

### April 16, 2020

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:32 p.m. on ontariocountyny.webex.com with Chairman John Marren presiding.

The Pledge of Allegiance was led by Supervisor Dominick Vedora.

Upon roll call, all Members of the Board were present.

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

A Public Hearing regarding Local Law No. 1 (Intro.) 2020, a proposed local law entitled "Establishing and Collecting Impoundment Fees at The Ontario County Humane Society, Inc.". A Local Law to Amend Local Law No. 5 of 2004: 'A Local Law Establishing Impoundment Fees Ontario County Animal Care Facility'" was called to order at 6:36 pm with Chairman John Marren presiding.

As no one wished to speak, the Public Hearing was closed 6:38 pm.

Director of Public Health, Mary Beer, gave a current status update of the COVID-19 numbers and announced a new map available on the Ontario County Public Health site showing the areas where the cases are. Ms. Beer noted that the Governor extended the executive order for non-essential businesses to stay closed until May 15<sup>th</sup>. Ms. Beer then answered questions from the Supervisors.

Interim County Administrator, Brian Young gave the following update on what the County has been doing regarding COVID-19 response:

- The most recent executive order is for all people to where masks in public
- They have made a large purchase of masks and PPEs.
- Economic Development is pivoting their strategic plan to develop an economic recovery team and plan.
- A team is being put together to prepare for the economic impact and looking at some of the following:
  - Hiring freeze immediately
  - Delaying purchases that are not necessary
  - Looking at programs to determine what is mandated and non-mandated
  - Looking at contracts in detail to reduce costs
  - No overtime, unless necessary

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

- Health and Human Services Committee held on February 24, 2020.
- Health and Human Services Committee held on March 16, 2020
- Planning and Environmental Quality Committee held on February 24, 2020
- Public Works Committee held on February 24, 2020
- Public Works Committee held on March 16, 2020
- Public Safety Committee held on February 26, 2020
- Public Safety Committee held on March 18, 2020
- Governmental Operations and Insurance Committee held on February 26, 2020
- Ways and Means Committee held on February 26, 2020
- Ways and Means Committee held on March 18, 2020

- Special Joint Governmental Operations and Ways and Means Committee held on March 17, 2020
- Rewards and Recognition Committee held on February 25, 2020

Resolution No. 140-2020 entitled “Resolution Opposing an Amendment to the Proposed 2020 Budget Submitted by Governor Cuomo, known as “The Energy siting Amendment;” and Requesting the Withdrawal of said Amendment” received from Town of Farmington.

Acknowledgement of receipt of Resolution No. 105-2020, 106-2020, 107-2020, 108-2020, 109-2020, 111-2020, received from Brian M. Kolb, NYS Assemblyman.

Acknowledgement of receipt of Resolution No. 130-2020 received from Brian M. Kolb, NYS Assemblyman.

The March 30, 2020, Vol. 52, No. 6 of CountyNews received from National Association of Counties.

The Clerk presented Local Law No. 1 (Intro.) of the year 2020 entitled “Establishing and Collecting Impoundment Fees at The Ontario County Humane Society, Inc.”. A Local Law to Amend Local Law No. 5 of 2004: “A Local Law Establishing Impoundment Fees Ontario County Animal Care Facility”

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

SECTION 1: Purpose: The Board of Supervisors intends by this local law to amend Local Law No.5 of 2004, which provided the County of Ontario Establish Impoundment Fees for the Ontario County Animal Care Facility.

This Local Law shall now be entitled Establishing and Collecting Impoundment Fees At The Ontario County Humane Society, Inc.

SECTION 2: Section 1 of this local law shall read as follows:

SECTION 1: Impoundment fees and medical care expenses, pursuant to New York Agriculture and Markets Law Sec 118, for each dog redeemed from the Ontario County Humane Society, Inc., shall be:

Impoundment/Boarding Fees:

2020: \$40 per animal/ \$20 daily fee

2021: \$45 per animal/ \$20 daily fee

2022: \$50 per animal/ \$20 daily fee

Medical Care Expenses Actual Costs

SECTION 3: Section 2 of this local law shall read as follows:

SECTION 2: Future amendments to fee structures shall be achieved through Resolutions by the Ontario County Board of Supervisors.

SECTION 4: Effective Date: This local law shall take effect immediately.

