

May 10, 2018

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:32 p.m. at the Ontario County Safety Training Facility, 2914 County Road 48 in the Town of Hopewell, with Chairman Marren presiding.

The Pledge of Allegiance was led by Supervisor Hicks.

Upon roll call, all Members of the Board were present with the exception of Supervisors Campbell who was declared necessarily absent.

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

County Administrator, Mary Krause announced on April 20th that Chairman Marren, Supervisor Singer and herself attended Senator Helming's Women of Distinction event at New York Kitchen.

On April 24th, the Citizens Academy began. Mary Krause thanked the Committee chairs for their participation and introductions for each night of the Academy. The dinner provided was Taste of Ontario County.

The Blue Zone Staff was here from April 24th through 26th. Mr. Burton will be here next week touring sites. Mary Krause anticipates the return of the Blue Zones team to provide their site assessment report in early June.

On April 29th, Mary Krause and Chairman Marren attended a ribbon cutting ceremony for Centralized Arraignment at the Jail. Ontario County is the first county in the district and fifth in the State of NY to provide centralized arraignment.

On May 5th, Mary Krause provided a welcome at the Victor Business Award's Luncheon. The stories of the award winners were exemplary.

On May 9th, Mary Krause provided information on the State of the County to the Canandaigua Chamber of Commerce and will be doing similar presentations to the Canandaigua and Geneva Rotaries.

On May 11th, Chairman Marren, Tom Harvey and Mary Krause will be attending a ribbon cutting ceremony for the FLCC Athletic Fields.

Mary Krause took note of the Act Rochester Report Card and the subsequent editorial in the Democrat and Chronicle. It was noted that Ontario County ranked well overall but it did identify areas of concern in certain categories. She has a meeting scheduled to discuss the process utilized in developing the Report Card as well as how to produce a more informed process.

Chairman Marren granted privilege to the floor to Supervisor Green for Peter Kehoe, Executive Director of the NYS Sheriff's Association regarding reaccreditation of the Sheriff's Court Security Division with a special presentation for the Sheriff and staff. Mr. Kehoe noted Ontario County is the only county to have all the accreditations. Mr. Kehoe particularly wanted to recognize the following staff of Court Security for their dedication and professionalism:

- Sergeant Jim Lyons
- Officer Tim Bentley
- Officer Terry Cecere

Mr. Kehoe offered a plaque of recognition to Sheriff Povero for his achievements in the reaccreditations. Sheriff Povero gave his thanks and distributed the 2017 Annual Report.

Chairman Marren granted privilege to the floor to Supervisor Singer for Valerie Knoblauch from the Finger Lakes Visitor's Connection regarding National Tourism Week. Valerie Knoblauch presented an infographic with information highlighting the changes from 2006 to 2016 on tourism impact as well as lodging with a 30% growth. She reviewed some of the positive changes that will be taking place in the county for travel and tourism. She thanked the Board for their support as well as the Finger Lakes Visitor's Connection staff.

Chairman Marren noted that on Tuesday, May 15th, there will be a Law Day Ceremony as well as FLCC will be hosting a full scale active shooter exercise from 1-4 pm on Monday, May 21, 2018.

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

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

- a. Public Safety Committee held on March 21, 2018
- b. Governmental Operations and Insurance Committee held on March 21, 2018
- c. Governmental Operations and Insurance Committee held on March 29, 2018

The Clerk received from the Town of Geneva a Notice of Public Hearing concerning Proposed Local Law No. 4 - 2018 entitled "A Local Law which would repeal in its entirety the existing Chapter 165 (Zoning) and would adopt a new Chapter 165 (Zoning) to take its place".

The Clerk received a notification of Court ordered refunds from Gary Baxter, Ontario County Treasurer.

The Clerk received a notification of Correction of Errors from Gary Baxter, Ontario County Treasurer.

The Clerk received The Rochester Genesee Regional Transportation Authority 2018-2021 Comprehensive Strategic Plan and 2018-19 Financial Plan from Bill Carpenter, CEO, Rochester Genesee Regional Transportation Authority.

