

**May 7, 2020**

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:30 p.m. on ontariocountyny.webex.com with Chairman John Marren presiding.

The Pledge of Allegiance was led by Supervisor Jeffery Gallahan.

Upon roll call, all Members of the Board were present except for Supervisors Norman Teed and Andrew Wickham who were declared necessarily absent.

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

Director of Public Health, Mary Beer, gave a current status update of the COVID-19 numbers noting all good news because they have been able to keep the numbers very low. She noted there were two more deaths that was clinically diagnosed COVID-19 and not by testing. They are meeting all the criteria with the exception of contact tracing, which they will have in place soon. Construction and manufacturing are set to be the first of the four-phase reopening. The state has asked the nursing homes to test all residents in the nursing homes, then all staff after that. Ms. Beer shared about a screening app that helps keep tabs on the Greater Rochester area for COVID-19. It is called roccovid.org. Ms. Beer then answered questions from the Supervisors.

Interim County Administrator Brian Young gave an update and gave an explanation of three resolutions regarding voluntary layoffs that would be voted on tonight. He also noted another resolution that is only precautionary, in the event they would need to move to permanent layoffs. Mr. Young reported to expect over \$24MM in revenue loss. The department heads are working on trimming there overhead and they are working to defer dollars from Capital Projects. Additional data is needed to determine the trend. The tax cap for 2020 is estimated at 1.6% but may be lower noting this is preliminary and will be updated as more information becomes available. Mr. Young stated the County is working on their own return to work protocol.

Chairman John Marren noted that Director Mary Gates was a participant in a NYSAC Budget Panel Presentation; he noted that the Director of NYSAC, Steve Acquario used words like marvelous describing Ms. Gates. He thanked Ontario County for sharing her. As a result, a CPA firm out of Buffalo has reached out to ask if Ms. Gates could assist them with budgeting ideas for other counties. Chairman Marren reported all community colleges will see a reduction from 30-50 %. Chairman Marren also noted Stimulus No. 4 is being developed; noting it needs to be a bipartisan event. He said the Association of Governors, Counties, and Mayors are involved.

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

- Health and Human Services Committee held on April 6, 2020.
- Planning and Environmental Quality Committee held on March 16, 2020
- Public Works Committee held on April 6, 2020
- Public Safety Committee held on April 8, 2020
- Governmental Operations and Insurance Committee held on March 18, 2020
- Special Governmental Operations and Insurance and Ways and Means Committee held on March 26, 2020
- Ways and Means Committee held on April 8, 2020

Acknowledgement of receipt of the local state of emergency proclamation or order submitted to the Department of State received from Division of Corporations, State Records and Uniform Commercial Code

A letter regarding Pinnacle North Project, Canandaigua Lakefront LLC and Ontario County Industrial Development Agency received from Hodgson Russ LLP Attorneys on behalf of Steep Rock Capital, LLC.

Resolution No. 51 entitled “Schoharie County Opposition to and Request for withdrawal of the Proposed Climate Leadership and Community Protection Act [CLCPA] from the State Executive Budget Amendment” received from County of Schoharie.

Notification of Grant Award for the Title III-B, Title III-C-1, Title III-C-2 and Title III-E programs of the Older Americans Act received from Karen Jackuback, NYS Office for the Aging.

The Clerk presented Local Law No. 2 (Intro.) of the year 2020 entitled “Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2021”

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

SECTION 1: Overriding Tax Levy Limit for 2021.

For fiscal year 2021, the County of Ontario shall override the real property tax levy limit established by Chapter 97 of the Laws of 2011 of the State of New York and may adopt a budget requiring a tax levy that is greater than such tax levy limit.

SECTION 2: This Local Law shall become effective immediately.

The Clerk presented Local Law No. 3 (Intro.) of the year 2020 entitled “Establishing Ontario County Mutual Self Insurance Plan”

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

Original Local Law One of 1956, Amended Three of 1982, Two of 1992 (enabling the retroactive participation of a consolidated village in the Ontario County Mutual Self Insurance Plan.), Five of 1997, Four of 1999, Three of 2011 (amended apportionment of costs), Six of 2011 (amended apportionment of costs), Five of 2015 (amended participation in the plan)

Local Law Establishing a Workers’ Compensation Reserve Fund Original Local Law One of 1979 Amended Three of 1985.

Local Law Establishing Prevention Policy for Ontario County Mutual Self-Insurance Plan, Original Local Law Three of 1992.

### Section 1: Establishment

The plan of self-insurance provided for in Article 5 of the Workers' Compensation Law known as the "Ontario County Mutual Self Insurance Plan", as established by Local Law No. 1 of 1956 as subsequently amended, shall continue.

### Section 2: Legislative Intent

A Local Law repealing Local Law No. 1 of 1979 as amended by Local Law No. 3 of 1985, and repealing Local Law No. 3 of 1992, and amending Local Law No. 1 of 1956 as subsequently amended by Local Law No. 3 of 1982, Local Law No. 2 of 1992, Local Law No. 5 of 1997, Local Law No. 4 of 1999, Local Law No. 3 of 2011, Local Law No. 6 of 2011, and Local Law No. 5 of 2015, continuing a plan of self-insurance as provided for in Article 5 of the New York State Workers' Compensation Law, and establishing the rules for the administration and

### Section 3: Governance

(a) The Ontario County Mutual Self Insurance Plan shall be under the supervision of the Governmental Operations and Insurance Committee, or similar committee of the Ontario County Board of Supervisors (hereafter referred to as "the Committee"), which shall be a standing committee of the Board to be appointed by the Chairman of the Board in the same way as other standing committees of the Board.

(b) The Ontario County Director of Human Resources shall be the Plan Manager and may transact the ordinary and regular business of the Plan, including but not limited to contracting for professional, actuarial, medical, legal, and management consultant services, as necessary and within budget appropriations, including the use of a third-party administrator, settling claims as limited herein, and defending controverted claims as appropriate. The Plan Manager shall also have the authority to promulgate additional regulations and procedures to ensure the fair and equitable administration of the Plan. Any changes in Plan procedures relative to the duties and responsibilities of the Plan Participants shall be on written notice to the Plan participants.

(c) The Plan Manager, with the unanimous consent of the County Administrator and the Chairman of the Governmental Operations and Insurance Committee, is authorized and granted the power and authority to settle claims on behalf of the Plan pursuant to waiver agreements entered under the authority of Section 32 of New York State Workers' Compensation Law where the total settlement amount does not exceed fifty thousand dollars (\$50,000.00). The Plan Manager will provide a summary of any such settlements to the Committee immediately after approval. The Committee is hereby authorized and granted the power and authority to settle claims on behalf of the Plan pursuant to waiver agreements entered under the authority of Section 32 of New York State Workers' Compensation Law where the total settlement amount exceeds fifty thousand dollars (\$50,000.00).

(d) The Plan Manager shall submit to the Committee, no later than July 1st of each year, a proposed operational budget setting forth in sufficient detail the anticipated expenses and revenues of the Plan for the ensuing year to 1) meet the payments with respect to the liability of the Participants required to be paid by the County pursuant to section sixty-three of Workers' Compensation Law, 2) pay the administrative and operating expenses of the Plan, 3) repay any amounts advanced to the Plan, and 4) provide for contributions to the Reserve Fund. A resolution of the Board of Supervisors, which shall set forth each

Participant's apportionment of costs, shall be enacted every year before August 15th and each Participant shall receive notification by September 1st of said resolution.

Section 4: Participant Eligibility, Entry, and Withdrawal Eligibility. In addition to Ontario County and its Soil and Water Conservation District, the cities, villages, and towns, Finger Lakes Community College, and fire districts located within the geographical boundaries of Ontario County, and the whole of the Village of Rushville, shall be eligible to participate and apply to participate in the Plan. All other public corporations and agencies shall be excluded.

(a) Plan Entry. Any entity eligible to participate in the plan as stated above and electing to become a Participant shall file with the Plan Manager a five-year history of workers' compensation claims, a list of current employees with job titles and earned wages, and a certified copy of a resolution or ordinance of its governing body electing to become a Participant. Such resolution shall be filed with the Plan Manager on or before the 1st of May in any year with membership to be effective on the first day of January following such election. Membership of a Participant in the Plan shall be effective upon approval of the Plan Manager. The Plan Manager may impose fair and equitable terms and conditions to be fulfilled by such new Participant as a condition precedent to acceptance as a Participant in the Plan.

1) After admittance into and upon receiving coverage from the Plan, an entity shall be considered a Participant of the Plan for every year thereafter for purposes of application and enforcement of this Local Law, until such time as the entity withdraws from the Plan pursuant to section 4(c) or 4(d) below or the entity is expelled from the Plan by the Committee.

2) Upon admittance into the Plan, or upon the request of the Plan Manager, each Participant shall return to the Plan Manager an acknowledgement of receipt of a copy of this Local Law, any amendments thereto or any procedures or regulations related to the Plan and agree to be bound by its terms and conditions. Failure to return an acknowledgment, executed by an officer with authority to bind the Participant, will result in removal from the Plan in accordance with Section 6.

(b) Withdrawal from the Plan. A Participant in the plan may withdraw from the plan only as of the beginning of the next ensuing calendar year by filing with the Plan Manager on or before the 1st day of May of any year a certified copy of the resolution or ordinance of its governing body electing to withdraw from the plan. Such withdrawal shall be upon the condition that the Participant agrees to pay its equitable share of the outstanding liabilities of said plan, as determined by an actuary selected by the Committee. The cost and fees of the actuary shall be borne by the Participant seeking to withdraw from the plan. Said payment must be made in full by the exiting Participant within ninety (90) days after the date of withdrawal from the Plan, or the Plan Manager may, upon approval of the Committee, permit said payment to be made in installments. The Plan shall not refund any reserve funds to a withdrawing Participant. Any outstanding amount apportioned to withdrawing entity that is not remitted by the specified due date plus one percent per month on the amount billed to the date of payment may be collected by inclusion in the next scheduled tax levy for the year after it was due against property taxable by the Participant responsible therefore. When collected, such amount shall be paid over to Ontario County and credited to the Ontario County Mutual Self Insurance Plan.

(c) Dissolution of a Participant. In the event of the dissolution of a Participant, the Plan shall be entitled to collect from the dissolving Participant, its equitable share of outstanding liabilities as calculated by an actuary selected by the Committee. If no payment is received as of the dissolution date, the Plan shall collect said payment from the entity or entities absorbing the assets and liabilities of the dissolved entity. The Plan shall not refund any reserve funds to a dissolving Participant.

(d) Consolidation of Villages. Notwithstanding the above, if two or more adjoining villages participating in the Ontario County Mutual Self-Insurance Plan consolidate as provided for in Article 18 of the Village Law, the newly consolidated village may elect to become a Participant in the plan by filing a certified copy of a resolution or ordinance of its governing body electing to become a Participant, with the Plan Manager. Upon filing such a resolution or ordinance, participation by the consolidated village shall be retroactively effective as of the date of consolidation, the consolidating villages shall be withdrawn from the plan as of the date of consolidation, and the consolidated village shall be liable for all the debts and obligations incurred by the consolidating villages under the plan.

#### Section 5: Cooperation of Participants

(a) All Participants in the Plan shall cooperate fully with the Committee and Plan Manager in the administration of the Plan, and shall comply with all local, state, and federal laws.

(b) Participant shall render reports as may be requested and shall promptly furnish all pertinent information relating to any claims, and aid in the investigation or contravention of any claim. Participants must report all employee accidents or injuries within 48 hours of the injury on forms and in the manner requested by the Plan Manager.

(c) Annually, Participant shall provide the gross wages for each of its employees, with overtime identified separately, along with the each employee's current job title within 30 days of the close of each calendar year.

#### Section 6: Penalties

(a) Any injuries or accidents that are reported after 48 hours and which result in a fine from the Workers' Compensation Board will be the responsibility of the late reporting Participant and will be added as an additional charge to the next year's apportionment of costs.