Supervisor Jeffery Gallahan offered the following resolution and moved for its adoption, seconded by Supervisor Gregory Bendzlowicz:

**RESOLUTION NO. 211-2020  
ADOPTING LOCAL LAW NO. 1 (INTRO.) 2020  
AFTER PUBLIC HEARING**

WHEREAS, A public hearing having been held on April 16, 2020, during a duly scheduled meeting of this Board, for public input on a proposed local law entitled “A Local Law to Amend Local Law No. 5 of 2004: ‘A Local Law Establishing Impoundment Fees Ontario County Animal Care Facility’”; and

WHEREAS, All public objection or comment presented at the public hearing, if any, having been heard and considered; now, therefore, be it

RESOLVED, That Local Law No. 1 (Intro) of 2020, “A Local Law to Amend Local Law No. 5 of 2004: A Local Law Establishing Impoundment Fees Ontario County Animal Care Facility” is hereby adopted.

Adopted.

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

**RESOLUTION NO. 212-2020  
CONTRACT WITH CLIFTON SPRINGS HOSPITAL & CLINIC 2020-2021**

WHEREAS, Ontario County desires to contract professional services with Clifton Springs Hospital & Clinic, Clifton Springs, NY for the provision of services for Public Health Department programs; and

WHEREAS, All authorized providers will continue to provide services as follows:

Contractor	Professional Services	Time Period
Clifton Springs Hospital & Clinic 2 Coulter Road Clifton Springs, NY 14432	Rabies and Tuberculosis Related Medical Services, X-Ray and Lab Services, Provision of Prescription Drugs and Pharmacy Dispensing Services	January 1, 2020 through December 31, 2021

and

WHEREAS, Funds have been budgeted for said contacts; and

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

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Clifton Springs Hospital & Clinic for a term of January 1, 2020, through December 31, 2021; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the agreement with Clifton Springs Hospital & Clinic and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 213-2020  
CONTRACT WITH HRI (CONTRACT # 6334-01)  
FOR EMERGENCY PREPAREDNESS PROGRAM GRANT 2020-2021**

WHEREAS, The New York State of Department of Health (NYSDOH) has awarded Ontario county Public Health Department an allocation of \$58,024 through Health Research Incorporated (HRI) (HRI Contract # 6334-01; CFDA # 93.354; MUNIS # 20010) for the period of March 5, 2020 through March 15, 2021 for the purposes of upgrading local public health’s preparedness for and response to bioterrorism and other public health threats; and

WHEREAS, The grant funds designated for the Ontario County Public Health Department are necessary to fulfill the obligations set forth by the NYSDOH in the area of emergency response and preparedness; and

WHEREAS, The Public Health Director and the Health and Human Services Committee recognize and approve the need for such planning; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves the agreement with Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, NY 12204, for the period of March 5, 2020 through March 15, 2021 for which future funding has been allocated; 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 is hereby, authorized and empowered to execute the Emergency Preparedness Program Agreement with Health Research, Inc., and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the position of Registered Nurse, created by Resolution No. 439-2002 and further supported by this year's grant shall be abolished at such a time as the grand funding expires.

RESOLVED, That certified copies of this resolution be emailed by the Clerk of this Board to the Public Health Department.

**RESOLUTION NO. 214-2020  
AUTHORIZATION TO CONTACT WITH  
COMPANION CARE OF ROCHESTER (CCOR) FOR EISEP SERVICES**

WHEREAS, The County desires to enter into an agreement with Companion Care of Rochester (CCOR), having an office at 70 Carlson Road, Rochester, NY 14610, for Personal Care Level I (Housekeeper/Chore Services) and Personal Care Level II (Homemaker/Personal Care) to provide services for EISEP (Expanded In Home Services for the Elderly Program); and

WHEREAS, The purpose of the EISEP program is to assist older adults remain independent as long as possible by providing assistance with activities of daily living; and

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of EISEP clients and Companion Care of Rochester (CCOR) is one of those providers; and

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

RESOLVED, That upon review and approval of the County Attorney's Office as to form this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Companion Care of Rochester (CCOR) at the rate not to exceed \$22.00 per hour for PCA I, \$24.00 per hour for PCA II and \$70.00 per RN supervisory visit as defined in Schedule A; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2020 to March 31, 2021; and further

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

RESOLVED, That a certified copy of this resolution be sent to Companion Care of Rochester (CCOR).

