUTION NO. 64-2021  
PROBATION DEPARTMENT/ALTERNATIVES TO INCARCERATION  
2020/2021 SERVICE PLAN AND APPLICATION FOR FUNDING**

WHEREAS, This Board of Supervisors, by the adoption of Resolution No. 554-90 endorsed the implementation and development of an Alternatives to Incarceration Service Plan and the establishment of an Alternatives to Incarceration Advisory Board; and

WHEREAS, It is necessary to apply to the Office of Probation and Correctional Alternatives, on an annual basis, for state monies that assist in offsetting the costs associated with the Community Service Program as identified in said plan; and

WHEREAS, The Public Safety Committee of the Ontario County Board of Supervisors has reviewed and recommends acceptance of said plan; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby authorizes the County Administrator to sign the Annual Plan; and further

RESOLVED, That this Board does hereby authorize submitting the annual application for \$15,461 in state funding; and further

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of this Board to the ATI Program.

**RESOLUTION NO. 65-2021  
2021 ATI ADVISORY BOARD APPOINTMENTS**

BE IT RESOLVED, The Ontario County Board of Supervisors hereby approves the appointments of the following individuals to the ATI Advisory Board for the term January 1, 2021 through December 31, 2021, as listed below:

- Todd Campbell, W. Bloomfield Town Supervisor, Chair  
(Appointed as such by the Chairman of the Board of Supervisors)
- Robert Green, Bristol Town Supervisor, Vice-Chair
- Honorable Frederick Reed, County Court Judge
- Justice Morris Lew, Farmington Town Court
- Christopher DeBolt, County Administrator
- James Ritts, District Attorney
- Robert Zimmerman, Esq. (Defense Counsel)
- Leanne Lapp, Public Defender
- Kevin Henderson, Ontario County Sheriff
- Ginny Gumaer-Muller, Probation Supervisor (ATI)
- Christopher Smith, Chief Corrections Officer
- Jennifer Lewis, Victims Assistance Coordinator
- Jeffrey Rougeux, Probation Director
- Jessica Mitchell, Director, Community Mental Health Services
- Jennifer Carlson, Executive Director, FLACRA
- Betsey Lee, Drug Court Coordinator
- Anita Pierce, Community Representative
- Tina Rossman, Youth Court Program Director

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

The foregoing block of three resolutions was adopted.

Supervisor Frederick Lightfoote offered the following ten resolutions as a block and moved for its adoption, seconded by Supervisor Ted Bateman:

**RESOLUTION NO. 66-2021  
ACCEPTING ADDITIONAL STATE AID, BUDGET AMENDMENT, AND  
CLOSING OF CAPITAL PROJECT NO. H041-17  
FLCC ATHLETIC FIELDS UPGRADE CAPITAL PROJECT**

WHEREAS, The Board of Supervisors pursuant to Resolution No. 446-2017 established Capital Project 6-2017 now known as Capital Project. H041-17 as the FLCC Athletic Fields Upgrade Capital Project; and

WHEREAS, Capital Project No. H041-17 was budgeted and funded to an authorized amount of \$5,953,028.84, contributions from local sponsors totaling \$3,076,514.42 and State Aid \$2,876,514.42; and

WHEREAS, Resolution No. 257-2018 authorized a contract with the FLCC Foundation Inc. wherein the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00)



was contributed to the County as part of the local share, to be used only upon use of all other local funds; and

WHEREAS, The 2019-2020 New York State budget authorized an additional One Hundred Thousand Dollars (\$100,000.00) in state aid funding for Capital Project No. H041-17; and

WHEREAS, All expenditures attributable to Capital Project No. H041-17 have now been made and final costs were \$5,789,083.90, one half of which is reimbursable by state aid amounting to Two Million Eight Hundred Ninety Four Thousand, Five Hundred Forty-One Dollars and Ninety-Five Cents (\$2,894,541.95) has been received for said project; and

WHEREAS, After use of all other allocated non-state funding, the amount due from the FLCC Foundation, Inc. totaled Sixty-Eight Thousand Twenty-Seven Dollars and Fifty-Three Cents (\$68,027.53), a reduction of One Hundred Eighty-One Thousand Nine Hundred Seventy-Two Dollars and Forty-Seven Cents (\$-181,972.47) from the maximum available; and