(b) If any Participant fails to promptly pay their apportionment of costs as set forth in section 7, violates the provisions of the foregoing Section 5 or the requirements of the Workers' Compensation Law, otherwise fails to comply with this local law, or fails to cooperate or hinders the administration of the Plan, the Plan Manager may charge the Participant a lump sum penalty not to exceed the sum of one thousand dollars (\$1,000.00). Alternatively, the Committee may expel such Participant from the Plan and assess the expelled Participant for its equitable share of outstanding liabilities as calculated by an actuary selected by the Committee. The cost and fees of the actuary shall be borne by the Participant being expelled from the plan. Said payment must be made in full by the exiting Participant within ninety (90) days after the date of expulsion from the Plan or the Plan Manager may, upon approval of the Committee, permit said payment to be made in installments. The Plan shall not refund any reserve funds to an expelled Participant. Any amount apportioned to the exiting Participant that is not remitted by the specified due date plus one percent per month on the amount billed to the date of

payment may be collected by inclusion in the next scheduled tax levy for the year after it was due against property taxable by the exiting Participant responsible therefore. When collected, such amount shall be paid over to Ontario County and credited to the Ontario County Mutual Self Insurance Plan.

(c) In the event that any Participant incurs any penalty for the illegal hiring of minors pursuant to section 14-a of Workers' Compensation Law, said penalty, including double penalties, shall be the sole responsibility of the hiring Participant and will be added as an additional charge to the next year's apportionment of costs.

#### Section 7: Apportionment of Plan Costs.

(a) Each Participant in the Plan shall be liable for their equitable share of costs of the Plan as follows:

1) After adoption of the operational budget necessary for the ensuing calendar year, pursuant to Workers' Compensation Law Section 71, the share of the amounts chargeable to each Participant shall be made in accordance with the rules and procedures, classifications and loss costs adopted by the New York Compensation Insurance Rating Board ("NYCIRB") to govern the underwriting of Workers Compensation and Employers Liability Insurance, Voluntary Compensation Insurance and Employers Liability Insurance in the State of New York. As set forth above in section 3(b), the Plan Manager, after notice to the Committee, may deviate from the NYCIRB rules, procedures, classifications, and/or loss costs to effectuate a more fair and equitable administration and distribution among Participants of the operational cost of the plan. For purposes of this section, claims incurred pursuant to the Volunteer Firefighters Benefit Law and the Volunteer Ambulance Workers Benefit Law are excluded from the calculation.

2) Liability (loss reserves) shall be calculated as of December 31 of each year, and the loss reserves shall be established pursuant to the Workers' Compensation Board Medical Guidelines and Special Bulletin 222 Series, and any amendments thereto.

3) The loss costs in effect on December 31 of the year in which the payroll amounts were paid shall be used in this calculation. Any overtime payments will be calculated at straight time rate for inclusion in these payroll figures.

4) In the case of a consolidated village electing to participate in the plan as provided for in Section 4(e) hereunder, the experience rating factor shall be based on the combined liability (loss reserves) incurred on behalf of both/all of the consolidating villages over the five calendar years immediately preceding the year in which the apportionment is prepared. The exposure rating factor for the ensuing calendar year is the ratio, expressed as a percentage, of the total payroll dollar amount paid to the employees of the consolidating villages or the consolidated village or a combination thereof, multiplied by job classification percentages as set by the New York State Workers' Compensation Board, to the total payroll dollar amount paid to employees of all participants, multiplied by job classification percentages as set by the New York State Workers' Compensation Board, during the twelve months immediately preceding the year in which the apportionment is prepared.

(b) Year-to-year Maximum Increase of Apportionments. The total amount apportioned to a Participant shall not increase by more than 100% from the immediately preceding year. If the total amount apportioned to a Participant in any year exceeds the maximum increase, the excess amount shall not be charged to the Participant, but shall be

apportioned to all other Participants who did not exceed the maximum increase by utilizing a percent of each Participants calculated apportionment as a percent of the total apportioned amount of all Participants, less the apportionment for any Participant that meets the maximum increase.

(c) Each Participant's apportionment of Plan costs shall be collected by billing from Ontario County and shall be due within thirty days after the beginning of their respective fiscal years. Any amount apportioned to participating entities that is not remitted by the specified due date may be collected by inclusion in the next scheduled tax levy for the year after it was due against property taxable by the Participant responsible, therefore. When collected, such amount shall be paid over to Ontario County and credited to the Ontario County Mutual Self Insurance Plan. For the failure of a Participant to pay its share of an annual estimate within thirty (30) days after the commencement of its fiscal year, there shall be assessed a penalty equal to but not exceeding one percent per month on the amount billed to the date of payment.

#### Section 8: Establishing a Workers' Compensation Reserve Fund

(a) A Workers' Compensation Reserve Fund not to exceed the present value of the Plan's outstanding liabilities, plus two-hundred fifty thousand (\$250,000.00) dollars, as calculated by an actuary selected by the Board of Supervisors is hereby established for the Plan. Such amount may be accumulated by (a) inclusion in each annual estimate of a sum to be established by the Committee, or by (b) the transfer to said reserve of any unexpended balance in current funds, or by (c) the addition to said reserve of any income earned from the investments of the funds in such reserve, or by (d) such combination of said methods as the Committee may deem proper. When the amount of the Reserve Fund is at the maximum, any amount expended therefrom shall be restored by one or more of the aforesaid methods, as the Committee may designate.

(b) The Workers' Compensation Reserve Fund shall be under the direction, control and management of the Board of Supervisors, which shall have broad discretion in all matters involving said fund including but not limited to expending monies in said reserve to pay any liability of the Plan, and with the right to invade the principal balance and accrued interest of said fund for Workers' Compensation Volunteer Firemen's Benefits, and/or Volunteer Ambulance Workers' Benefits purposes, when in their judgment the interest of the citizens of Ontario County will be best served, and to employ all or any part of said fund in the annual appropriation for the Self-Insurance Plan and excepting that the Director of Finance shall have the limited delegated duty of investing fund monies in accordance with General Municipal Law section 11 and the Ontario County Investment Policy, as such may be amended from time to time.

#### Section 9: Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

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

**RESOLUTION NO. 232-2020  
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON  
LOCAL LAW NO. 3 (INTRO.) 2020**

WHEREAS, There has been introduced at a meeting of this Board held on May 7, 2020, an amended local law entitled, “the "Ontario County Mutual Self Insurance Plan””; now, therefore, be it

RESOLVED, That a public hearing shall be held on May 28, 2020, at 6:30 p.m. at <https://ontariocountyny.webex.com> with access code 718 078 254 and password 2020 or by phone at 1-408-418-9388; and be it further

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

Adopted.

Supervisor Gallahan explained that this local law is in regard to a formula change to make the Workers Comp Plan comparable to the market-based comparison. He explained this would allow the cost to be fair and equitable to all participants.

Supervisor Daniel Marshall offered the following five resolutions as a block and moved for its adoption, seconded by Supervisor Frederick Willie:

**RESOLUTION NO. 233-2020  
AUTHORIZATION FOR SERVICES  
U OF R STRONG CENTER FOR DEVELOPMENTAL DISABILITIES  
AND ONTARIO COUNTY CHILDREN WITH SPECIAL NEEDS PROGRAM  
2020-2021**

WHEREAS, The following provider is authorized for payment of services for the time period of January 1, 2020 through December 31, 2021:

Contractor	Professional Services	Rate
U of R Strong Center for Developmental Disabilities 601 Elmwood Avenue, Box 671 Rochester, NY 14642	Children with Special Needs Program - Preschool 4046 Services –Related Services	Per State Rate Schedule “A”

and

WHEREAS, Funds have been appropriated in the budget to pay the provider; and

WHEREAS, The Director of Public Health and the Health and Human Services Committee recommend this new 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 the contract with U of R Strong Center for Developmental Disability for a term of January 1, 2020, through December 31, 2021 and at a rate not to exceed the specified rate in the “Schedule A” on file with the Clerk to the Board; and further

RESOLVED, That the County Administrator be, and is hereby, authorized and empowered to execute this Agreement with U of R Strong Center for Developmental Disability and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 234-2020  
AUTHORIZATION FOR SERVICES – JUDITH HOKE AND  
ONTARIO COUNTY CHILDREN WITH SPECIAL NEEDS PROGRAM**

WHEREAS, The following provider is authorized for payment of services for the time period of May 1, 2020 through December 31, 2021:

Contractor	Professional Services	Rate
Judith Hoke 47 Plains Road Honeoye Falls, NY 14472	Children With Special Needs Program – Occupational Therapy for 4410 Preschool	Per State Rate “Schedule A”

and

WHEREAS, Funds have been appropriated in the budget to pay the provider; and

WHEREAS, The Director of Public Health and the Health & Human Services Committee recommend this new 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 the contract with Judith Hoke for a term of May 1, 2020, through December 31, 2021 and at a rate not to exceed the specified rate in the “Schedule A” on file with the Clerk to the Board; and further

RESOLVED, That the County Administrator be, and is hereby, authorized and empowered to execute the Agreement with Judith Hoke, 47 Plains Road, Honeoye Falls, NY 14472 and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 235-2020  
SLIDING FEE SCHEDULES FOR 2020  
DEPARTMENT OF PUBLIC HEALTH**

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

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

WHEREAS, The fee cannot exceed the maximum amount established by the NYSDOH; and

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

RESOLVED, That the sliding fee schedules on file with the Department be utilized for the determination of appropriate charges to clients for services such as the administration of immunizations and lead testing effective May 8, 2020 and until such time as federal poverty guideline information is updated.

**RESOLUTION NO. 236-2020  
AUTHORIZATION FOR SERVICES  
PLANNED PARENTHOOD OF CENTRAL AND WESTERN NEW YORK  
2020-2021**

WHEREAS, Ontario County Public Health must provide clinical and laboratory services to Ontario County residents directly or through contract for the diagnosis and treatment of persons with sexually transmitted disease (STD) consistent with PHL 2304 and 10 NYCRR 23.1 and 23.2; and

WHEREAS, Ontario County Public Health does not provide these services directly; and

WHEREAS, The following provider is authorized for payment of services for the time period of January 1, 2020 through December 31, 2021:

Contractor	Professional Services	Rate
Planned Parenthood of Central and Western New York 114 University Avenue Rochester, NY 14605	STD Diagnosis and treatment	Per State Rate Schedule "A"

and

WHEREAS, Funds have been appropriated in the budget to pay the provider; and

WHEREAS, The Director of Public Health and the Health and Human Services Committee recommend this new 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 the contract with Planned Parenthood of Central and Western New York for a term of January 1, 2020, through December 31, 2021 and at a rate not to exceed the specified rate in the “Schedule A” on file with the Clerk to the Board; and further

RESOLVED, That the County Administrator be, and is hereby, authorized and empowered to execute this Agreement with Planned Parenthood of Central and Western New York and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 237-2020  
APPOINTMENT TO THE ONTARIO COUNTY  
COMMUNITY SERVICES BOARD  
AARON J. MORRELL**

WHEREAS, There are vacancies on the Community Services Board due to expired terms of prior incumbents; and

WHEREAS, Mr. Aaron J Morrell, who resides in Ontario County, has expressed interest in serving on the Board and his willingness to serve, if appointed; and

WHEREAS, The Community Services Board, The Health and Human Services Committee and the County Administrator have reviewed the candidate’s qualifications and recommend his appointment; now, therefore, be it

RESOLVED, That Mr. Aaron J Morrell, is appointed to the Community Services Board; to serve in a four-year term to expire December 31, 2023; and further,

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

The foregoing block of five resolutions was adopted, with Supervisor Theodore Bateman voting “no” on Res. No. 236.2020.

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

**RESOLUTION NO. 238-2020  
RENEWAL CONTRACT TENELEVEN GROUP, INC. FOR  
ELECTRONIC CASE RECORD (eCR) - 2020**

WHEREAS, There is a need for continued utilization of an Integrated Software and Maintenance program, in a hosted installation, to support the daily Mental Health Department operations; and

WHEREAS, TenEleven Group, Inc. has been providing an Electronic Case Record (eCR) that integrates scheduling, clinical documentation, electronic prescribing, billing and reporting to the Department of Mental Health; and

WHEREAS, TenEleven Group, Inc., will continue to provide implementation of software components required for billing, electronic prescribing and clinical documentation that streamline workflow, optimize revenue and increase regulatory compliance for 2020; and

WHEREAS, The Community Services Board and the Health and Human Services Committee recommend this service agreement, renewable annually, for software maintenance and support for the period January 1, 2020, to December 31, 2020; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves the agreement with TenEleven Group, Inc. at a cost of \$70,138; and further

RESOLVED, That the County Administrator is hereby authorized to execute the agreement and any other documents necessary to effectuate the purpose of this resolution on behalf of the Board of Supervisors; and further

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

RESOLVED, That a certified copy of this resolution be forwarded by the Clerk of this Board to TenEleven Group, Inc. 6047 Transit Road, Suite 103, East Amherst, NY 14051.