**RESOLUTION NO. 215-2020**  
**AUTHORIZATION TO CONTRACT WITH MEDICAL SOLUTIONS, INC.**

WHEREAS, The County desires to enter into an agreement with Medical Solutions, Inc., having an office at 1729 Norton Street, Rochester, NY 14609 (hereinafter referred to as the "Contractor") to provide Fiscal Intermediary Services for its EISEP Consumer Directed Personal Assistance Program and the Caregiver Respite Program; and

WHEREAS, The New York State Office for the Aging (NYSOFA) has provided Area Agencies on Aging with the option to add consumer directed in-home services to their EISEP program, which is a service delivery model that allows consumers to hire and direct their own home care aides; and

WHEREAS, The Ontario County Office for the Aging has determined there is a need for this type of service delivery; and

WHEREAS, NYSOFA requires that the AAA develop a contract with a Fiscal Intermediary vendor for the provision of Consumer Directed Care; and

WHEREAS, Medical Solutions, Inc. will be reimbursed at the rate of \$19.25 per hour for Personal Attendant services and \$19.25 per hour for Personal Attendant training; and

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

RESOLVED, That upon review and approval of the County Attorney's Office as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Medical Solutions, Inc. located at 1729 Norton Street, Rochester, NY 14609 for the cost of \$19.25 per hour as defined in Schedule A; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 1, 2020 to March 31, 2021, with the aforementioned agency; and further

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

RESOLVED, That a certified copy of this resolution be sent to Medical Solutions Inc.

April 16, 2020

**RESOLUTION NO. 216-2020**  
**AUTHORIZATION TO CONTRACT WITH MOM'S MEALS**

WHEREAS, The Office for the Aging desires to enter into a contract with PurFoods, LLC dba Mom's Meals located at 3210 SE Corporate Woods, Ankeny, IA 50021 for packaged meals shipped to a client's residence; and

WHEREAS, The Office for the Aging desires to contract with Mom's Meals especially during the COVID-19 crisis in order to ensure homebound older adults continue to receive home delivered meals in the event that the Office for the Aging is unable to deliver a meal due to unforeseen circumstances or determines it to be necessary; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize an agreement between the Office for the Aging and PurFoods, LLC dba Mom's Meals located at 3210 SE Corporate Woods, Ankeny, IA 50021 for the period March 20, 2020 through April 1, 2021; and further

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

RESOLVED, That a certified copy of this resolution be sent to PurFoods, LLC dba Mom's Meals.

**RESOLUTION NO. 217-2020**  
**AUTHORIZATION TO CONTRACT WITH**  
**LEGAL ASSISTANCE OF WESTERN NEW YORK, INC - 2020-2021**

WHEREAS, The U.S. Older American's Act rules and regulations require that legal services be provided to persons 60 years of age and over; and

WHEREAS, New York State Office for the Aging requires Counties to contract with Legal Assistance agencies for this service; and

WHEREAS, The Legal Assistance of Western New York, Inc., 361 South Main Street, Geneva, New York 14456 has offered to provide such service to Ontario County; and

WHEREAS, The total cost of legal services to be paid to Legal Assistance of Western New York, Inc. will not exceed \$45,000; and

WHEREAS, The funds for this contract have been allocated in the 2020 Office for the Aging budget; and

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

RESOLVED, That upon review and approval by the County Attorney's office as to form, this Board of Supervisors does hereby authorize a contract between Legal Assistance of Western New York, Inc. located at 361 South Main Street, Geneva, New York 14456 and the Office for the Aging for the period January 1, 2020, to December 31, 2021; and further

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

RESOLVED, That a certified copy of this resolution be sent to Legal Assistance of Western New York, Inc.