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

RESOLVED, That an additional Eighteen Thousand Twenty-Seven Dollars and Fifty-Three Cents (\$18,027.53) of the One Hundred Thousand Dollars of state aid authorized in the 2019-2020 NYS budget is hereby accepted; and further

RESOLVED, That the amount due from the FLCC Foundation, Inc. is hereby reduced to Sixty-Eight Thousand Twenty-Seven Dollars and Fifty-Three Cents (\$68,027.53); and further

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

Line Item	Description	Current Budget	Change	Revised Budget
Appropriations				
FROM:				
HH H041 17 54053	Construction Testing & Inspection	\$50,000.00	- \$37,361.25	\$12,638.75
FROM:				
HH H041 17 54260	Consultation & Professional	\$188,715.8 4	- \$315.84	\$188,400.0 0
HH H041 17 54491	General Construction	\$4,482,620. 50	- \$0.01	\$4,482,620. 49

HH H041 17 54493	Electric	\$1,104,875. 77	\$ 0.00	\$1,104,875. 77
FROM:				
HH H041 17 54743	Change Order Contingency	\$124,816.7 3	- \$124,816.73	\$0.00
HH H041 17 54865	Administrative Expenses	\$2,000.00	- \$1,451.11	\$548.89
Revenues				
FROM:				
HH H041 17 42705	Gifts & Donations	\$2,750,000. 00	- \$181,972.47	\$2,568,027. 53
TO:				
HH H041 17 43297	State Aid	\$2,876,514. 42	+ \$18,027.53	\$2,894,541. 95
HH H041 17 45031	Interfund Transfer	\$326,514.4 2	\$0.00	\$326,514.4 2

and further

RESOLVED, That Capital Project No. H041-17 is hereby closed; and further

RESOLVED, That the Department of Finance is authorized to make all necessary accounting entries to effect the closing of Capital Project No. H041-17; and further

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

**RESOLUTION NO. 67-2021  
CAPITAL PROJECT NO. H039-17  
COUNTY ROAD 23 AT MCIVOR ROAD & FORT HILL ROAD  
INTERSECTION IMPROVEMENTS  
ACCEPTANCE OF SUPPLEMENTAL AGREEMENT #3  
TO NEW YORK STATE REVENUE CONTRACT**

WHEREAS, Resolution No. 271-2017 created Capital Project No. 04-2017, County Road 23 at McIvor Road and Fort Hill Road Intersection Improvements, now known as Capital Project H039-17; and

WHEREAS, Said project, P.I.N. 4ON0.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such safety project to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 271-2017 authorized the acceptance of a New York State Revenue Contract for the design and right-of-way incidentals phase of Capital Project No. 04-2017; and

WHEREAS, Resolution No. 487-2018 authorized the acceptance of Supplemental Agreement #1 which provided Federal funding for the detailed design and right-of-way acquisition phase; and

WHEREAS, Resolution No. 532-2019 authorized the acceptance of Supplemental Agreement #2 which provided federal funding for the construction phase; and

WHEREAS, Supplemental Agreement #3 has been received and provides additional Federal and State funding for the construction phase; and

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

RESOLVED, That the Ontario County Board of Supervisors accepts Supplemental Agreement #3 to the New York State Revenue Contract Capital Project No. H039-17; and further

RESOLVED, That the budget of Capital Project No. H039-17 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH03917 54491	General Construction	\$2,514,455.21		\$2,514,455.21
HHH03917 54495	Engineering	\$699,370.00	+\$80,713.79	\$780,083.79
HHH03917 54820	Land Acquisition	\$25,000.00		\$25,000.00
HHH03917 54865	Administration	\$2,000.00		\$2,000.00
HHH03917 54731	Contingency	\$0.00		\$0.00
HHH03917 59000	Interfund Transfers	\$0.00	+\$378,446.21	\$378,446.21
Revenue:				
HHH03917 43089	State Aid	\$100,000.00	+\$85,932.00	\$185,932.00
HHH03917 44597	Federal Aid	\$2,438,464.00	+\$373,228.00	\$2,811,692.00
HHH03917 45031	Interfund Transfers	\$702,361.21		\$702,361.21