**RESOLUTION NO. 239-2020  
AUTHORIZATION TO AMEND CONTRACT WITH  
TENELEVEN GROUP, LLC.  
TO ADD ELECTRONIC PRESCRIBING LICENSES**

WHEREAS, The Ontario County Board of Supervisors approved resolution 730-2018 for authorization to renew a contract with TenEleven Group, LLC. for providing an Electronic Case Record (eCR) that integrates scheduling, clinical documentation, electronic prescribing, billing and reporting to the Department of Mental Health; and

WHEREAS, Staffing changes have occurred within the Mental Health Clinic; and

WHEREAS, The previously purchased licenses to utilize the E-Scribe Module for the staff who have since left the clinic are non-transferable; and

WHEREAS, It is necessary to purchase additional licenses for E-Scribe Module at a total cost not to exceed \$4,500; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves the amendment to the agreement awarding TenEleven an additional amount of \$4,500 making the total not to exceed amount of the agreement \$74,638; and further

RESOLVED, That the County Administrator is hereby authorized to execute the agreement and execute any other documents necessary to effectuate the purpose of this resolution on behalf of the Board of Supervisors; and further

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

RESOLVED, That a certified copy of this resolution be forwarded by the Clerk of this Board to the Mental Health Department and TenEleven Group, LLC. 6047 Transit Road, East Amherst, NY 14051.

The foregoing block of two resolutions was adopted.

Supervisor Daniel Marshall offered the following five resolutions as a block and moved for its adoption, seconded by Supervisor Richard Russell:

**RESOLUTION NO. 240-2020  
AUTHORIZATION FOR RENEWAL OF  
PROFESSIONAL CONSULTANT CONTRACT  
MENTAL HEALTH ASSOCIATION OF ROCHESTER/  
MONROE COUNTY, INC. - MENTAL HEALTH – 2020**

WHEREAS, Ontario County Mental Health desires to renew a consultant service contract with Mental Health Association of Rochester/Monroe County, Inc. for services aimed at supporting recovering adults with serious mental illnesses by focusing on the concepts of self-help and empowerment; and

WHEREAS, Sufficient funds exist within the 2020 budget for this contract, which will encompass the period of January 1, 2020, through December 31, 2020; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Mental Health Association of the Rochester/Monroe County, Inc. at a cost of \$29,722; and further

RESOLVED, That the County Administrator is hereby authorized to execute the agreement and any other documents necessary to effectuate the purpose of this resolution on behalf of the Board of Supervisors; and further

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

RESOLVED, That a certified copy of this resolution be sent by the clerk of the Board to Mental Health Association of Rochester/Monroe County, Inc.

**RESOLUTION NO. 241-2020  
AUTHORIZATION FOR RENEWAL OF  
PROFESSIONAL CONSULTANT CONTRACT  
UNITY OF CAYUGA COUNTY, INC., UNITY EMPLOYMENT SERVICES  
MENTAL HEALTH – 2020**

WHEREAS, Ontario County Mental Health has been notified by the NYS Office of Mental Health of pass through funding to Unity House of Cayuga County, Inc., Unity Employment Services for Supported Employment – Extended Care Services; and

WHEREAS, The State Aid Letter for Ontario County currently reflects \$103,756 of State Aid for the provision of Supported Employment – Extended Care, which does not require a County contribution; and

WHEREAS, Sufficient funds exist within the 2020 budget for this contract, which will encompass the period of January 1, 2020, through December 31, 2020; and

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

RESOLVED, That upon review and approval by the County Attorney, the Board of Supervisors hereby approves an agreement with Unity of Cayuga County, Inc., Unity Employment Services for the amount designated by NYS OMH State Aid Letter, which is currently \$103,756; and further

RESOLVED, That the County Administrator is hereby authorized to execute the agreement and execute any other documents necessary to effectuate the purpose of this resolution on behalf of the Board of Supervisors; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Unity of Cayuga County, Inc., Unity Employment Services.

**RESOLUTION NO. 242-2020  
AUTHORIZATION FOR RENEWAL OF  
PROFESSIONAL CONSULTANT CONTRACT  
CLIFTON SPRINGS HOSPITAL AND CLINIC  
MENTAL HEALTH – 2020**

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

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

WHEREAS, Sufficient funds exist within the 2020 budget for this contract, which will encompass the period of January 1, 2020, through December 31, 2020; and

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

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

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

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

**RESOLUTION NO. 243-2020  
AUTHORIZATION OF SLIDING FEE SCHEDULES FOR 2020  
DEPARTMENT OF MENTAL HEALTH**

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

WHEREAS, The Department utilizes a program designed to determine whether a client is eligible for sliding fee payments based on their income, as well as the number of persons in their household; and

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

RESOLVED, That the sliding fee program, which utilizes a minimum fee of \$13, be utilized for the determination of appropriate charges to clients for services rendered effective May 8, 2020.

**RESOLUTION NO. 244-2020  
AUTHORITY TO CANCEL UNCOLLECTIBLE DEBTS  
ONTARIO COUNTY MENTAL HEALTH ~ 2020**

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

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

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

RESOLVED, That said accounts totaling \$6,221.83 be, and hereby are, deemed uncollectible, and the Ontario County Mental Health Department is hereby authorized to remove the unpaid balances from its accounts receivable ledger.

The foregoing block of five resolutions was adopted.

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

**RESOLUTION NO. 245-2020  
PROCLAMATION  
ONTARIO COUNTY PROCLAIMS MAY 2020**

**AS OLDER AMERICANS MONTH**

WHEREAS, Older Americans Month was established in 1963 by President John F. Kennedy and since then the entire nation pays tribute in some way to older persons in their communities during the month of May; and

WHEREAS, Ontario County is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

WHEREAS, In 2020 Ontario County desires to honor the contributions older adults are making during the COVID-19 pandemic crisis; and

WHEREAS, Ontario County recognizes that many older adults continue to work in the health care field, provide caregiving to others, deliver meals, assist in food pantries; provide telephone reassurance and other vital services during this national emergency; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby proclaim May 2020 to be Older Americans Month in Ontario County and urges every resident to take time during this month to acknowledge and celebrate the contributions of older adults to this community.

Adopted.

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

**RESOLUTION NO. 246-2020  
AMENDMENT TO CONTRACT WITH CAUSEWAVE COMMUNITY PARTNERS  
FOR THE DEVELOPMENT OF A STRATEGIC PLAN  
DEPARTMENT OF SUSTAINABILITY & SOLID WASTE MANAGEMENT**

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 desires 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 an execution of contract for completion of the Strategic Plan for an amount not to exceed Fourteen Thousand Dollars (\$14,00.00); and

WHEREAS, Development of a social media campaign for additional promotion of a county-wide residential survey is needed; and

WHEREAS, Causewave Community Partners will develop said campaign for an amount not to exceed One Thousand Seven Hundred and Sixty-Two Dollars (\$1,762.00); and

WHEREAS, The Planning & Environmental Quality Committee has reviewed this resolution and recommend approval of amendment to the contract with Causewave Community Partners to provide the services described within their proposal; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby accepts and approves this amendment to the contract with Causewave Community Partners an additional One Thousand Seven Hundred and Sixty-Two Dollars (\$1,762.00) making the total not to exceed amount of the contract Fifteen Thousand Seven Hundred and Sixty-Two Dollars (\$15,762.00); and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said amendment to the contract with Causewave Community Partners, and all other documents necessary to effectuate the purpose of this resolution; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Katelin Pellett c/o Causewave Community Partners at 274 North Goodman St., Suite B269, Rochester, NY 14607.

**RESOLUTION NO. 247-2020  
CONTRACT WITH HODGSON RUSS, LLP,  
LEGAL ASSISTANCE TO ONTARIO COUNTY FOR OPERATIONS  
AT THE COUNTY LANDFILL**

WHEREAS, Ontario County has identified a need for the assistance of outside legal counsel in matters involving issues specific to the operations by Casella Waste Systems (“Casella”) at the Landfill; and

WHEREAS, Those issues include the continuing odor concerns, as well as the recent Notices of Violation issued by NYS DEC to Casella; and

WHEREAS, Ontario County has retained Hodgson Russ, LLP for representation in other matters; and

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

RESOLVED, That upon review and approval of the County Attorney, the Board of Supervisors hereby approves the contract with Hodgson Russ, LLP, at a total amount not to exceed \$50,000, for legal services, including but not limited to, involving Casella’s operation of the Landfill; and further

RESOLVED, That funding of the contract will be provided by a transfer from the Designated Fund Balance account AA0899BQ800 - DFB Solid Waste to the County Attorney’s budget; and further

RESOLVED, That the following budget amendment be made:

AA0899BQ800	DFB Solid Waste	+ \$50,000
AA142054230	Legal Services	+ \$50,000

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

RESOLVED, That a certified copy of this resolution be sent to Hodgson Russ, LLP.

The foregoing block of two resolution was adopted.

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

**RESOLUTION NO. 248-2020  
DESIGNATING NATIONAL TOURISM WEEK  
MAY 3 - 9, 2020**

WHEREAS, May 3, 2020 through May 9, 2020, is National Tourism Week; and

WHEREAS, The County of Ontario has actively participated in the development of tourism in Ontario County and the Finger Lakes Region; and

WHEREAS, The Board of Supervisors created, and through a lodging tax, funds the Ontario County Four Seasons Local Development Corporation, d.b.a. A Finger Lakes Visitors Connection to promote Ontario County as a tourism destination; and

WHEREAS, A Finger Lakes Visitors Connection engages in a variety of cooperative efforts to market and promote the Finger Lakes Region; and

WHEREAS, Even while Ontario County cannot host visitors in person, the spirit of travel and hospitality remains the enduring ethos of the travel industry and Ontario County; and

WHEREAS, These promotional activities result in sales and lodging tax collections, as well as employment opportunities in tourism; and

WHEREAS, The 2018 Empire State Development report from Oxford Economics detailed the economic impacts of the tourism industry across the state and the Finger Lakes Region providing for significant taxes in the form of \$14,786,000 in 2018 local taxes and \$11,902,000 in 2018 state taxes; and

WHEREAS, The Finger Lakes Region's tourism industry continues to create economic opportunities by employing 4,553 people in 2018 in Ontario County, generating an annual labor income of \$109,582,000 in 2018 for our residents; and

WHEREAS, The spirit of travel will be a necessary and prominent component of our return to everyday life and must be supported and protected at all costs; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors in recognition and celebration of the importance of tourism declares May 3, 2020, through May 9, 2020, National Tourism Week in Ontario County; and encourages the public and private sectors to celebrate with appropriate activities and festivities; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of the Board to the Ontario County Four Seasons Local Development Corporation.

Adopted.

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

**RESOLUTION NO. 249-2020  
APPOINTMENT TO THE  
ONTARIO COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
DEBORAH BROWN**

WHEREAS, The Ontario County Board of Supervisors, in accordance with Resolution No. 318-71, provided for seven members to be appointed to the Ontario County Industrial Development Agency; and

WHEREAS, The Planning and Environmental Quality Committee recommends that Deborah Brown of Half Dutch Farms, LLC, 2586 State Route 488, Clifton Springs, NY be appointed as a board member of the Ontario County Industrial Development Agency; now, therefore be it

RESOLVED, That this Board of Supervisors does hereby appoint Deborah Brown to fill said vacancy for a five-year term to expire December 31, 2024; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Executive Director of the Industrial Development Agency, Secretary of State, the County Clerk, and Deborah Brown.