**RESOLUTION NO. 218-2020  
AUTHORIZATION FOR MEMORANDUM OF UNDERSTANDING  
OFFICE FOR THE AGING  
SHERIFF DEPARTMENT - 2020**

WHEREAS, Ontario County Office for the Aging (OFA) desires to enter into a Memorandum of Understanding (MOU) with the Ontario County Office of Sheriff for services related to the provision of meal preparation at the Ontario County Jail Kitchen in 2020; and

WHEREAS, Sufficient funds exist within the OFA 2020 budget to reimburse the Office of Sheriff 100% of the staffing costs related to said meals preparation; and

WHEREAS, The Office for the Aging Director, the Ontario County Sheriff, the County Administrator, and the Health and Human Services Committee have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That this Board of Supervisors approves the MOU between the Ontario County OFA and the Office of Sheriff for said services beginning January 1, 2020 – December 31, 2020, for an amount not to exceed \$205,862 plus approved overtime; and further

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



RESOLVED, That the Director of the Office for the Aging is authorized to execute the MOU on behalf of the Office for the Aging; and further

RESOLVED, That the Sheriff is authorized to execute the MOU on behalf of the Office of Sheriff; and further

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

The foregoing block of seven resolutions was adopted.

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

**RESOLUTION NO. 219-2020  
AGREEMENT WITH  
HILLSIDE CHILDREN’S CENTER/YOUTH CARE FACILITY-2020**

WHEREAS, The County desires to continue operation of its non-secure detention facility; and

WHEREAS, An agreement has been prepared for non-secure detention services with Hillside Children’s Center to operate the non-secure detention facility; and

WHEREAS, The County has budgeted sufficient funds for the operation of the Youth Care Facility; and

WHEREAS, The Public Safety Committee has reviewed this proposal and recommends approval of said agreement; now, therefore, be it

RESOLVED, That the agreement is subject to review and approval of the County Attorney’s Office as to form, this Board of Supervisors does hereby authorize an agreement with Hillside Children’s Center, 1183 Monroe Avenue, Rochester, NY 14620 for the period January 1, 2020 through December 31, 2020, for an amount not to exceed \$818,142, with said agreement being on file in the Office of the Clerk of this Board; and further

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

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

RESOLVED, That certified copies of this resolution be sent to Hillside Children's Center, the Probation Department and the Finance Unit of the Department of Social Services.

**RESOLUTION NO. 220-2020  
CAYUGA HOME FOR CHILDREN (AKA CAYUGA CENTERS)  
FOR MULTI-SYSTEMIC THERAPY SERVICES**

WHEREAS, Effective October 1, 2018, New York State Law, Raise The Age, resulted in an increase in probation services to be provided to 16 year old youth; and

WHEREAS, Effective October 1, 2019, the Raise the Age law will add the same services for 17 year old youth; and

WHEREAS, The Cayuga Centers has successfully provided Multi-Systemic Therapy to Ontario County Department of Social Services; and

WHEREAS, The Probation Department has planned to use the Multi-Systemic Therapy to avoid additional costs in staffing and placement services of Raise The Age Youth; and

WHEREAS, New York State has approved reimbursement of Ontario County's cost for the services provided by the Cayuga Centers Functional Family Therapy; and

WHEREAS, The Public Safety Committee recommends the County enter into an agreement with Cayuga Centers; now, therefore, be it

RESOLVED, That the agreement is subject to review and approval of the County Attorney's Office as to form, this Board of Supervisors does hereby authorize an agreement with, Cayuga Centers, 49 Kearney Avenue, Auburn, NY 13021, for the period January 1, 2020 through December 31, 2020; at a cost not to exceed \$140,547.50; and further

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

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

**RESOLUTION NO. 221-2020  
CAYUGA HOME FOR CHILDREN (AKA CAYUGA CENTERS) FOR  
FUNCTIONAL FAMILY THERAPY SERVICES**

WHEREAS, Effective October 1, 2018, New York State Law, Raise The Age, resulted in an increase in probation services to be provided to 16 year old youth; and

WHEREAS, Effective October 1, 2019, the Raise the Age law will add the same services for 17-year-old youth; and

WHEREAS, The Cayuga Centers has successfully provided Functional Family Therapy to Ontario County Department of Social Services; and

WHEREAS, The Probation Department has planned to use the Functional Family Therapy to avoid additional costs in staffing and placement services of Raise The Age Youth; and

WHEREAS, New York State has approved reimbursement of Ontario County's cost for the services provided by the Cayuga Centers Functional Family Therapy; and

WHEREAS, The Public Safety Committee recommends the County enter into an agreement with Cayuga Centers; now, therefore, be it

RESOLVED, That the agreement is subject to review and approval of the County Attorney's Office as to form, this Board of Supervisors does hereby authorize an agreement with, Cayuga Centers, 49 Kearney Avenue, Auburn, NY 13021, for the period January 1, 2020, through December 31, 2020; at a cost not to exceed \$133,822.50; and further

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

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

**RESOLUTION NO. 222-2020**

**AUTHORIZATION: 2020 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, 2020 through December 31, 2020, 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  
Brian Young, Acting 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  
 Sarah Utter, Victims Assistance Coordinator  
 Jeffrey Rougeux, Probation Director  
 Diane Johnston, Director, Community Mental Health Services  
 Jennifer Carlson, Executive Director, FLACRA  
 Betsey Lee, Drug Court Coordinator  
 Anita Pierce, Community Representative  
 Emily Henderson, 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.