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 the Board of Supervisors hereby authorizes the County Administrator to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and further

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

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

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

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

**RESOLUTION NO. 68-2021**  
**CAPITAL PROJECT NO. H049-18**  
**COUNTY ROAD 46 & SMITH ROAD INTERSECTION IMPROVEMENT**  
**BUDGET TRANSFER**

WHEREAS, A project for County Road 46 & Smith Road Intersection Improvement, P.I.N. 4ON0.04 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such projects to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 784-2018 created Capital Project No. 04-2018, County Road 46 & Smith Road Intersection Improvement, now known as Capital Project H049-18; and

WHEREAS, Additional funding is needed to cover administrative costs such as newspaper advertisements, reproduction costs for bidding, and permits; and

WHEREAS, Said funding is available in the Engineering line of the Capital Project (HHH04918 54495); and

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

RESOLVED, That the budget of Capital Project No. H049-18 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Expenditures:				
HHH04918 54495	Engineering	\$401,050.00	-\$600.00	\$400,450.00
HHH04918 54820	Easements and Land	\$22,000.00		\$22,000.00
HHH04918 54865	Administrative Expenses	\$1,000.00	+\$600.00	\$1,600.00
Revenue:				
HHH04918 43089	State Aid	\$28,050.00		\$28,050.00
HHH04918 44597	Federal Aid	\$356,400.00		\$356,400.00
HHH0498 45031	Interfund Transfers	\$39,600.00		\$39,600.00

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this Resolution for a total project budget of Four Hundred Twenty-Four Thousand Fifty Dollars and Zero Cents (\$424,050.00); and further

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

**RESOLUTION NO. 69-2021**  
**CAPITAL PROJECT NO. 3-2013 (H015-13)**  
**74 ONTARIO STREET RENOVATION – PHASE II**  
**CONTRACT AMENDMENT AND EXTENSION - THE PIKE COMPANY, INC.**

WHEREAS, Resolution No. 297-2013 established Capital Project No. 3-2013, 74 Ontario Street Renovation – Phase II, now known as Capital Project No. H015-13; and

WHEREAS, Resolutions Nos. 294-2017, 614-2017, 485-2018, 50-2019, 295-2019 and 191-2020 authorized a contract and contract amendments, respectively, with The Pike Company, One Circle Street, Rochester, NY 14607 for professional construction management services related to said Project; and

WHEREAS, Due to additional work related to deficiencies, unknown conditions, and COVID related complexities, the final completion date of the project had been extended to August 23, 2020; and

WHEREAS, Substantial completion was not achieved until December 1, 2020 causing The Pike Company to extend their on-site presence and complete the project closeout functions beyond the time anticipated; and

WHEREAS, The Pike Company has submitted a proposal for additional construction management services related to the project completion extension of \$40,822.00; and

WHEREAS, There is \$544.20 available in the Consultation and Professional line and sufficient funds in other Project lines to fund the remaining amount needed to fund this contract amendment; and

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

RESOLVED, That the budget for Capital Project No. H015-13 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH01513 52100	Furniture & Furnishings	\$331,501.83	- \$19,423.7 0	\$312,078.13
HHH01513 54038	Moving Expenses	\$2,892.00		\$2,892.00
HHH01513 54101	Minor Equipment	\$149,344.17	-\$918.83	\$148,425.34
HHH01513 54260	Consultation & Professional	\$730,168.80	+\$40,277. 80	\$770,445.80
HHH01513 54332	Lease Agreements	\$3,000.00		\$3,000.00
HHH01513 54444	Financing of Debt	\$25,000.00		\$25,000.00
HHH01513 54491	General Construction	\$7,727,571.6 9		\$7,727,571.6 9
HHH01513 54493	Electrical	\$1,414,078.5 2	-\$7,151.44	\$1,406,927.0 8