**RESOLUTION NO. 250-2020  
APPOINTMENT TO THE  
ONTARIO COUNTY LOCAL DEVELOPMENT CORPORATION  
DEBORAH BROWN**

WHEREAS, The Ontario County Board of Supervisors, in accordance with Resolution No. 220-2010, provided for the formation of the Ontario County Local Development Corporation (“OCLDC”); and

WHEREAS, Resolution No. 220-2010 also provided for the appointment of OCLDC members to be appointed in accordance with the Bylaws of the OCLDC; and

WHEREAS, The Bylaws provide for seven Directors appointed by the Ontario County Board of Supervisors; and

WHEREAS, The Planning and Environmental Quality Committee recommends that Deborah Brown, Half Dutch Farm, 2586 State Route 488, Clifton Springs, NY be appointed as a board member of the Ontario County Local Development Corporation; now, therefore be it

RESOLVED, That this Board of Supervisors does hereby appoint Deborah Brown, per the terms of the Ontario County Local Development Corporation by-laws, to fill said vacancy for a five-year term to expire December 31, 2024; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Executive Director of the Local Development Corporation, Secretary of State, the County Clerk, and Deborah Brown.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 251-2020  
CONTRIBUTION TO  
SENECA WATERSHED INTERMUNICIPAL ORGANIZATION TOWARD  
SENECA LAKE WATERSHED MANAGEMENT PLANNING FOR 2019**

WHEREAS, Resolution No. 150-2019 authorized a contract with Oswego County Soil and Water Conservation District for transfer of SFY 2018-19 state grant funding from the

Water Resources Board Reserve Fund to Ontario County in the amount of Eighty-Eight Thousand Two Hundred Dollars (\$88,200.00); and

WHEREAS, Said funding is provided by the New York State Department of Environmental Conservation (DEC) to the Finger Lakes - Lake Ontario Watershed Protection Alliance (FOLLOWPA) to pass through to Ontario County for implementation of projects based upon a Work Plan and Budget submitted by the Ontario County Planning Department and approved by DEC; and

WHEREAS, Said Work Plan and Budget included \$2,000.00 for the Seneca Watershed Intermunicipal Organization (SWIO) to support cooperative partnerships needed for water quality protection across multiple jurisdictions in the Seneca Lake watershed; and

WHEREAS, The Chairman of SWIO has provided documentation dated March 11, 2020 on file with the Clerk of this Board, including an invoice from the Finger Lakes Institute which holds and administers SWIO's funds, and a description of SWIO's activities and accomplishments in 2019 including:

- Establishing and filling the full-time position of watershed steward for Seneca Lake
- Kicking off the comprehensive three-year 9 Element watershed planning project
- Continuing quarterly inter-municipal engagement and information sharing across the Seneca Lake watershed
- Continuing partnerships with private and public organizations to implement projects and practices to assess and improve water quality in the watershed

and

WHEREAS, The Planning and Environmental Quality Committee recommends approval of continuing partnership support of SWIO through annual FOLLOWPA grant funding and payment of aforesaid invoice; now, therefore, be it

RESOLVED, That said invoice shall be paid from SFY 2018-19 FOLLOWPA grant funding in the Planning Department budget line AA8020PL 54260 G19035 54260, payable to the Finger Lakes Institute on behalf of SWIO, and shall serve as Ontario County's partnership contribution for 2019; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Treasurer; the Director of Planning; Lisa Cleckner, Director, Finger Lakes Institute, 300 South Pulteney Street, Geneva, NY 14456; and Mark Venuti, Chair, SWIO, c/o Town of Geneva, 3750 County Road 6, Geneva, NY 14456.

**RESOLUTION NO. 252-2020**

**CONTRACT WITH HOBART AND WILLIAM SMITH COLLEGES FOR  
SENECA WATERSHED INTERMUNICIPAL ORGANIZATION 2020  
PARTNERSHIP SUPPORT PROJECT**

WHEREAS, Resolution No. 365-2014 authorized Ontario County's membership and participation in the Seneca Watershed Intermunicipal Organization (SWIO); and

WHEREAS, Resolution No. 426-2018 authorized Ontario County support of an application to the NYS Department of State by the Town of Geneva in cooperation with SWIO, Finger Lakes Institute (FLI) at Hobart & William Smith Colleges and other partner organizations to develop a Nine Element watershed plan for the combined Seneca-Keuka Lakes watershed; and

WHEREAS, Said application was successful with 75% of the \$360,000 project funding granted by New York State and private and public contributions secured to support the required 25% local match; and

WHEREAS, Additional state funding has been secured by Hobart and William Smith Colleges for the hire and support of the Seneca Lake Watershed Steward to oversee the work of the Nine Element Plan and to conduct research and public outreach efforts in support of the plan; and

WHEREAS, Said Watershed Steward and the SWIO Program and Budget are housed and administered at the FLI on behalf of the participating Seneca Lake municipalities; and

WHEREAS, SWIO has submitted a proposal to Ontario County for Five Thousand Dollars (\$5,000) to support public outreach and research activities related to the Nine Element Plan in 2020 (hereinafter Project), attached hereto as Schedule A; and

WHEREAS, Adequate funding exists in Ontario County's NYS grant funded FLOWPA programs for SFY17-18 (\$2,000) and SFY19-20 (\$3,000) for said Project; and

WHEREAS, The Planning and Environmental Quality Committee recommends approval 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 Hobart and William Smith Colleges for Five Thousand Dollars (\$5,000.00) to be paid for from FLOWPA funds to support aforesaid Project; and

RESOLVED, The Term of said agreement shall be January 1, 2020 through December 30, 2021; and further

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

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Treasurer; Roberta Truscello, Director of Sponsored Programs, Hobart & William Smith Colleges, 300 Pulteney Street, Geneva, NY 14456 and Mark Venuti, Chair, SWIO, c/o Town of Geneva, 3750 County Road 6, Geneva, NY 14456.

**RESOLUTION NO. 253-2020**  
**ACCEPTANCE OF ROUND I NON-AGRICULTURAL NONPOINT SOURCE**  
**PLANNING GRANT FOR HONEOYE LAKE AERATION**  
**DESTRATIFICATION SYSTEM FEASIBILITY STUDY**

WHEREAS, Ontario County has been awarded \$30,000 from the State of New York Department of Environment Conservation's Round I Non-Agricultural Nonpoint Source Planning Grant Program (Project# DEC01-T00925GG-3350000; New York State Contract #T00925GG; CFDA # N/A; MUNIS# G20005) for the purpose of conducting a feasibility and detailed engineering study for an aeration destratification system for Honeoye Lake; and

WHEREAS, Honeoye Lake is listed on the New York State Department of Environmental Conservation (DEC) Priority Waterbodies List as "impaired" due to excess nutrients, algal growth and plant growth and is further listed on the United States Environmental Protection Agency 303(d) list as not meeting federal water quality objectives for the nutrient phosphorus; and

WHEREAS, DEC recommends certain actions, including installation of an aeration destratification system, to inactivate in-lake phosphorus recycling as detailed in the Harmful Algal Bloom Action Plan for Honeoye Lake (DEC 2018); and

WHEREAS, The Honeoye Lake Watershed Task Force has agreed to provide the required minimum ten percent grant match in a cash contribution of Three Thousand Dollars (\$3,000) and an additional Two Thousand Dollars (\$2,000) for project contingency; and

WHEREAS, The contract period for said grant extends from May 1, 2020 to April 30, 2024; and

WHEREAS, The Planning and Environmental Quality and Ways and Means Committees have reviewed this resolution at their April 27<sup>th</sup> and 29<sup>th</sup>, 2020 meetings and recommend adoption of this resolution; therefore, now, 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 Department

of Environmental Conservation, 625 Broadway, Albany, NY 12233-3506 for the Round I Non-Agricultural Nonpoint Source Planning Grant for a term of May 1, 2020 through April 30<sup>th</sup>, 2024 at no required County cost; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Round I Non-Agricultural Nonpoint Source Planning Grant agreement with the New York State Department of Environmental Conservation, and all other documents necessary to accept this grant and to effectuate the purposes of this resolution; and further

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

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

To:	Description:	Revenue	Appropriation
AA8090PL 43910	State Aid, Other	\$ 30,000	
AA8090PL 42372	Planning Services, Other Govt	\$ 5,000	
AA8090PL 54260	Consultation and Professional		\$ 35,000
	Total:	\$ 35,000	\$ 35,000

and further

RESOLVED, That a certified copy of this resolution be sent to Christine Garrity, Environmental Program Specialist, Division of Water, NYSDEC, 625 Broadway, Albany, NY 12233-3506.

The foregoing block of three resolutions was adopted, with Supervisor Lou Guard abstaining from Res. No. 252-2020.

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

**RESOLUTION NO. 254-2020  
GLOVE HOUSE, INC. FOR THERAPEUTIC RESPITE HOMES**

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, Glove House, Inc. has Therapeutic Respite Homes available in Ontario County; and

WHEREAS, Glove House, Inc. has an emergency facility in Chemung County that can take youth 24 hours per day; and

WHEREAS, The Probation Department has planned to use the Therapeutic Respite Homes to avoid additional high costs of detention for Raise the Age Youth; and

WHEREAS, New York State has approved reimbursement of Ontario County's cost for the services provided by the Glove House, Inc.; and

WHEREAS, The Public Safety Committee recommends the County enter into an agreement with Glove House, Inc.; 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, Glove House, Inc., 220 Franklin Street, Elmira, NY 14904, for the period January 1, 2020, through December 31, 2020; at a cost not to exceed \$6000; and

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 Glove House.

**RESOLUTION NO. 255-2020  
YOUTH ADVOCATE PROGRAM FOR RAISE THE AGE**

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 added the same services for 17-year-old youth; and

WHEREAS, The Youth Advocate Program, Inc. provides mentoring and family stabilization services throughout the Finger Lakes; and

WHEREAS, The Ontario County Probation Department has several years of experience with the program through the Department of Social Services; and

WHEREAS, The Probation Department has successfully used this program for Raise the Age Youth; and

WHEREAS, New York State has approved reimbursement of Ontario County's cost for the services provided by the Youth Advocate Program, Inc.; and

WHEREAS, The Public Safety Committee recommends the County enter into an agreement with Youth Advocate Program, Inc.; 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, Youth Advocate Program, Inc., 2007 N Third Street, Harrisburg, PA 17102 for the period January 1, 2020, through December 31, 2020; at a cost not to exceed \$50,000; and

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 Youth Advocate Program, Inc.

**RESOLUTION NO. 256-2020  
CENTER FOR DISPUTE SETTLEMENT FOR  
JUVENILE JUSTICE RESTORATIVE CONFERENCES**

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 added the same services for 17-year-old youth; and

WHEREAS, Center for Dispute Settlement provides Juvenile Justice Restorative Conferences in Ontario County; and

WHEREAS, The Probation Department has plans to continue using the Juvenile Justice Restorative Conferences to avoid the high cost of detention for Raise the Age Youth; and

WHEREAS, New York State has approved reimbursement of Ontario County's cost for the services provided by the Center for Dispute Settlement; and

WHEREAS, The Public Safety Committee recommends the County enter into an agreement with Center for Dispute Settlement; 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, Center for Dispute Settlement, 120 N. Main Street, Canandaigua, NY 14424, for the period January 1, 2020, through December 31, 2020; at a cost not to exceed \$6000; 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 Center for Dispute Settlement.

**RESOLUTION NO. 257-2020  
CONTRACT WITH FLACRA – COUNSELING AND TRANSITION  
PROGRAM AT THE ONTARIO COUNTY JAIL**

WHEREAS, The Ontario County Office of Sheriff is desirous to continue to contract FLACRA (Finger Lakes Area Counseling & Recovery Agency) for the provision of a counseling and referral program at the Ontario County Jail; and

WHEREAS, FLACRA is willing to continue providing this service per fee schedule at an approximate cost of \$52,000; and

WHEREAS, Funding has been budgeted in the 2020 Jail budget; and

WHEREAS, The Public Safety Committee has reviewed this proposal and approves of entering into said contract; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors approves an agreement with FLACRA at a cost not to exceed \$52,000 effective January 1, 2020, through December 31, 2020; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to executed said Agreement on behalf of the County of Ontario.

The foregoing block of four resolutions was adopted.