**RESOLUTION NO. 223-2020  
 AUTHORIZATION TO ACCEPT QUOTE FOR PURCHASE OF  
 COMMERCIAL WASHER FOR THE JAIL (Q20002)**

WHEREAS, The Purchasing Department solicited and received, per the tabulation sheet on file with the Clerk of the Board, quotes for the Purchase of a Commercial Washer for the Jail (Q20002); and

WHEREAS, Upon opening and review of the bid responses, the apparent low responsive/responsible quote is Baystate Business Ventures, LLC – dba Eastern Laundry Systems, 705 Myles Standish Boulevard, Taunton, Massachusetts, 02780; and

WHEREAS, The Purchasing Department recommends award to the low bidder; and

WHEREAS, The Public Safety Committee recommends that this quote be accepted; now, therefore, be it

RESOLVED, That Quote (Q20002) be awarded to Baystate Business Ventures, LLC – dba Eastern Laundry Systems; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Baystate Business Ventures, LLC – dba Eastern Laundry Systems.

**RESOLUTION NO. 224-2020  
 AUTHORIZATION AGREEMENT FOR COVID-19 RESPONSE  
 LEONARD'S EXPRESS, INC.**

WHEREAS, County departments are actively engaged in COVID-19 Response; and

WHEREAS, The County currently has identified an immediate need for refrigerated trailers for COVID-19; and

April 16, 2020

WHEREAS, The County has only been able to locate one vendor who has three (3) refrigerated trailers to rent to the County for the COVID-19 Response; and

WHEREAS, The Leonard's Express Inc., 6070 Collett Road, Farmington, NY 14425, has the refrigerated trailers available for rent at \$1,500/week; and

WHEREAS, The cost of this rental is an allowable expense for the emergency response due to the COVID-19 crisis and is expected to be reimbursed by FEMA; and

WHEREAS, The Emergency Management Office and Public Health Department recommends authorizing an agreement with Leonard's Express Inc.; and

WHEREAS, The Public Safety Committee has reviewed this resolution and recommends its acceptance; 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 Leonard's Express Inc., 6070 Collett Road, Farmington, NY 14425; and further

RESOLVED, That said contract shall commence on April 17, 2020 and will expire on December 18, 2020; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the rental agreement with Leonard's Express, Inc. and all other documents necessary to effectuate the purposes of this resolution; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Leonard's Express, Inc.

The foregoing block of six resolutions was adopted.

Supervisor Frederick Lightfoote offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Dominick Vedora:

**RESOLUTION NO. 225-2020  
CAPITAL PROJECT NO. H049-18  
COUNTY ROAD 46 AND SMITH ROAD  
INTERSECTION IMPROVEMENT  
AWARD OF AMENDMENT AGREEMENT FOR  
BERGMANN ASSOCIATES – DESIGN SERVICES**

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. 4-2018, County Road 46 at Smith Road Intersection Improvement, now identified as Capital Project No. H049-18; and

WHEREAS, Resolution No. 784-2018 authorized the implementation and funding in the first instance 100% of the Federal-Aid costs of the Project; and

WHEREAS, Resolution No. 784-2018 authorized the acceptance of the New York State revenue contract for Preliminary Engineering, Detailed Design, and Right-of-Way Incidentals for the Project; and

WHEREAS, Resolution No. 682-2019 authorized the acceptance of the New York State Supplemental Agreement #1 that provided Marchiselli funding for the Project; and

WHEREAS, Resolution No. 200-2019 authorized the execution of a contract with Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, for preliminary engineering and right-of-way incidental services related to the Project for a cost not to exceed \$190,000; and

WHEREAS, County and NYSDOT anticipate approval of the design report for the Project shortly, and upon design approval by County and phase authorization approval by NYSDOT, the County will proceed with the detailed design, right-of-way acquisition, and bid phase services to maintain the project schedule; and