HHH01513 54494	Plumbing	\$963,964.07		\$963,964.07
HHH01513 54495	Architectural & Engineering	\$1,273,969.0 0	-\$2,508.59	\$1,271,460.4 1
HHH01513 54498	Asbestos & Related Testing	\$12,900.00	-\$2,990.00	\$9,910.00
HHH01513 54521	HVAC	\$1,920,739.4 8		\$1,920,739.4 8
HHH01513 54743	Change Order Contingency	\$234,188.74		\$234,188.74
HHH01513 54865	Administrative Expenses	\$8,000.00	-\$3,188.24	\$4,811.76
HHH01513 54731	Contingency	\$14,097.00	-\$4,097.00	\$10,000.00
Revenue:				
HHH01513 44397	Homeland Security	\$135,010.00		\$135,010.00
HHH01513 45031	Interfund Transfers	\$10,076,405. 00		\$10,076,405. 00
HHH01513 45710	Serial Bonds	\$4,600,000.0 0		\$4,600,000.0 0

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract amendment with The Pike Company, Inc. for additional construction management services for a cost of \$40,822.00 for an overall total amended contract amount of \$753,490.80; and further

RESOLVED, To the extent possible, the Commissioner of Public Works shall back charge the contractors for 74 Ontario Street project for this contract extension and any other costs county staff incurred because of the failure to reach the established substantial completion date; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves said contract be extended to June 30, 2021; and further

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

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

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

**RESOLUTION NO. 70-2021  
AUTHORIZATION TO AWARD BID B21001  
FOR MAINTENANCE AND REPAIR OF CHILLERS**

WHEREAS, The Bureau of Buildings and Grounds has the need for Maintenance and Repair of Chillers; and

WHEREAS, The Purchasing Department has solicited and received bids (B21001) for the Maintenance and Repair of Chillers; and

WHEREAS, Monroe Piping and Sheet Metal, LLC was the lowest responsive, responsible bidder per the tabulation sheet on file with the Clerk of the Board; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the award of Bid B21001 for the Maintenance and Repair of Chillers to Monroe Piping and Sheet Metal, LLC, 68 Humboldt Street, Rochester, New York 14609 from January 28, 2021 to January 27, 2022.

**RESOLUTION NO. 71-2021  
RENEWAL OF QUOTE (R15089) FOR HAULING AND DISPOSAL  
OF TRASH/RECYCLABLES AT VARIOUS COUNTY BUILDINGS**

WHEREAS, Resolution No. 108-2018 awarded quote (R15089) for the hauling and disposal of trash and recyclables, per tabulation sheets on file with the Clerk of this Board; and

WHEREAS, Resolution No. 106-2019 renewed said quote for the period February 28, 2019 to February 27, 2020; and

WHEREAS, Resolution No. 41-2020 renewed said quote for the period February 28, 2020 to February 27, 2021; and

WHEREAS, Casella Waste Management of NY, Inc. has agreed to renew the current pricing for the hauling and disposal of trash and recyclables for an additional twelve (12) months at no increase; and

WHEREAS, The Public Works Committee has reviewed and accepts the bid renewal proposal; now, therefore, be it

RESOLVED, That Quote (R15089) for the hauling and disposal of trash and recyclables be renewed with Casella Waste Management of NY, Inc., 54 Doran Ave,



Geneva, New York 14456 for a period beginning February 28, 2021 and expiring on February 27, 2022.

**RESOLUTION NO. 72-2021  
AUTHORIZING CONTRACT WITH  
MCFARLAND-JOHNSON, INC.  
FOR PROFESSIONAL CONSULTANT SERVICES FOR  
INSTALLATION OF AN UNINTERRUPTIBLE POWER SUPPLY SYSTEM AND  
AMEND 2021 CAPITAL IMPROVEMENT PLAN  
TO SERVICE 70 & 74 ONTARIO STREET**

WHEREAS, Resolution No. 254-2019 provided authorization to enter into on-demand contracts with engineering firms for project assistance for Ontario County Department of Public Works starting 4/20/19 through 4/19/20, and Resolution No. 226-2020 provided a renewal of this authorization period starting 4/20/20 through 4/19/21; and

WHEREAS, McFarland-Johnson, Inc. (hereinafter “McFarland Johnson”) is named as an approved engineering firm on this On-Demand list; and

WHEREAS, In October of 2020 the County’s uninterruptable power supply (UPS) that supports the County’s 911 Center and the County’s computer server was indicated to be unreliable by its manufacturer’s service tech; and