Supervisor Frederick Lightfoote offered the following nine resolutions as a block and moved for its adoption, seconded by Supervisor Peter Ingalsbe:

**RESOLUTION NO. 258-2020  
CONTRACT WITH AMERICAN EQUIPMENT, LLC  
FOR SKID STEER BUSH CUTTER RENTAL  
FLCC WATER QUALITY, FLOOD RESILIENCY,  
AND HABITAT IMPROVEMENT PROJECT**

WHEREAS, Resolution No. 246-2018 accepted a Water Quality Improvement Grant from the New York State Department of Environmental Conservation, specifically Contract Number DEC01-C00516GG-35000, for the FLCC Water Quality, Flood Resiliency, and Habitat Improvement Project that involves the design and construction of

storm water improvements on the FLCC Campus intended to improve water quality in Fall Brook and handle discharge from the canoe pond on FLCC Campus in the amount of Two Hundred Sixty Two Thousand Four Hundred Dollars; and

WHEREAS, Resolution No. 222-2019 awarded a contract to GEI Consultants, Inc., P.C. (GEI) to provide engineering services in regard to the design and permitting of said storm water improvements; and

WHEREAS, GEI has completed the design for said storm water improvements, all requisite permits have been received, construction has commenced utilizing in-kind contributions from the Canandaigua Lake Watershed Council and labor provided by the Town of Canandaigua; and

WHEREAS, Brush and trees need to be cleared along the path of proposed berms and a high-flow diversion channel from Fall Brook; and

WHEREAS, Quotes were solicited from vendors to provide a Skid Steer Brush Cutter needed to clear brush and trees for the project, with only one vendor responding that they had the requisite equipment available for rent; and

WHEREAS, A copy of the quote from American Equipment, LLC for rental of a Skid Steer Brush Cutter is on file with the Clerk of this Board; and

WHEREAS, The Planning and Environmental Quality and Public Works Committees recommend adoption of this resolution; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby accept the proposal and approve a short term contract with American Equipment, LLC, 6112 Collett Road, Farmington, NY 14425, for an amount not to exceed Two Hundred Fifty Dollars (\$250.00), to provide a one-day rental of a Skid Steer Brush Cutter for use in the construction of the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project; and further

RESOLVED, That the term of said contract shall commence on March 1, 2020 and end on June 30, 2020; and further

RESOLVED, That the cost of said rental be paid from said Water Quality Improvement Grant pursuant to New York State Department of Environmental Conservation Contract Number DEC01-C00516GG-35000 and Ontario County Grant Project Number G18034; 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 certified copy of this resolution be sent by the Clerk of this Board to American Equipment, LLC, 6112 Collett Road, Farmington, NY 14425

**RESOLUTION NO. 259-2020  
CONTRACT WITH CAHILL RESOURCES, LLC  
FOR RENTAL OF TRACKED OFF-ROAD HAULER  
FLCC WATER QUALITY, FLOOD RESILIENCY,  
AND HABITAT IMPROVEMENT PROJECT**

WHEREAS, Resolution No. 246-2018 accepted a Water Quality Improvement Grant from the New York State Department of Environmental Conservation, specifically Contract Number DEC01-C00516GG-35000, for the FLCC Water Quality, Flood Resiliency, and Habitat Improvement Project that involves the design and construction of storm water improvements on the FLCC Campus intended to improve water quality in Fall Brook and handle discharge from the canoe pond on FLCC Campus in the amount of Two Hundred Sixty-Two Thousand Four Hundred Dollars; and

WHEREAS, Resolution No. 222-2019 awarded a contract to GEI Consultants, Inc., P.C. (GEI) to provide engineering services in regard to the design and permitting of said storm water improvements; and

WHEREAS, GEI has completed the design for said storm water improvements, all requisite permits have been received, construction has commenced utilizing in-kind contributions from the Canandaigua Lake Watershed Council and labor provided by the Town of Canandaigua; and

WHEREAS, Field conditions require the rental of a tracked vehicle to haul fill and other materials around on site to minimize soil disturbance on site; and

WHEREAS, Quotes were solicited from vendors to provide a tracked hauling vehicle for the project, with quotes being received as follows:

- Five Star Rental: No Quote
- Vantage: \$12,500/month + \$500 delivery each way - 14-ton capacity, availability uncertain in next 2 months
- American: \$11,640/month +\$500 delivery each way - 15-ton capacity, availability probable at some point in next 2 months
- Cahill Resources: \$13,000/month +\$400 delivery each way- 17 ton capacity, availability any time after April 16, 2020; and

WHEREAS, The quote from Cahill Resources, LLC for rental of a Marooka MST 300 tracked vehicle is recommended due to its increased load capacity and immediate availability; and

WHEREAS, A copy of the quote from Cahill Resources, LLC for rental of a Marooka MST 300 tracked vehicle is on file with the Clerk of this Board; and

WHEREAS, The Planning and Environmental Quality and Public Works Committees recommend adoption of this resolution; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby accept the proposal and approve a contract with Cahill Resources, LLC, 12391 Rapids Road, Akron, NY 14001, for an amount not to exceed Twenty Six Thousand Eight Hundred Dollars (\$26,800.00), to provide a two month rental of a Marooka MST 300 for use in the construction of the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project; and further

RESOLVED, That the term of said contract shall commence on April 17, 2020 and end on July 30, 2020; and further

RESOLVED, That the cost of said equipment rental be paid from said Water Quality Improvement Grant pursuant to New York State Department of Environmental Conservation Contract Number DEC01-C00516GG-35000 and Ontario County Grant Project Number G18034; 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 certified copy of this resolution be sent by the Clerk of this Board to Cahill Resources, LLC, 12391 Rapids Road, Akron, NY 14001.

**RESOLUTION NO. 260-2020**  
**CAPITAL PROJECT NO. H053-19**  
**AWARD OF BID B20023**  
**FLCC/CMAC EVACUATION AND FENCING PROJECT**

WHEREAS, Resolution No. 243-2019 Created Capital Project No. H053-19 as the FLCC/CMAC Evacuation and Fencing Project in accordance with the duly adopted 2019-2024 Ontario County Capital Improvement funded 50% by the State University of New York; and

WHEREAS, Pursuant to Resolution Numbers 242-2019, 641-2019, and 134-2020 approved a contract and amendments thereto between the Friends of CMAC, Finger

Lakes Community College, and the County wherein the Friends of CMAC agreed to provide 50% of the funding for this project; and

WHEREAS, Resolution Numbers 642-2019 and 135-2020 approved a contract and an amendment thereto between the County and T. Y. Lin International to develop a design to provide emergency lighting along the pedestrian exit leading from the CMAC building through the plazas to the main pedestrian entry and beyond to parking lot G, known as the CMAC Emergency Lighting Project; and

WHEREAS, The County Purchasing Department released, duly advertised, and opened bids for the construction of the CMAC Emergency Lighting Project as bid # B20023; and

WHEREAS, Copies of the bid submissions are on file with the Clerk of the Board of Supervisors; and

WHEREAS, The Director of Planning, FLCC Director of Buildings & Facilities, and the T.Y. Lin International recommend acceptance of the bid from Billitier Electric, Inc., 760 Brooks Ave., Rochester NY 14619 as the low responsive/responsible bidder for the CMAC Emergency Lighting Project Bid #B20023; and

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

RESOLVED, That the bid from Billitier Electric, Inc., 760 Brooks Ave., Rochester NY 14619 in the amount of Fifty Three Thousand One Hundred Dollars (\$53,100.00) for Electric Work pursuant to Ontario County BID #B20023 is hereby accepted as the low responsive/responsible bid; and further

RESOLVED, That upon approval of the County Attorney as to form, the County Administrator be, and hereby is, authorized and empowered to execute a contract with said firm for said amount; and further

RESOLVED, That the term of said contract shall commence on May 8, 2020, and terminate on December 31, 2020; and further

RESOLVED, That the cost of said contract shall be paid from line HH H053 19 54493 – Electric – of Capital Project H053-2019; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Two Hundred Forty-Four Thousand Ninety-Seven Dollars (\$244,097.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department, the Vice President for Administration and Finance of Finger Lakes Community College, Billitier Electric, Inc., Attention David M. Pagano, CFO/Secretary, 760 Brooks Ave., Rochester NY 14619.

**RESOLUTION NO. 261-2020  
ACCEPTANCE OF MATERIALS AND SERVICES BIDS  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Bids for the purchase of various materials and services for the Department of Public Works have been duly advertised and received by the Purchasing Department; and

WHEREAS, Copies of the bid tabulation sheets have been filed with the Clerk of this Board and the Public Works Committee has reviewed said bid tabulations and recommends acceptance of the bids; now, therefore, be it

RESOLVED, That bids be awarded to the following responsive, responsible bidders:

B20008	
CARE & REMOVAL OF TREES	Terry Tree Service
	755 Jefferson Road
	Suite 200
	Rochester, New York 14623
B20009	
COLD MILLING, PLANING, & TEXTURIZING BITUMINOUS CONCRETE PAVEMENT	Donegal Construction Corporation
	PO Box 450
	New Stanton, Pennsylvania 15672
	Suit-Kote Corporation
	1911 Lorings Crossing Road
	Cortland, New York 13045
	Villager Construction, Inc.
	425 Old Macedon Center Road
	Fairport, New York 14450
B20010	
PAINTING OF VARIOUS PAVEMENT MARKINGS	Accent Stripe, Inc.
	3275 North Benzing Road
	Orchard Park, New York 14127
	Julieann Shove Inc.
	dba Champion Asphalt Maintenance
	5724 Eddy Ridge Road
	Williamson, New York 14589

	Seneca Pavement Marking Inc. 3526 Watkins Road Horseheads, New York 14845
B20011	
MANHOLE REHABILITATION	Advanced Rehabilitation Tech. 01116 County Road 17 Bryan, Ohio 43506
	Camden Group, Inc. (Quadex) 9008 State Route 13 Camden, New York 13316
	Camden Group, Inc. (Sauereisen) 9008 State Route 13 Camden, New York 13316
	Grant Street Construction, Inc. 48 Grant Street Cortland, New York 13045
	National Water Main Cleaning Co. 25 Marshall Street Canton, Massachusetts 02021
	Skandex Pipe Services, Inc. 753 Rowley Road Victor, New York 14564
B20013	
EQUIPMENT RENTAL FOR HIGHWAY CONSTRUCTION & MAINTENANCE	Admar Supply 1950 Brighton Henrietta Townline Road Rochester, New York 14623
	American Equipment, LLC 6112 Collett Road West Farmington, New York 14425
	C.P. Ward, Inc. 100 West River Road PO Box 900 Scottsville, New York 14546
	Donegal Construction Corporation PO Box 450 New Stanton, Pennsylvania 15672
	Klug Crane Inc.

	2552 Freshour Road Canandaigua, New York 14424
	Northern Paving, LLC 6131 East Taft Road North Syracuse, New York 13212
	Roadtek LLC 4846 Route 104 Williamson, New York 14589
	Seneca Stone Corporation 2747 Canoga Road Seneca Falls, New York 13148
	Spallina Materials, Inc. PO Box 89 West Bloomfield, New York 14585
	Vantage Equipment, LLC 5985 Court Street Road Syracuse, New York 13206
	Villager Construction, Inc. 425 Old Macedon Center Road Fairport, New York 14450
B20014	
VEGETATION CONTROL UNDER GUIDE RAILS	Allen Chase Enterprises, Inc. 24 County Route 1A Oswego, New York 13126
B20015	
CULVERT END SAFETY GRATES	Lane Enterprises, Inc. 16 May Street Bath, New York 14810
B20016	
AGGREGATES & COVER SOILS	Dolomite Products Co., Inc. 1150 Penfield Road Rochester, New York 14625
	Hanson Aggregates New York LLC 6895 Ellicott Street Pavilion, New York 14525
	Mark Colf Excavation 1757 County Road 43 Clifton Springs, New York 14432
	Seneca Stone Corporation

	2747 Canoga Road
	Seneca Falls, New York 13148
	Spallina Materials, Inc.
	PO Box 89
	West Bloomfield, New York 14585
	Syracuse Sand & Gravel LLC
	6131 East Taft Road
	North Syracuse, New York 13212
B20017	
GABIONS & RENO MATTRESSES	Lane Enterprises, Inc.
	16 May Street
	Bath, New York 14810
B20019	
PURCHASE & DELIVERY OF	The Dolomite Group
READY MIX CONCRETE	Dbas Northrup Materials
	1150 Penfield Road
	Rochester, NY 14625
	Hanson Aggregates New York LLC
	6895 Ellicott Street
	Pavilion, New York 14525
	Northern Ready Mix LLC
	6131 East Taft Road
	North Syracuse, New York 13090
	Spallina Materials, Inc.
	PO Box 89
	West Bloomfield, New York 14585
B20027	
PIPE & APPURTENANCES	Advanced Drainage Systems, Inc.
	4640 Trueman Boulevard
	Hilliard, Ohio 43026
	Lane Enterprises, Inc.
	16 May Street
	Bath, New York 14810

and further

RESOLVED, That the Ontario County Board of Supervisors hereby accepts said bids and authorizes one year contracts for the period beginning May 15, 2020 through May 14, 2021; and further

RESOLVED, That in the case where multiple vendors are awarded an item, the lowest responsive/responsible bidder for that item shall be given the opportunity to supply said item; and further

RESOLVED, That should the lowest responsible/responsive bidder not be able to supply the item needed in accordance with project requirements and/or logistics, the second lowest bidder shall be given similar consideration, and the procedure shall be followed for each successive awardee until the item can be furnished in accordance with the project requirements; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the above listed successful bidders.