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

**RESOLUTION NO. 281-2018
AUTHORIZATION TO PARTICIPATE IN
DEFENSE OF REAL PROPERTY TAX ASSESSMENT CHALLENGES
AGAINST THE 2017 FINAL ASSESSMENT ROLL**

WHEREAS, This Board of Supervisors by Resolution No. 285-2007 established a policy and program to share in the costs of defending legal challenges to real property tax assessments; and

WHEREAS, Pursuant to said program a number of municipalities have requested that the county share in the cost of defending certiorari proceedings filed against the 2017 Final Assessment Roll; and

WHEREAS, The Real Property Tax Director has reviewed the requests with representatives of the towns and determined that one case meets the criteria for support; and

WHEREAS, the petitioner has filed both an Article 7 and an Article 78, naming Ontario County as a respondent/defendant among multiple taxing jurisdictions; and

WHEREAS, The Real Property Tax Services Director and County Attorney recommend that the county participate in the certiorari case identified as Index 115967-2017 including seventeen parcels in five towns by joining the towns, villages and the schools and paying 25% of defense costs incurred since the beginning (7/28/2017), including professional appraisal and legal fees, subject to total funding available and to be made available by this Board of Supervisors; and

WHEREAS, The Governmental Operations and Insurance Committee and the Ways and Means Committee agree with these recommendations; now, therefore, be it

RESOLVED, That Ontario County agrees to share the defense costs in the certiorari cases on the list filed herewith; and further

RESOLVED, The County Attorney is authorized to join with the appropriate towns, villages and schools to defend the case, and payment of 25% of defense costs, including professional appraisal and legal fees is hereby authorized, subject to total funding available and to be made available by this 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 the County Administrator is authorized to sign an Intermunicipal Agreement to confirm the commitment of financial support, specify legal representation and payment arrangements; and further

RESOLVED, That certified copies of this resolution be sent to the Town Supervisors of the Towns of Canandaigua, Hopewell, Geneva, Manchester and Phelps.

**RESOLUTION NO. 282-2018
APPROVAL OF CONTRACT WITH
DISTRIBUTED TECHNOLOGIES GROUP LLC
FOR BREACH DETECTION SERVICES**

WHEREAS, Ontario County recognizes the significance of robust cyber security protections; and

WHEREAS, constant monitoring of network traffic between key systems is a recommended defense mechanism against cyber-attacks; and

WHEREAS, the Chief Information Officer has determined the County's current network monitoring service does not provide adequate protections and alerting; and

WHEREAS, the Information Services Department researched more comprehensive monitoring tools; and

WHEREAS, the Chief Information Officer recommends the proposal from Distributed Technologies Group LLC for CyFlare Pulse Breach Detection Services; and

WHEREAS, the Governmental Operations and Insurance Committee recommends the selection of the proposal from Distributed Technologies Group LLC for CyFlare Pulse Breach Detection Services; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors authorizes the Chief Information Officer to proceed with purchasing CyFlare Pulse Breach Detection Services from Distributed Technologies Group, 6780 Pittsford Palmyra Road, Building #2 Unit B, Perinton, NY 14450 at a cost not to exceed \$23,400, which includes implementation and one year of network monitoring; and be it further

RESOLVED, that the Department of Finance is hereby directed to process all transactions related to this contract; and be it further

RESOLVED, That upon the review and approval by the County Attorney as to form, the Board of Supervisors authorizes the County Administrator to sign the contract with Distributed Technologies Group LLC and any other documents necessary to effectuate the purpose of this resolution on behalf of Ontario County; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Distributed Technologies Group LLC.

The forgoing block of two resolutions was adopted.