WHEREAS, Bergmann Associates has prepared a scope of services and fee proposal for detailed design, right-of-way acquisition, and bid phase services; and

WHEREAS, The acquisition of additional right-of-way will be necessary for the Project; and

WHEREAS, A budget of \$22,000 will be established for the purchase of additional right-of-way based on an estimate prepared by Bergmann Associates; and

WHEREAS, The County engineering staff and NYSDOT have reviewed and approved the project scope and the corresponding price proposal; and

WHEREAS, The 2020 Capital Improvement Plan includes \$22,000 of funding for the right-of-way acquisition phase of the project; and

WHEREAS, Sufficient funding exists in the engineering line of Capital Project No. H049-18 for said contract (HHH04918 54495); and

WHEREAS, The Public Works and Ways & Means Committees have reviewed this resolution and recommend its approval; 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 amendment agreement with Bergmann Associates, at a cost not to exceed \$153,600 for a total amended contract price not to exceed \$343,600, said contract will expire September 30, 2021; and further

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

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

RESOLVED, That the Capital Project budget be, and hereby is, amended as follows in anticipation of a Supplemental Agreement from the New York State Department of Transportation:

Line	Description	Current Budget	Change	Revised Budget
Appropriations				
HHH04918 54495	Engineering	\$401,050.00		\$401,050.00
HHH04918 54820	Land	\$0.00	+\$22,000.00	\$22,000.00
HHH04918 54865	Administration	\$1,000.00		\$1,000.00
Revenue				
HHH04918 43089	State Aid	\$28,050.00		\$28,050.00
HHH04918 44597	Federal Aid	\$336,600.00	+\$19,800.00	\$356,400.00
HHH04918 45031	Interfund Transfer	\$37,400.00	+\$2,200.00	\$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 certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance, Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, and the NYSDOT, Regional Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, New York 14623.

**RESOLUTION NO. 226-2020**

**RENEWAL OF ON-DEMAND CONTRACTS WITH ENGINEERING FIRMS  
FOR PROJECT ASSISTANCE**

WHEREAS, By resolution No. 254-2019 this Board authorized on-demand contracts for engineering services needed for minor infrastructure and facility project studies; and

WHEREAS, The following firms agree to renew their on-demand contract for an additional twelve month period at the same pricing structure; and

WHEREAS, The contract allows other Ontario County municipalities to utilize said services at the discretion of the vendor; now, therefore be it

RESOLVED, The Board of Supervisors approves a one-year on-demand contract to be established with the following firms for the period starting 4/20/20 through 4/19/21:

General Civil Engineering Heavy Structural Analysis & Review	Erdman Anthony	145 Culver Rd. Suite 200 Rochester, NY 14620
	Stantec Consulting Services Inc.	61 Commercial St, Suite 100 Rochester, NY 14614
	McFarland Johnson	2525 St Rt 332 Box 6, Suite 101 Canandaigua, NY 14424
	SWBR	387 East Main Street Rochester, NY 14604
	LU Engineers	339 East Avenue, Suite 200 Rochester, NY 14604
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
Wastewater treatment, Sewer system evaluation, plan and design	Stantec Consulting Services Inc.	61 Commercial St, Suite 100 Rochester, NY 14614
	C&S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
Traffic Analysis and design	SRF Associates	3495 Winton Place Bldg E Suite 110 Rochester, NY 14623
	C&S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Fisher Associates	180 Charlotte Street Rochester, NY 14607



	McFarland Johnson	2525 St Rt 332 Box 6, Suite 101 Canandaigua, NY 14424
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
Right-of-Way Services	Erdman Anthony	145 Culver Rd. Suite 200 Rochester, NY 14620
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Ravi Engineering	2110 South Clinton Ave Suite #1 Rochester, NY 14618
Development Review	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
	C&S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	LU Engineers	339 East Avenue, Suite 200 Rochester, NY 14604
Environmental Services Hazard Study	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Stantec Consulting Services, Inc.	61 Commercial Street, Suite 100, Rochester, NY 14614
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
	LU Engineers	339 East Avenue, Suite 200 Rochester, NY 14604
Survey & Site Work	Erdman Anthony	145 Culver Rd. Suite 200 Rochester, NY 14620