**RESOLUTION NO. 262-2020  
RENEWAL OF MATERIAL AND SERVICES BIDS  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 322-2018 awarded 2018 bids for the purchase of various materials and services for the Department of Public Works; and

WHEREAS, Resolution No. 304-2019 awarded 2019 bids for the purchase of various materials and services for the Department of Public Works; and

WHEREAS, The bid specifications for the purchase of various materials and services for the Department of Public Works allow for up to two additional twelve-month bid renewals; and

WHEREAS, The following vendors have agreed to renew their bids at the same prices or where indicated, with a CPI adjustment as allowed per the specifications, for a twelve-month period; and

B18026	
LIQUID CALCIUM CHLORIDE & MAGNESIUM CHLORIDE	Millennium Roads, LLC 12118 East Yates Center Road Lyndonville, New York 14098
B18027	
GENERAL & EMERGENCY ROAD & SEWER REPAIRS	C.P. Ward, Inc. 100 West River Road PO Box 900 Scottsville, New York 14546
	Villager Construction, Inc. 425 Old Macedon Center Road Fairport, New York 14450

	W.P. Mahoney Enterprises, Inc.
	90 Middle Street
	Geneva, New York 14456
B18030	
REMOVAL & REPAIR OF	C.P. Ward, Inc.
STRUCTURAL CONCRETE	100 West River Road
	PO Box 900
	Scottsville, New York 14546
B18031	
PURCHASE/PLACEMENT OF	Dolomite Products Company, Inc.
ASPHALT PAVEMENT MATERIALS	DbA Rochester Asphalt Materials
	1150 Penfield Road
	Rochester, New York 14625
	Hanson Aggregates of New York, LLC
	6895 Ellicott Street
	Pavilion, New York 14525
	w/ 2.3% CPI Increase
	Innovative Municipal Products (US), Inc.
	454 River Road
	Glenmont, New York 12077
	Northern Asphalt, LLC
	6131 East Taft Road
	North Syracuse, New York 13212
	Seneca Stone Corporation
	2747 Canoga Road
	Seneca Falls, New York 13148
B18041	
PAVEMENT MAINTENANCE & REHABILITATION	D. Clark Distributors, LLC
	425 Old Macedon Center Road
	Fairport, New York 14450
	Highway Rehab Corporation
	2258 Route 22
	Brewster, New York 10509
	Midland Asphalt Materials, Inc.
	640 Young Street
	Tonawanda, New York

	Suite-Kote Corporation
	159 Flint Hill Road
	Leroy, New York 14482
B19012	
CLEANING & SEALING OF CRACKS & JOINTS IN BITUMINOUS PAVEMENT	Bothar Construction, LLC
	170 East Service Road
	Binghamton, New York 13901
	Julieann Shove Inc. dba Champion
	Asphalt Maintenance
	5724 Eddy Ridge Road
	Williamson, New York 14589
	Magic Seal, LLC
	2 North Shore Drive
	Hilton, New York 14468
	Midland Asphalt Materials Inc.
	640 Young Street
	Tonawanda, New York 14150
B19013	
SAMPLING & TESTING OF MATERIALS	Atlantic Testing Laboratories, Ltd
	3495 Winton Place
	Building B, Suite 4A
	Rochester, New York 14623
	CME Associates, Inc.
	491 Elmgrove Road, Suite 600
	Rochester, New York 14606
	SJB Services, Inc.
	5167 South Park Avenue
	Hamburg, New York 14075
B19014	
PURCHASE OF FRAMES & GRATES	Core and Main, LP
	1120 Brighton Henrietta Townline Rd.
	Rochester, New York 14623
	Neenah Foundry Co.
	2121 Brooks Avenue
	Neenah, Wisconsin 54956
B19016	
GEOSYNTHETICS & RELATED PRODUCTS	Chemung Supply Corporation
	PO Box 527
	Elmira, New York 14902
	E.J. Prescott Inc.
	200 Lake Avenue

	Blasdell, New York 14219
B19017	
HORIZONTAL GRINDER SERVICE	SM Gallivan
	98 Niver Street
	Cohoes, New York 12047
B19018	
STRIPING OF ROADS	Atlantic Pavement Marking Inc.
	15 Industrial Road
	Prospect, CT 06712
B19020	
MATERIAL CRUSHING SERVICE	Daggett Sand & Gravel, Inc.
	4716 Route 328
	Millerton, Pennsylvania 16936
	RMS Gravel, Inc.
	PO Box 455
	Dryden, New York 13053
B19021	
PURCHASE OF HYDROSEEDING MATERIALS	Northern Nurseries of NY
	7532 Pitts-Palmyra Road
	Fairport, New York 14450
	Seedway LLC
	2054 Lamson Road
	Phoenix, New York 13135
	w/ 2.3% CPI increase
B19024	
CONCRETE CURBS, GUTTERS, &	W.P. Mahoney Ent. Inc.
	90 Middle Street
	Geneva, New York 14456
B19025	
PURCHASE & PLACEMENT OF GRANITE CURBING	W.P. Mahoney Enterprise, Inc.
	90 Middle Street
	Geneva, New York 14456
B19026	
REMOVAL OF ANIMAL CARCASSES	Dick's Enterprises
	7903 40 Dollar Road
	Campbell, New York 14821
	w/ 2.3% CPI increase
B19027	
PURCHASE OF GUIDE RAILING & INSTALLATION OF POSTS	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Phelps Guide Rail Inc.
	PO Box 130

	Phelps, New York 14532
B19028	
PURCHASE OF SIGN MATERIALS	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Eberl Iron Works, Inc.
	128 Sycamore Street
	Buffalo, New York 14204
	Garden State Highway Products, Inc.
	301 Riverside Drive
	Millville, New Jersey 08332
	Lightle Enterprises of Ohio, LLC
	PO Box 329
	Frankfort, Ohio 45628
	Vulcan Inc., dba Vulcan Aluminum
	PO Box 1850
	Foley, Alabama 36536-1850
B19029	
SEALING OF STRUCTURAL CONCRETE	DeAngelo Brothers LLC
	100 North Conahan Drive
	Hazleton, Pennsylvania 18201
B19044	
RENTAL OF GPS MACHINE CONTROL EQUIPMENT	Admar Supply Company
	330 Metro Park
	Rochester, New York 14623
	Monroe Tractor & Implement Co., Inc.
	1001 Lehigh Station Road
	Henrietta, New York 14467

now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors authorizes bid renewals with the above listed vendors for a twelve-month period beginning May 15, 2020, through May 14, 2021; and further

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

**RESOLUTION NO. 263-2020**

**REJECT BID FOR PRECAST CONCRETE DRAINAGE UNITS (B20012)  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, The Ontario County Purchasing Department issued Bid (B20012) for the purchase of Precast Concrete Drainage Units; and

WHEREAS, One bid was received; and

WHEREAS, The Purchasing Department recommends that said bid be rejected because the bidder did not submit the proper bid form; now, therefore, be it

RESOLVED, That the bid submitted by Kistner Concrete Products, Inc., 8713 Read Road, PO Box 218, Pembroke, NY 14056 for Bid B20012 Precast Concrete Drainage Units be rejected; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Kistner Concrete Products, Inc.

**RESOLUTION NO. 264-2020  
INTERMUNICIPAL AGREEMENT WITH  
TOWN OF FARMINGTON FOR USE OF FUELING STATION**

WHEREAS, The State of New York is encouraging the sharing of services among municipalities; and

WHEREAS, The Town of Farmington and County are partnering to allow County and Town owned vehicles to use each other's fueling stations; and

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

RESOLVED, That County and Town of Farmington vehicles are encouraged to use the nearest shared municipal fueling station when in the area and fuel is needed; and further

RESOLVED, That the price per gallon charge will be based on the New York State Contract price per gallon; and further

RESOLVED, That each municipality may charge an additional charge per gallon for maintenance of the fueling facility as per the agreement; and further

RESOLVED, That the term of this Agreement shall commence on notice to proceed and shall be reviewed every (5) years or upon a change in the additional charge per gallon as per the agreement; and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an intermunicipal agreement with the Town of Farmington for use of the fueling station; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the intermunicipal agreement with the Town of Farmington 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 affect the intent of this resolution; and further

RESOLVED, That certified copies of this resolution be sent to the Town of Farmington.

**RESOLUTION NO. 265-2020**  
**AGREEMENT WITH DEPARTMENT OF VETERANS AFFAIRS**  
**CANANDAIGUA LAKE COUNTY SEWER DISTRICT**

WHEREAS, The Department of Veterans Affairs (VA), Canandaigua VA Medical Center, 400 Fort Hill Avenue, Canandaigua, New York 14614 and Ontario County, desire to enter into an agreement for the use of VA Health Care Resources by Ontario County; and

WHEREAS, This agreement will provide for sewage treatment for five (5) residences located on Bushwood Lane in the Town of Canandaigua that are tied into the Canandaigua VA Medical Center sewage system; and

WHEREAS, The VA and Ontario County have outlined the terms of this Agreement to be signed by both parties; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an Agreement with the Department of Veterans Affairs for sewage treatment for five (5) adjacent properties tied into the Canandaigua VA Medical Center sewage system; and further

RESOLVED, That the County Administrator is authorized to sign the Agreement; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Christopher Coker, Department of Veterans Affairs, James J. Peters VA Medical Center, 130 West Kingsbridge Road, Bronx, NY 10468-3904.

**RESOLUTION NO. 266-2020  
AWARD BID (B20003) FOR THE REMOVAL AND CLOSURE OF  
UNDERGROUND FUEL STORAGE TANK AND  
INSTALLATION OF ABOVE GROUND FUEL STORAGE TANK  
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, The existing underground fuel tank for the back-up generator at the Human Services Building, 3010 County Complex Drive, was installed on August 8, 1988 and on November 8, 2019 was found by the New York State Department of Environmental Conservation (NYSDEC) to not meet current regulations; and

WHEREAS. The County has obtained permission from the NYSDEC to remove the underground storage tank referenced above and replace it with an above ground storage tank as a means of satisfying current regulations; and

WHEREAS, The Purchasing Department advertised for and received, sealed bids for Removal and Closure Of Underground Fuel Storage Tank and Installation of Above Ground Fuel Storage Tank (B20003); and per tabulation sheets on file with the Clerk of this Board,; and

WHEREAS, The lowest responsive/responsible bid was submitted by Arrow Contracting, Inc., 5550 NY State Route 96, Farmington, NY 14425 for the cost of \$14,900.00; and

WHEREAS, This project is estimated to cost \$16,390.00, providing for a contract contingency of 10 percent or \$1,490.00; and

WHEREAS, Sufficient funds exist in the Buildings & Grounds operating budget for the Maintenance & Repair of Building & Property (AA1620 54030) work; and

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

RESOLVED, That upon review and approval by the County Attorney, the Board of Supervisors hereby awards the bid to Arrow Contracting, Inc., 5550 NY State Route 96, Farmington, NY 14425 for the Removal And Closure Of Underground Fuel Storage Tank And Installation Of Above Ground Fuel Storage Tank for the contract price of \$14,900.00; and further

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

RESOLVED, That the term of said agreement shall commence on the date on which it is signed by the County Administrator and shall terminate on October 31, 2020; and further

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

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

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

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

The foregoing block of nine resolutions was adopted.