WHEREAS, During the replacement of this unreliable UPS equipment with a rental unit power was lost to the 911 Center and the County’s computer server; and

WHEREAS, McFarland Johnson was called upon under the terms of the On-Demand engineering service contract to provide forensic engineering service relative to the aforementioned power failure and issued a full report as to its cause; and

WHEREAS, The Department of Public Works recommends the replacement of the unreliable UPS with a new, more reliable, unit and has solicited a proposal from McFarland Johnson to provide professional consultant services for the new UPS installation under the terms of the County’s On-Demand agreement; and

WHEREAS, McFarland Johnson has submitted a proposal for said professional consultant services to include but not be limited to design and installation oversight for a cost not to exceed \$15,000; and

WHEREAS, The total cost is estimated to be \$16,500 which includes a contingency of \$1,500.00; and

WHEREAS, There are adequate funds in Buildings & Grounds Capital Improvement Plan budget (AA162099 54031) to fund said contract with McFarland Johnson; and

WHEREAS, The Department of Public Works recommends amending the 2021 Capital Improvement Plan to include a project for the Uninterruptable Power Supply (UPS) Replacement at 70/74 Ontario Street; and

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

RESOLVED, That the 2021 Capital Improvement Plan be amended to include a project for the UPS Replacement at 70/74 Ontario Street; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with McFarland-Johnson, Inc. of 49 Court Street, Suite 240, Binghamton, NY 13901 for a cost not to exceed \$15,000; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with McFarland Johnson for said services and any other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the contract shall commence February 2, 2021 and shall terminate on or before August 31, 2021; and further

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

RESOLVED, That the Commissioner of Public Works is authorized to make necessary adjustments and to initiate change orders to complete the proposed work, within the limits of the contract contingency, and to report such use of the contract contingency to the Public Works Committee and the Finance Department; and further

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

**RESOLUTION NO. 73-2021  
AUTHORIZATION TO CONTRACT FOR INTERPRETIVE SIGNAGE AT  
ONTARIO COUNTY PARK**

WHEREAS, The 2021 Capital Improvement Plan includes a project for trail repair/expansion, signage and landscaping at Ontario County Park, 6475 Gannett Hill Park Drive, Naples (CIP # CP06-03) with funding of \$5,000; and

WHEREAS, A proposal was received from the The Art of Wilderness who provided similar interpretive signage at Grimes Glen Park; and

WHEREAS, The plan includes replacing and improving directional and interpretive signage at the park entrances and at the park overlook area; and

WHEREAS, On review and recommendation of the Department of Public Works, it is in the County's best interest to contract with Bob McNamara through his environmental interpretation company, The Art of Wilderness, who has provide a quote in the amount of \$9,400; and

WHEREAS, Sufficient funds exist in the Park Capital Improvement Plan budget to cover the additional funding needed; and

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

RESOLVED, Upon review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby authorizes a contract with the The Art of Wilderness, 46 Reservoir Drive, Cleveland, New York 13042 for \$9,400 with an additional contingency of \$500 to cover any additional scope items; and further

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

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with The Art of Wilderness Inc., and all other documents necessary to effectuate the purpose of this resolution; and further

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

**RESOLUTION NO. 74-2021  
ACCEPTANCE OF DONATIONS FROM A CITIZEN GROUP**

**FOR INTERPRETIVE SIGNAGE AT ONTARIO COUNTY PARK**

WHEREAS, The way-finding and interpretive signage at Ontario County Park is being improved to enhance the Park experience; and

WHEREAS, A group of interested citizens have collected donations to support this effort; and

WHEREAS, In recognition this is a multi-phase project, the group may continue in its fund raising efforts; and

WHEREAS, The County will recognize those individuals who donate by inscribing their names on a plaque placed with the new signage; and

WHEREAS, The County thanks this citizen group for their interest in supporting the County’s plan to highlight the rich cultural history of Ontario County Park; and

WHEREAS, The Public Works and Ways and Means Committees have reviewed and desire to accept this donation; now, therefore, be it

RESOLVED, That the County of Ontario be, and hereby is, authorized and empowered to accept a donation from this citizen group in the amount of \$1,740.00 and any other funds raised and donated for this purpose; and further

RESOLVED, The following budget transfer is approved:

AA711099 54031	Park – Renovations	+\$1,740.00
AA711099 42705	Gifts and Donations	+\$1,740.00

and further

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

RESOLVED, That the amount of \$1,740.00 and any other subsequent donation, be credited to account AA711099 42705, Gifts and Donations, to offset the costs of this project.