	Ravi	2110 South Clinton Ave Suite #1 Rochester, NY 14618
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Stantec	61 Commercial St, Suite 100 Rochester, NY 14614
Building Services	McFarland Johnson	2525 St Rt 332 Box 6, Suite 101 Canandaigua, NY 14424
	Stantec	61 Commercial St, Suite 100 Rochester, NY 14614
	C&S	150 State Street, Suite 120 Rochester, NY 14614
	SWBR	387 East Main Street Rochester, NY 14604
Meteorology Consulting: Inclement Weather forecast and Training	Flour City Weather	5976 Chelsea Place Farmington, NY 14425

; and further

RESOLVED, The Commissioner of Public Works, upon notice to the Public Works Committee, is hereby authorized to establish the scope of work and fees with selected firms from this list and order the services be provided, up to a fee limit of \$8,000 for a particular project; and further

RESOLVED, Under an emergency situation or for time critical events, the Commissioner of Public Works may order such services to begin and to immediately notify the County Administrator and Chairman of the Public Works Committee that a situation has arisen where contract for these services must begin immediately; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Engineering Firms approved herein.

**RESOLUTION NO. 227-2020  
AWARD OF CONTRACT FOR  
DESIGN, BIDDING, AND CONSTRUCTION PHASE SERVICES  
FOR THE REPLACEMENT OF ROOFING MEMBRANES AT  
3019 COUNTY COMPLEX DR. AND RECORDS & ARCHIVES BUILDINGS TO**

**SWBR ARCHITECTURE, ENGINEERS, AND LANDSCAPE ARCHITECTURE**

WHEREAS, The County has identified the need to replace the roofing membranes at the 3019 County Complex Drive Building and the Records & Archives (RAIMS) building; and

WHEREAS, SWBR has previously completed an assessment of roofing systems at 3019 and RAIMS in accordance with Resolution No. 670-2016 and has demonstrated a thorough understanding of the requested services necessary for the roofing membrane replacement work at both buildings; and

WHEREAS, The Commissioner of Public Works solicited a proposal from SWBR for design, bidding, and construction phase services for the roofing membrane replacements at both buildings; and

WHEREAS, SWBR has provided a proposal for these services for a not-to-exceed fee of \$20,000; and

WHEREAS, The total cost is estimated to be \$21,000 which includes a contingency of \$1,000; and

WHEREAS, The 2020 Capital Improvement Plan includes a budget of \$265,000 for roof replacement at 3019 (B11-14) and \$54,000 for roof replacement, repair, and maintenance at RAIMS (B23-18); and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; 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 SWBR at a cost not to exceed \$20,000; and further

RESOLVED, That the contract shall commence on April 17, 2020 and will expire on November 27, 2020; 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 County Administrator be, and hereby is, authorized and empowered to execute the Agreement with SWBR and all other documents necessary to effectuate the purposes of this resolution; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to SWBR, 387 East Main Street, Rochester, NY 14604.

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 228-2020  
TRANSFER OF FUNDS – 2020 COUNTY BUDGET – GPS EQUIPMENT**

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:

2020 Budget	FROM	TO	NET DIFFERENCE
Public Works - Highway			
Technical Equipment	DD5020 52800		9,600.00
Appropriated Equipment Reserve		DD30511 BR501	9,600.00

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.

**RESOLUTION NO. 229-2020  
DECLARING THE WEEK OF MAY 3-9, 2020 AS  
“PUBLIC SERVICE RECOGNITION WEEK”**

WHEREAS, The citizens of the United States are served every day by public servants at the federal, state, county, town and city levels, and these public servants supply continuity to our democratic society; and

WHEREAS, Public employees make great contributions to their communities by serving in areas such as health, education, community development, human services, crime prevention, fire protection, and environmental protection; and

WHEREAS, The public employees of Ontario County are committed to exhibiting Ontario County's Core Values and Behaviors to achieve its Vision of creating a vibrant community where every citizen has the opportunity to be healthy, safe and successful; and

WHEREAS, The effectiveness and efficiency of Ontario County's government depend, in large measure, on public employees whose Mission is to provide strategic and responsive public services that are fiscally responsible and sensitive to the diverse and changing needs of our community; and

WHEREAS, The Ontario County Board of Supervisors recognizes the dedication and talents of public employees, as well as the importance of the services they render at all levels of government; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby declare May 3 – 9, 2020 as "Public Service Recognition Week" in Ontario County.