Supervisor David Baker offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Daniel Marshall:

**RESOLUTION NO. 267-2020  
TRANSFER OF FUNDS – 2020 COUNTY BUDGET  
COVID-19 EXPENSES & PROBATION DEPARTMENT**

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 DIFFEREN CE
COVID-19 Related Expenses			

Operating Supplies	AA3020CV 54610		1,000.00
Federal Revenue		AA3020CV 44389	1,000.00
Operating Supplies	AA3110CV 54610		10,000.00
Federal Revenue		AA3110CV 44389	10,000.00
Operating Supplies	AA3150CV 54610		2,000.00
Federal Revenue		AA3150CV 44389	2,000.00
Operating Supplies	AAC302CV 54610		1,000.00
Federal Revenue		AAC302CV 44389	1,000.00
Operating Supplies	AA3410CV 54610		100,000.00
Federal Revenue		AA3410CV 44389	100,000.00
Operating Supplies	AA3640CV 54610		30,000.00
Federal Revenue		AA3640CV 44389	30,000.00
PROBATION			
Consultation and Professional	AA3140 54260		10,000.00
Appropriated Fund Balance		AA 30599	10,000.00

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. 268-2020  
APPORTIONMENT OF MORTGAGE TAX**

WHEREAS, The amount received by the County Clerk from mortgage taxes for the period October 1, 2019, through March 31, 2020 was \$1,596,278.92 and the County's share to be distributed among the several tax districts in the County amounts to the sum of \$1,583,624.66 including interest earned less County Clerk's expense; now, therefore, be it

RESOLVED, That pursuant to Section 261 of the Tax Law, the County Treasurer be, and hereby is, authorized and directed to issue checks for the distribution thereof to the several districts in the County of Ontario entitled thereto, as set forth below:

## CITIES, TOWNS, VILLAGES

		Distributed to Villages	Distributed to Cities & Towns
3895	Bristol		\$ 27,748.27
3897	Canadice		\$ 25,063.23
0708	Canandaigua City		\$112,291.50
3899	Canandaigua Town		\$221,133.70
4081	Bloomfield Village	\$ 4,429.91	
3893	East Bloomfield		\$ 28,984.58
3902	Farmington		\$190,242.82
0705	Geneva City		\$ 69,635.56
3904	Geneva Town		\$ 59,906.31
4088	Rushville Village	\$ 470.90	
3906	Gorham		\$56,281.61
3908	Hopewell		\$ 23,690.69
4080	Clf Spg T/Man	\$ 4,641.22	
4083	Manchstr T/Man	\$ 4,196.62	
4089	Shortsvil T/Man	\$ 3,628.96	
3910	Manchester Town		\$ 38,479.11
4084	Naples Village	\$ 3,055.58	
3912	Naples Town		\$ 17,968.43
4086	Phelps Village	\$ 5,796.31	
4080	Clif Spg T/Phelps	\$ 2,059.95	
3928	Phelps Town		\$ 49,192.38
3915	Richmond		\$ 40,715.16
3918	Seneca		\$ 28,990.67
3921	South Bristol		\$ 32,183.33
4087	Victor Village	\$ 26,066.66	
3923	Victor Town		\$470,437.43
3925	West Bloomfield		\$ 36,333.77
	TOTALS	\$ 54,346.11	\$ 1,529,278.55
	Total Villages/Cities/Towns		\$ 1,583,624.66

**RESOLUTION NO. 269-2020  
AMENDED VACANCY REVIEW POLICY FOR 2020**

WHEREAS, By Resolution No. 319-2019, The Ontario County Board of Supervisors adopted the Fiscal Year 2020 Vacancy Review Policy to achieve savings in fiscal year 2020; and

WHEREAS, This policy delayed the filling of County vacancies in 2020 unless the position had been vacant for at least 90 days; and

WHEREAS, During this COVID-19 crisis Ontario County faces financial uncertainty with respect to anticipated revenues in its adopted budget for 2020; and

WHEREAS, Ontario County is taking steps to mitigate unachieved revenues by limiting expenditures and by extending the period of vacancies for an additional 90 days with the understanding that only positions for which exigent circumstances exist will be able to be filled during the review period; and

WHEREAS, The Ways and Means Committee recommends that the Fiscal Year 2020 Vacancy Review Policy be amended accordingly; now, therefore, be it

RESOLVED, That the attached Amended Fiscal Year 2020 Vacancy Review Policy be, and it hereby is, adopted effective May 7, 2020.

### **AMENDED FISCAL YEAR 2020 VACANCY REVIEW POLICY**

A significant amount of savings resulting from position vacancies is needed to counter unachieved revenues in the 2020 County budget. The Board of Supervisors adopts the following amended policy actions for 2020 to achieve these savings.

- 1) No new positions will be created during 2020 unless they are permanent and fully funded with other than County funds. This provision may be overridden by the Board of Supervisors in critical situations.
- 2) All positions currently vacant or that become vacant during 2020 will be subject to at least a 6 month freeze before a request to fill may be made.
- 3) If a department head believes that hiring for the position cannot be delayed, the department head may submit a request to the County Administrator for approval for exemption from this policy. Only positions that meet one or more of the following criteria will be considered for exemption. If at least one of the criteria is not met and at least 6 months have not passed since the vacancy was created the request will be denied.
  - Positions that provide critical public health and/or public safety services
  - Positions critical to revenue collection
  - Positions that are grant-funded and required to maintain compliance with the grant
  - Positions required to provide mandated services that if left unfilled would result in fines or other sanctions
  - Positions that if left unfilled would result in significant overtime costs for the specific department totaling more than if the position were refilled
- 4) Temporary positions will not be created to refill the positions of those employees on extended leaves (disability, workers compensation, FMLA, and other leaves) unless one or more of the criteria in 3 above can be met. Military leaves may be exempt from this provision.
- 5) Overtime must be strictly monitored and minimized in each department. Departments are required to follow the budget transfer policy on overtime.

- 6) All approved requests for reclassification of a position must be funded through the departments existing appropriations in the 2020 County budget.
- 7) All approved reallocation requests must be funded through existing appropriations in the 2020 County budget.
- 8) The following information will be requested to refill any vacancy in 2020 and positions will be refilled subject to the County Administrator's review of this information.
  - o Is this position absolutely necessary?
  - o When did the position become vacant?
  - o Is the position required to meet public health and or public safety requirements? If so, briefly describe.
  - o How have the duties of the position been covered since the vacancy occurred? Can coverage continue in this manner?
  - o Can the duties of the position be performed in some other manner? Technology? Other?
  - o How long can the performance of the position's duties be deferred?
  - o What is the impact of not filling the position? Is it more cost effective to fill the position than to provide for coverage by some other means? Provide specific cost analyses.
- 9) These policies will expire December 31, 2020 unless renewed by the Board of Supervisors.

**RESOLUTION NO. 270-2020  
VACANCY REVIEW POLICY FOR 2021**

WHEREAS, The Ways and Means Committee recommend the adoption of a Vacancy Review Policy to achieve a significant amount of savings in fiscal year 2021; and

WHEREAS, This policy will delay the filling of County vacancies as they occur during 2021 for at least 6 months; and

WHEREAS, The adoption of this policy is necessary to balance the county budget for fiscal year 2021; now, therefore, be it

RESOLVED, That the attached Vacancy Review Policy be, and it hereby is, adopted effective January 1, 2021.

**FISCAL YEAR 2021 VACANCY REVIEW POLICY**

A significant amount of savings resulting from position vacancies is included in the 2021 County budget. The Board of Supervisors adopts the following policy actions for 2021 to achieve these savings.

- 10) No new positions will be created during 2021 unless they are permanent and fully funded with other than County funds. This provision may be overridden by the Board of Supervisors in critical situations.
- 11) All positions currently vacant or that become vacant during 2021 will be subject to at least a 6 month freeze before a request to fill may be made.
- 12) If a department head believes that hiring for the position cannot be delayed, the department head may submit a request to the County Administrator for approval for exemption from this policy. Only positions that meet one or more of the following criteria will be considered for exemption. If at least one of the criteria is not met and at least 6 months have not passed since the vacancy was created the request will be denied.
  - Positions that provide critical public health and/or public safety services
  - Positions critical to revenue collection
  - Positions that are grant-funded and required to maintain compliance with the grant
  - Positions required to provide mandated services that if left unfilled would result in fines or other sanctions
  - Positions that if left unfilled would result in significant overtime costs for the specific department totaling more than if the position were refilled
- 13) Temporary positions will not be created to refill the positions of those employees on extended leaves (disability, workers compensation, FMLA, and other leaves) unless one or more of the criteria in 3 above can be met. Military leaves may be exempt from this provision.
- 14) Overtime must be strictly monitored and minimized in each department. Departments are required to follow the budget transfer policy on overtime.
- 15) All approved requests for reclassification of a position must be funded through the departments existing appropriations in the 2021 County budget.
- 16) All approved reallocation requests must be funded through existing appropriations in the 2021 County budget.
- 17) The following information will be requested to refill any vacancy in 2021 and positions will be refilled subject to the County Administrator's review of this information.
  - Is this position absolutely necessary?
  - When did the position become vacant?
  - Is the position required to meet public health and or public safety requirements? If so, briefly describe.

- How have the duties of the position been covered since the vacancy occurred? Can coverage continue in this manner?
- Can the duties of the position be performed in some other manner? Technology? Other?
- How long can the performance of the position's duties be deferred?
- What is the impact of not filling the position? Is it more cost effective to fill the position than to provide for coverage by some other means? Provide specific cost analyses.

18) These policies will expire December 31, 2021 unless renewed by the Board of Supervisors.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 271-2020  
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 Order 202.4 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 additional Executive Orders extending these previous directives, including reductions in workforce, through May 15, 2020, subject to additional reviews and extensions; and

WHEREAS, The Ontario County Board of Supervisors adopted Resolution No. 207-2020, as amended, 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 comply with the Governor's Executive Order to reduce its on-site workforce through May 15, 2020, and as may be extended further; and

WHEREAS, The Ways and Means Committee has discussed this reduction in workforce plan and continues to allow each Department Head the discretion and authority to determine whether an employee is essential or non-essential, and whether or not an

employee has the ability to work remotely if they have equipment, security, and connectivity; and

WHEREAS, The Ways and Means Committee also recommends that those employees who continue to work either remotely or at the County work-sites 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, as amended, shall be extended through the period of time as directed by the Governor of New York in his executive Order 202.4, as extended, subject to review, amendment and modification by the Board of Supervisors 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 and authority 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.

**RESOLUTION NO. 272-2020  
ONTARIO COUNTY POLICY FOR IMPLEMENTATION  
OF THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

WHEREAS, On March 18, 2020, the federal Families First Coronavirus Response Act (FFCRA) was enacted, and consists of the Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act; and

WHEREAS, The FFCRA requires employers, including Ontario County, to provide paid emergency leave to employees in certain COVID-19 related circumstances, but permits employers to exclude certain essential healthcare workers and emergency responders from its provisions and determine whether to permit intermittent leave under the FFCRA; and

WHEREAS, In order to ensure the uninterrupted provision of essential County services, the County wishes to exclude health care providers and emergency responders from the benefits required by the Emergency Family and Medical Leave Expansion Act and to disallow intermittent leave under the FFCRA; and

WHEREAS, The Ways and Means Committee of the Ontario County Board of Supervisors has reviewed this policy and recommends its adoption; now, therefore, be it

RESOLVED, That Ontario County shall exclude health care providers and emergency responders, as those terms are defined in the FFCRA and related regulations, from the benefits required by the Emergency Family and Medical Leave Expansion Act; and be it further

RESOLVED, That Ontario County shall not permit intermittent leave under the FFCRA; and be it further

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

**RESOLUTION NO. 273-2020  
APPROVING MEMORANDUM OF AGREEMENT WITH CSEA  
AUTHORIZING VOLUNTARY TEMPORARY LAYOFFS**

WHEREAS, As a result of the COVID-19 crisis and New York State budget changes that shifted financial responsibility to Ontario County, the County faces financial uncertainty with respect to anticipated revenues in its adopted budget for 2020; and

WHEREAS, Ontario County is taking steps to mitigate unachieved revenues by limiting expenditures, eliminating unnecessary conferences and travel, and extending the period of vacancies to 6 months with the understanding that only positions for which exigent circumstances exist will be able to be filled during the review period; and

WHEREAS, The County has absorbed the full cost of non-essential employees who have been at home and not working since March 16, 2020; and

WHEREAS, Ontario County, in cooperation with the Civil Service Employees Association, Inc., Local 1000, AFSMCE, AFL-CIO (CSEA), intends to place certain employees, selected on a voluntary basis, on a temporary layoff; and

WHEREAS, Ontario County and CSEA, as parties to a collective bargaining agreement, which continues until December 31, 2020, have negotiated and reached an agreement to temporarily reduce the size of the County workforce through voluntary temporary layoffs not subject to Civil Service Law §80 permanent layoff procedures; now, therefore, be it

RESOLVED, That the Interim County Administrator is authorized to negotiate and execute a Memorandum of Agreement with the CSEA union relative to voluntary temporary layoffs of CSEA members effective May 18, 2020 and continuing up to and through July 31, 2020; and be it further

RESOLVED, That there shall be an initial 30-day period of temporary layoff that may be extended, in the discretion of the Interim County Administrator, for additional 30-day periods that end no later than July 31, 2020; and be it further

RESOLVED, That at all times the Interim County Administrator, in consultation with each department head, has full discretion to determine the operating needs of the County and may grant, deny, or recall any employee's voluntary election to participate in a temporary layoff; and be it further

RESOLVED, That throughout such period of temporary layoff, Ontario County shall continue to maintain each affected employee's current medical coverage but in all other respects the employees shall be treated as laid-off employees; and be it further

RESOLVED, That in the event an employee who has been placed on a temporary layoff has applied for unemployment insurance benefits and is denied, they shall immediately be returned to work and provided wages retroactive to the initial date of temporary layoff; and be it further

RESOLVED, That copies of this resolution shall be provided to the Director of Human Resources, the County Attorney, the Director of Finance, and CSEA President, Donald Havens.