**RESOLUTION NO. 75-2021  
AUTHORIZATION TO AMEND RESOLUTION NO. 265-2020  
AGREEMENT WITH DEPARTMENT OF VETERANS AFFAIRS  
CANANDAIGUA LAKE COUNTY SEWER DISTRICT**

WHEREAS, Resolution No. 265-2020 accepted an agreement for the use of Department of Veterans Affairs (VA) Health Care Resources by Ontario County; and

WHEREAS, Said agreement was incorrect in the number of residences located on Bushwood Lane in the town of Canandaigua that can tie into the Canandaigua VA Medical Center sewage system; and

WHEREAS, The agreement was amended to list six (6) residences located on Bushwood Lane and not five (5) as originally presented; and

WHEREAS, The Public Works Committee have reviewed this resolution and recommend amending Resolution No. 265-2020 in accordance with the amended agreement; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an Amended Agreement with the Department of Veterans Affairs for sewage treatment for six (6) adjacent properties that can tie into the Canandaigua VA Medical Center sewage system; and further

RESOLVED, That the County Administrator is authorized to sign the Amended Agreement.

The foregoing block of ten resolutions was adopted.

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

**RESOLUTION NO. 76-2021  
AUTHORITY TO COUNTY TREASURER TO PAY 2020/2021 TAX  
RETURNED VILLAGE TAXES**

WHEREAS, In compliance with Ontario County Local Law No. 6 of the year 1977 “providing for collection of delinquent village taxes” and pursuant to Section 1442.4 of the Real Property Tax Law, the County shall, on or before the 1<sup>st</sup> day of April, 2021 pay the Village Treasurer the amount of returned delinquent village taxes remaining unpaid, including interest accumulated to the time of return of the tax roll by the Village Treasurer to the Village Board; now, therefore, be it

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

VILLAGE	AMOUNT
BLOOMFIELD	\$ 5,930.83
CLIFTON SPRINGS	17,324.48
MANCHESTER	11,677.49
NAPLES	17,749.65
PHELPS	26,252.76
RUSHVILLE	6,333.36
SHORTSVILLE	21,909.63
VICTOR	8,241.68
TOTAL PAYMENTS	115,419.88

and further

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

**RESOLUTION NO. 77-2021  
AUTHORITY TO COUNTY TREASURER TO PAY 2020/21 TAX  
SETTLEMENT PAYMENT TO SCHOOL DISTRICTS**

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

RESOLVED, That the County Treasurer be, and he hereby is, authorized and directed to pay on or before April 1, 2021, to the various school districts for returned unpaid school taxes for the year 2020/21 as follows:

BLOOMFIELD CENTRAL	\$ 404,380.20
HONEOYE CENTRAL	338,236.84
HONEOYE FALLS-LIMA CENTRAL	73,919.78
LIVONIA CENTRAL	0.00
LYONS CENTRAL	13,535.93
MARCUS WHITMAN CENTRAL	323,006.31
NAPLES CENTRAL	393,326.07
NEWARK CENTRAL	17,549.56
PALMYRA-MACEDON CENTRAL	42,551.63
PENN YAN CENTRAL	0.00
PHELPS-CLIFTON CENTRAL	519,229.47
PITTSFORD CENTRAL	678.31
RED JACKET CENTRAL	419,832.24
VICTOR CENTRAL	1,220,958.15
WAYLAND CENTRAL	15,702.90
TOTAL PAYMENTS	\$3,782,907.39

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

**RESOLUTION NO. 78-2021  
CREATION OF POSITION  
REGISTERED PROFESSIONAL NURSE (DBL)  
ONTARIO COUNTY OFFICE OF SHERIFF**

WHEREAS, Sheriff Kevin Henderson, has filed a New Position Duties Statement with the Director of Human Resources for a position he would like to create temporarily during the disability of a Registered Professional Nurse in the Office of Sheriff; and