**RESOLUTION NO. 230-2020  
POSTPONING THE REAL PROPERTY TAX AUCTION**

WHEREAS, The County, as the result of enforcement of 2018 taxes, will acquire parcels which will need to be auctioned (the "2020 Auction Properties"); and

WHEREAS, Pursuant to Resolution No. 878 of 2019, this Board set the date to auction the 2020 Auction Properties for May 20, 2020, at 7:00 PM with a public information session May 13, 2020, at 7:00 PM ("2020 Auction"); and

WHEREAS, Due to COVID-19 and corresponding limited availability of County Office Buildings and the Courts, this Board desires to postpone the 2020 auction; and

WHEREAS, The Ways and Means Committee recommends approval of this Resolution, now, therefore, be it

RESOLVED, That the 2020 Auction shall be postponed to a future date to be determined; and further

RESOLVED, That this Board shall not set a new auction date until the courts have been re-opened for at least thirty days; and further

RESOLVED, That the Clerk of the Board send a certified copy of this resolution the County Treasurer.

The foregoing block of three resolutions was adopted.

Supervisor Baker commented regarding Resolution No. 229-2020; that while this annual resolution is always important, the important services and work that we provide is never more evident than during our current times and our employees deserve this recognition.

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

**RESOLUTION NO. 231-2020**  
**ONTARIO COUNTY**  
**COVID-19 REDUCTION IN WORKFORCE PLAN EXTENDED**

WHEREAS, As of March 14, 2020, a State of Emergency was declared in Ontario County in response to the COVID-19 pandemic; and

WHEREAS, On March 16, 2020 the New York State Governor issued Executive Orders directing all local governments to reduce their workforce through April 15, 2020 to help slow the spread of this virus; and

WHEREAS, The New York State Governor has issued an Executive Order (202.14) extending previous directives, including reductions in workforce, through April 29, 2020, subject to further review; and

WHEREAS, The Ontario County Board of Supervisors adopted Resolution No. 207-2020 to implement the directives of the Governor's Executive Orders and to provide additional compensation in the form of earned leave days to employees who continued to work through the crisis; and

WHEREAS, The Ontario County Board of Supervisors intends to continue the reduction in workforce under the same parameters set forth in Resolution No. 207-2020 through the next Board of Supervisors meeting scheduled for May 7, 2020 unless otherwise amended or modified; and

WHEREAS, The Ways and Means Committee has reviewed the proposal for the continued reduction in workforce to allow non-essential personnel, as determined by each Department Head and subject to their review and change, the ability to work remotely if they have equipment, security, and connectivity, or take leave without charging leave accruals; and

WHEREAS, The Committee also recommends that those employees who continue to work either remotely or at the County worksites will accrue an annual leave day for every five days (every 37.5 or 40 hours) worked; now, therefore, be it

RESOLVED, That Resolution No. 207-2020 shall be extended through, May 7, 2020 subject to review and modification consistent with any Executive Order of the New York State Governor related to the COVID-19 event; and be it further

RESOLVED, That each Ontario County Department Head continues to have the discretion to determine who is an essential and a non-essential employee. Non-essential employees are considered to be those that do not need to be physically present at the County work site to perform their jobs or are not currently necessary to meet core functions at this time. A determination is subject to change depending on the needs of each department; and further

RESOLVED, That any employee who continues to work during this crisis, whether they work from a remote location or at County work site shall continue to be entitled to receive an additional annual leave day for every five days (every 37.5 or 40 hours) worked to be kept in a separate bank that shall not be extinguished except through use by the employee; and further

RESOLVED, That to the extent permitted by law, an employee deemed essential to work by a Department Head and who refuses to work shall not be subject to the provisions of this Plan, and shall take such time as unpaid unless use of annual leave or other paid leave is approved in accordance with the applicable Collective Bargaining Agreement; and further

RESOLVED, That this extension to the Ontario County COVID-19 Reduction in Workforce Plan, effective March 16, 2020, shall continue through May 7, 2020 subject to review, extension, and modification by the Board of Supervisors as needed to address this emergency.

Adopted.

On motion of Supervisor Jeffery Gallahan, seconded by Supervisor Robert Green, the meeting was adjourned at 7:13 PM.