**RESOLUTION NO. 274-2020  
AUTHORIZING ISSUANCE OF NOTICES IN THE EVENT OF LAYOFF**

WHEREAS, Andrew M. Cuomo, Governor of the State of New York, declared a Disaster Emergency in the State of New York to address the threat that COVID-19 poses to the health and welfare of its residents and visitors, and through Executive Order 202 has ordered the majority of New York businesses to close or greatly reduce operations; and

WHEREAS, On March 14, 2020, pursuant to the provisions of Section 24 of Article 2-B of the New York State Executive Law, John F. Marren, Chairman of the Ontario County Board of Supervisors, declared a state of emergency throughout Ontario County, effective March 15, 2020, due to imminent threat to life and property caused by COVID-19 in Ontario County; and

WHEREAS, The negative impact of the COVID-19 pandemic from lost revenues for all counties of New York, including Ontario County, is unprecedented; and

WHEREAS, The NYS Division of Budget has stated that budget shortfalls resulting from the COVID-19 pandemic could result in cuts of up to 50% in aid to local governments; and

WHEREAS, Unless additional sources of revenue become available, it is projected that Ontario County will incur a budget deficit in 2020 in excess of \$24 million; and

WHEREAS, Ontario County must take steps to mitigate unachieved revenues by limiting expenditures, eliminating unnecessary conferences and travel, and extending the period of vacancies to 6 months with the understanding that only positions for which exigent circumstances exist will be able to be filled during the review period; and

WHEREAS, The County must prepare to implement procedures for the layoff of current staff, including the procedures set forth in the collective bargaining agreements with the Civil Service Employees Association, Inc., Local 1000, AFSMCE, AFL-CIO, Ontario County Sheriff's General Unit, Inc., and the Ontario County Police Benevolent Association ("the collective bargaining agreements"), if such action becomes necessary; now, therefore, be it

RESOLVED, That the Interim County Administrator is hereby authorized to issue notices of layoff in accordance with the notice provisions contained in the collective bargaining agreements at a time deemed appropriate by the Interim County Administrator and the Chairman of the Board of Supervisors, but no later than November 1, 2020; and be it further

RESOLVED, That copies of this resolution shall be provided to the Interim County Administrator, Department Heads, Sheriff Kevin Henderson, CSEA President Donald Havens, SGU President Adam Broadwell, and PBA President Everett Roach.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 275-2020**  
**REVISION OF THE ONTARIO COUNTY PURCHASING PROCEDURES**

WHEREAS, Ontario County policy calls for an annual review and update of the Purchasing Policies and Procedures; and

WHEREAS, The State of New York now requires municipalities using procurement cards to review and revise these policies as necessary on an annual basis; and

WHEREAS, The Purchasing Director and the Ways and Means Committee have done this review and incorporated changes necessary for compliance with General Municipal Law, Sections 103 and 104-b; now, therefore be it

RESOLVED, That the Ontario County Purchasing Procedures and Ontario County Purchasing Card User's Guide and Policy Manual, as revised, and on file with the Clerk of this Board, be adopted and implemented immediately.

**RESOLUTION NO. 276-2020**  
**RESOLUTION CALLING ON THE STATE OF NEW YORK TO RELEASE  
ENHANCED FEDERAL MEDICAID MATCHING FUNDS TO  
COUNTIES AND NEW YORK CITY**

WHEREAS, In response to the COVID-19 pandemic, Congress has enacted extraordinary measures to help states and localities with increased costs and lost revenues; and

WHEREAS, A key action enacted by the federal government was a 6.2 percent increase in the federal medical assistance percentage (FMAP); and

WHEREAS, Congress has used this mechanism to provide fiscal relief to states and their local government Medicaid funding partners to reduce the financial burden they often experience in an economic downturn; and

WHEREAS, Counties and New York City are struggling with higher costs responding to COVID-19 and experiencing extensive revenue declines due to the shutdown of large swaths of the economy; and

WHEREAS, We project that each quarter of enhanced FMAP funding is worth hundreds of millions of dollars for counties and New York City; and

WHEREAS, The Ways and Means Committee has reviewed and support this resolution; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors is respectfully requesting financial assistance through federal FMAP monies by reducing county weekly

Medicaid payments retroactive to January 1, 2020 to provide some partial fiscal relief to the current conditions; and further

RESOLVED, This Board also respectfully request that the State provide a timeline to all counties on the release of the enhanced federal Medicaid matching funds related to the Affordable Care Act “reconciliation funds” that have been withheld for over three years and the likely mechanism on how these funds will be delivered to counties and New York City; and further

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

**RESOLUTION NO. 277-2020  
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON  
LOCAL LAW NO. 2 (INTRO.) 2020**

WHEREAS, There has been introduced at a meeting of this Board held on May 7, 2020 a proposed local law entitled “A Local Law Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2021”; now, therefore, be it

RESOLVED, That a public hearing shall be held on May 28, 2020, at 6:30 p.m. at <https://ontariocountyny.webex.com> with access code 718 078 254 and password 2020 or by phone at 1-408-418-9388; and further

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

The foregoing block of three resolutions was adopted.

At the request of Supervisor David Baker, consent was given to waive the provision of Rule No. 23 of the "Rules and Order of Business" of this Board so that action could be taken on the following addendum items.

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

**RESOLUTION NO. 278-2020  
APPROVING MEMORANDUM OF AGREEMENT WITH PBA  
AUTHORIZING VOLUNTARY TEMPORARY LAYOFFS**

WHEREAS, As a result of the COVID-19 crisis and New York State budget changes that shifted financial responsibility to Ontario County, the County faces financial uncertainty with respect to anticipated revenues in its adopted budget for 2020; and

WHEREAS, Ontario County is taking steps to mitigate unachieved revenues by limiting expenditures, eliminating unnecessary conferences and travel, and extending the period of vacancies to 6 months with the understanding that only positions for which exigent circumstances exist will be able to be filled during the review period; and

WHEREAS, The County has absorbed the full cost of non-essential employees who have been at home and not working since March 16, 2020; and

WHEREAS, Ontario County and the Ontario County Sheriff (“Employers”), in cooperation with the Ontario County Police Benevolent Association (“PBA”), intend to place certain employees, selected on a voluntary basis, on a temporary layoff; and

WHEREAS, the Employers and PBA, as parties to a collective bargaining agreement, which continues until December 31, 2020, have negotiated and reached an agreement to temporarily reduce the size of the workforce through voluntary temporary layoffs not subject to Civil Service Law §80 permanent layoff procedures; now therefore be it

RESOLVED, That the Interim County Administrator, on behalf of the County, is authorized to negotiate and execute a Memorandum of Agreement with the PBA union relative to voluntary temporary layoffs of PBA members effective May 18, 2020 and continuing up to and through July 31, 2020; and be it further

RESOLVED, That there shall be an initial 30-day period of temporary layoff that may be extended, in the discretion of the Interim County Administrator and the Sheriff, for additional 30-day periods that end no later than July 31, 2020; and be it further

RESOLVED, That at all times the Interim County Administrator and the Sheriff have full discretion to determine operating needs and may grant, deny, or recall any employee’s voluntary election to participate in a temporary layoff; and be it further

RESOLVED, That throughout such period of temporary layoff, Ontario County shall continue to maintain each affected employee’s current medical coverage but in all other respects the employees shall be treated as laid-off employees; and be it further

RESOLVED, That in the event an employee who has been placed on a temporary layoff has applied for unemployment insurance benefits and is denied, they shall

immediately be returned to work and provided wages retroactive to the initial date of temporary layoff; and be it further

RESOLVED, That copies of this resolution shall be provided to the Sheriff, the Director of Human Resources, the County Attorney, the Director of Finance, and PBA President, Everett Roach.

**RESOLUTION NO. 279-2020**  
**APPROVING MEMORANDUM OF AGREEMENT WITH SGU**  
**AUTHORIZING VOLUNTARY TEMPORARY LAYOFFS**

WHEREAS, As a result of the COVID-19 crisis and New York State budget changes that shifted financial responsibility to Ontario County, the County faces financial uncertainty with respect to anticipated revenues in its adopted budget for 2020; and

WHEREAS, Ontario County is taking steps to mitigate unachieved revenues by limiting expenditures, eliminating unnecessary conferences and travel, and extending the period of vacancies to 6 months with the understanding that only positions for which exigent circumstances exist will be able to be filled during the review period; and

WHEREAS, The County has absorbed the full cost of non-essential employees who have been at home and not working since March 16, 2020; and

WHEREAS, Ontario County and the Ontario County Sheriff (“Employers”), in cooperation with the Ontario County Sheriff’s General Unit, Inc. (“SGU”), intend to place certain employees, selected on a voluntary basis, on a temporary layoff; and

WHEREAS, the Employers and SGU, as parties to a collective bargaining agreement, which continues until December 31, 2020, have negotiated and reached an agreement to temporarily reduce the size of the workforce through voluntary temporary layoffs not subject to Civil Service Law §80 permanent layoff procedures; now therefore be it

RESOLVED, That the Interim County Administrator, on behalf of the County, is authorized to negotiate and execute a Memorandum of Agreement with the SGU union relative to voluntary temporary layoffs of SGU members effective May 18, 2020 and continuing up to and through July 31, 2020; and be it further

RESOLVED, That there shall be an initial 30-day period of temporary layoff that may be extended, in the discretion of the Interim County Administrator and the Sheriff, for additional 30-day periods that end no later than July 31, 2020; and be it further

RESOLVED, That at all times the Interim County Administrator and the Sheriff have full discretion to determine operating needs and may grant, deny, or recall any employee's voluntary election to participate in a temporary layoff; and be it further

RESOLVED, That throughout such period of temporary layoff, Ontario County shall continue to maintain each affected employee's current medical coverage but in all other respects the employees shall be treated as laid-off employees; and be it further

RESOLVED, That in the event an employee who has been placed on a temporary layoff has applied for unemployment insurance benefits and is denied, they shall immediately be returned to work and provided wages retroactive to the initial date of temporary layoff; and be it further

RESOLVED, That copies of this resolution shall be provided to the Sheriff, the Director of Human Resources, the County Attorney, the Director of Finance, and SGU President, Adam Broadwell.

The foregoing block of two resolutions was adopted.

At the request of Supervisor Jeffery Gallahan, consent was given to waive the provision of Rule No. 23 of the "Rules and Order of Business" of this Board so that action could be taken on the following addendum item.

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

**RESOLUTION NO. 280-2020**  
**AUTHORIZATION TO ACCEPT THE**  
**NYS HAVA CARES ACT GRANT FROM THE NYS BOARD OF ELECTIONS**

WHEREAS, Ontario County has been awarded \$146,212.22 from the New York State Board of Elections NYS HAVA CARES Act Grant Program (Project# BOE01-C004202-1110000; New York State Contract # BOE01-C004202-1110000; CFDA # 90.404; MUNIS# G20013) for the purpose of conducting 2020 elections safely and fairly during the COVID-19 pandemic crisis; and

WHEREAS, The term of the grant covers the period March 28, 2020, through December 31, 2020, and

WHEREAS, Authorization by the Ontario County Board of Supervisors is required for acceptance of the NYS HAVA CARES Act Grant funds; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby accepts the NYS Board of Elections grant for an amount of \$146,212.22; and further

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

RESOLVED, That the following budget transfer is hereby approved:

Account Number	Account Description	Amount
AA1450PL 43089	State Aid – Other	\$29,242
AA1450PL 44089	Federal Aid – Other	\$116,970
AA1450PL 51800	Part Time Hourly	\$20,000
AA1450PL 52300	Computer Equipment	\$25,000
AA1450PL 54140	Postage	\$60,000
AA1450PL 54580	Printing	\$8,000
AA1450PL 54180	Mileage/Day Training	\$1,000
AA1450PL 54613	Supplies Election	\$5,000
AA1450PL 54620	Contracts	\$25,682
AA1450PL 58020	FICA	\$1,240
AA1450PL 58021	Medicare	\$290

and further

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

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to NYS Board of Elections, 40 North Pearl St, Suite 5, Albany, NY 12207.

Adopted.

On motion of Supervisor Daniel Marshall, seconded by Supervisor Peter Ingalsbe, the meeting was adjourned at 7:15 PM.