WHEREAS, Said position has been classified as Registered Professional Nurse (DBL) by Personnel Officer Certification No. 4-2021; and

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

RESOLVED, That the temporary, full-time position of Registered Professional Nurse (DBL) (02068/#1) be created effective upon adoption for a period not to exceed 180 days; and further

RESOLVED, That the vacancy of this new position is authorized to be filled immediately; and further

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

**RESOLUTION NO. 79-2021**  
**ABOLISH ACCOUNT CLERK, PART-TIME POSITION IN**  
**COUNTY TREASURER**  
**AND CREATE SENIOR CLERK POSITION IN PURCHASING**

WHEREAS, Mr. Gary Baxter, County Treasurer, has requested that a vacant position of Account Clerk, Part-Time be abolished; and

WHEREAS, Ms. Debra Gierman, Purchasing Director, has requested that a position of Senior Clerk be created; and

WHEREAS, The Director of Human Resources has classified a position of Senior Clerk by Personnel Officer Classification Certification No. 63-2020; and

WHEREAS, Funding for the Senior Clerk position will be split between Purchasing and County Treasurer; and

WHEREAS, The Ways and Means Committee has reviewed and recommends the abolishment of an Account Clerk, Part-Time position in the County Treasurer's Office and creation of a Senior Clerk in the Purchasing Department; and

WHEREAS, Sufficient funds exist within the Purchasing and County Treasurer's budget for the position change; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the following;

- a. The abolishment of an Account Clerk, Part-Time position (12015/#3); and
- b. Creation of one position of Senior Clerk (01002/#3) effective upon adoption;  
and further

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

RESOLVED, That the vacancy in this position is authorized to be filled immediately.

**RESOLUTION NO. 80-2021  
CREATION OF ACCOUNT CLERK (TEMPORARY) POSITION**

WHEREAS, Mary Gates, Director of Finance, would like to create a temporary full-time position to assist in the implementation of the new financial software system, MUNIS, for 90 days; and

WHEREAS, Said position has been classified as Account Clerk (Temporary), by Personnel Officer Certification No. 5-2021; and

WHEREAS, Sufficient funding exists within the Finance Department for this temporary position; and

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

RESOLVED, That the position of Account Clerk (Temporary) (21015/#1), be created without benefits, effective immediately and shall be abolished 90 days after appointment; and be it further

RESOLVED, That the vacancy of this new position is authorized to be filled immediately; and further

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

**RESOLUTION NO. 81-2021  
CREATION OF POSITION  
HUMAN SERVICES WORKER (DBL)**

WHEREAS, Irene Coveny, has filed a New Position Duties Statement with the Director of Human Resources for a position she would like to create temporarily during the disability of a Human Services Worker in the Office for the Aging; and



WHEREAS, Said position has been classified as Human Services Worker (DBL) by Personnel Officer Certification No. 6-2021; and

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

RESOLVED, That the temporary, full-time position of Human Services Worker (DBL) (01220/#3) be created effective upon adoption for a period not to exceed 90 days; and further

RESOLVED, That the vacancy of this new position is authorized to be filled immediately; and further

RESOLVED, That sufficient funding exists within the Office for the Aging’s budget for this position.

**RESOLUTION NO. 82-2021  
TRANSFER OF FUNDS - 2021 COUNTY BUDGET  
DISTRICT ATTORNEY – CRIME PROCEEDS RESERVE**

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

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

RESOLVED, That the following transfers be made:

2021 Budget	FROM	TO	NET DIFFERENCE
District Attorney / Crime Proceeds Reserve			
Miscellaneous Expense		AAR107 54730	31,022.00

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

The foregoing block of seven resolutions was adopted.

At 8:08 pm, Supervisor Rich Russell, seconded by Supervisor Kristine Singer motioned to move into Executive Session based on Section 105 (d) discussions regarding proposed, pending or current litigation. The motion carried.

At 8:18 pm, Supervisor Rich Russell, seconded by Supervisor Kristine Singer, motioned to move out of Executive Session. The motion carried.

On motion of Supervisor Peter Ingalsbe, seconded by Supervisor Tamara Hicks, the meeting was adjourned at 8:20 p.m.