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

RESOLUTION NO. 283-2018
APPROVAL AGREEMENT - OFFICE FOR THE AGING - EISEP AND
THE CENTER FOR DISABILITY RIGHTS, INC – 2018

WHEREAS, The County desires to obtain the services of the Center for Disability Rights, Inc. (CDR) located at 497 State Street, Rochester, New York 14608 to provide social adult day services (SADS) for the EISEP program; and

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

WHEREAS, Reimbursement to all EISEP providers including CDR will not exceed a total cost of \$395,000; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and the Center for Disability, Inc. (CDR); and further

RESOLVED, That the Center for Disability Rights will be paid at rate of \$60.00 per full day, \$40.00 per half day of social adult day service and \$15.00 per one way trip for transportation and a fee up to \$20.00 for bathing a client, based on criteria described in Schedule A and authorized by the Office for the Aging; and further

RESOLVED, That the contract between the Center for Disability Rights, Inc. and Ontario County be accepted for the period April 1, 2018, through March 31, 2019; and further

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

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

**RESOLUTION NO. 284-2018
AMENDMENT TO RESOLUTION NO. 201-2017
OFFICE FOR THE AGING AND
ASSOCIATES FOR TRAINING AND DEVELOPMENT - 2018**

WHEREAS, On February 1, 2017, the County entered into an agreement pursuant to Resolution Number 201-2017 with Associates for Training and Development, having an office at 3 Champlain Commons, Suite #2, P.O. Box 107, St. Albans, Vermont 05478, to operate the Senior Community Service Employment Program (SCSEP) which helps job seekers age 55 or older improve their skills, obtain on-the-job training and find a job; and

WHEREAS, The New York State has decided to create a regional structure for the operation of SCSEP and the Ontario County office for the Aging will not receive funding for this program starting July 1, 2018; and

WHEREAS, The County and the Contractor wish to extend the contract period to cover the period April 1, 2017, through June 30, 2018 at a cost not to exceed \$7,672.00; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize an extension of the contract with Associates for Training to June 30, 2018 at an additional cost not to exceed \$7,672.00; and further

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

RESOLVED, That certified copies of this resolution be sent to the Associates for Training and Development and to the New York State Office for the Aging.

RESOLUTION NO. 285-2018
APPROVAL AGREEMENT - OFFICE FOR THE AGING AND
COMPANION CARE OF ROCHESTER (CCOR) – 2018

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

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

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

WHEREAS, Reimbursement to all EISEP providers, including Companion Care of Rochester (CCOR), will not exceed a total cost of \$395,000.00; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Companion Care of Rochester (CCOR) at the rate of \$22.00 per hour for PCA Level I and \$24.00 per hour for PCA Level II and \$70.00 per RN supervisory visit; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2018, to March 31, 2019; and further

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

RESOLVED, That certified copies of this resolution be sent to Companion Care of Rochester (CCOR) and to the New York State Office for the Aging.

RESOLUTION NO. 286-2018
APPROVAL AGREEMENT - OFFICE FOR THE AGING AND
GENESEE REGION HOME CARE OF ONTARIO COUNTY, INC.
DBA HOME CARE PLUS – 2018

WHEREAS, The County desires to enter into an agreement with Genesee Region Home Care of Ontario County, Inc., DBA Home Care Plus, 3111 Winton Road South, Rochester, New York 14623 for Personal Care Level I (Housekeeper/Chore Services) and

Personal Care Level II (Homemaker/Personal Care) to provide services for EISEP (Expanded In Home Services for the Elderly Program); and

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

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of EISEP clients and Genesee Region Home Care of Ontario County, Inc. DBA Home Care Plus is one of those providers; and

WHEREAS, Reimbursement to all EISEP providers, including Genesee Region Home Care of Ontario County, Inc., will not exceed a total cost of \$395,000; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Genesee Region Home Care of Ontario County, Inc. DBA Home Care Plus at a rate of \$23.90 for Personal Care Level I and \$23.84 for Personal Care Level II per hour and \$121.50 per visit for RN Supervision; and further

RESOLVED, That this Board of Supervisors does hereby authorize the contract for the period April 01, 2018, to March 31, 2019, with the aforementioned agency; and further

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

RESOLVED, That certified copies of this resolution be sent to Genesee Region Home Care of Ontario County, Inc. and to the New York State Office for the Aging.

RESOLUTION NO. 287-2018
APPROVAL AGREEMENT - OFFICE FOR THE AGING AND
HAFLER CORPORATION DBA COMFORT KEEPERS #476 – 2018

WHEREAS, The County desires to enter into an agreement with the Hafler Corporation, DBA Comfort Keepers #476, 1163 Pittsford-Victor Road, Suite 215, Pittsford, New York 14534 for Personal Care Level I (Housekeeper/Chore Services) to provide services for EISEP (Expanded In Home Services for the Elderly Program); and

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

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of EISEP clients and Hafler Corporation DBA Comfort Keepers #476 is one of those providers; and

WHEREAS, Reimbursement to all EISEP providers including Hafler Corporation DBA Comfort Keepers will not exceed a total cost of \$395,000; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Hafler Corporation DBA Comfort Keepers #476, at a cost of \$25.00 per hour Level I services, \$30.00 per hour for required supervisory visits, \$35.00 per hour for heavy cleaning and \$0.60 cents per mile for travel authorized by the Office for the Aging; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2018, to March 31, 2019, with the aforementioned agency, and further

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

RESOLVED, That certified copies of this resolution be sent to Hafler Corporation DBA Comfort Keepers #476 and to the New York State Office for the Aging.

The forgoing block of five resolutions was adopted

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

RESOLUTION NO. 288-2018
AUTHORIZATION TO CONTRACT WITH
HAFLER CORPORATION DBA COMFORT KEEPERS #476
FOR RESPITE SERVICES
OFFICE FOR THE AGING – 2018

WHEREAS, The County desires to enter into an agreement with the Hafler Corporation, DBA Comfort Keepers #476, 1163 Pittsford-Victor Road, Suite 215, Pittsford, New York 14534 for personal care services; and

WHEREAS, The purpose of this contract is to provide respite care for informal caregivers of people 60 years of age or older living in Ontario County who have a chronic illness or dementia; and

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of respite clients and Hafler Corporation, DBA Comfort Keepers #476 is one of those providers; and

WHEREAS, Reimbursement to all Respite Care providers, including Hafler Corporation, DBA Comfort Keepers #476 will not exceed a total cost of \$66,000; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Hafler Corporation, DBA Comfort Keepers #476 at the rate of \$25.00 per hour for personal care services and \$.60 cents per mile for travel authorized by the Office for the Aging for the period April 01, 2018, to March 31, 2019; and further

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

RESOLVED, That certified copies of this resolution be sent to Hafler Corporation DBA Comfort Keepers #476 and to the New York State Office for the Aging.

**RESOLUTION NO. 289-2018
APPROVAL AGREEMENT - OFFICE FOR THE AGING AND
HOME MAKERS OF THE GENESEE DBA CAREGIVERS – 2018**

WHEREAS, The County desires to enter into an agreement with Homemakers of the Genesee DBA Caregivers, 2465 Sheridan Drive, PO Box 1264, Buffalo, New York 14240 for Personal Care Level I (Housekeeper/Chore Services) and Personal Care Level II (Homemaker/Personal Care) to provide services for EISEP (Expanded In Home Services for the Elderly Program); and

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

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of EISEP clients and Home Makers of the Genesee DBA Caregivers is one of those providers; and

WHEREAS, Reimbursement to all EISEP providers, including Homemakers of the Genesee DBA Caregivers will not exceed a total cost of \$395,000; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Homemakers of the Genesee DBA Caregivers at the rate of \$24.50 per hour for Personal Care Level I and \$24.50 per hour for Personal Care Level II; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2018, to March 31, 2019, with the aforementioned agency; and further

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

RESOLVED, That certified copies of this resolution be sent to Homemakers of the Genesee DBA Caregivers and to the New York State Office for the Aging.

The forgoing block of two resolutions was adopted.

Supervisor Marshall offered the following resolution and moved for its adoption, seconded by Supervisor Teed.

**RESOLUTION NO. 290-2018
AUTHORITY TO RENEW CONTRACT
PLANNED PARENTHOOD OF CENTRAL AND WESTERN NEW YORK**

WHEREAS, The Ontario County Public Health Department desires to renew the professional service contracts for the provision of services for Public Health Department programs; and

WHEREAS, The authorized provider will continue to provide services as follows:

Contractor	Professional Services	Time Period
Planned Parenthood of Central and Western New York 114 University Avenue Rochester, NY 14605	STD Diagnosis and Treatment	January 1, 2018 through December 31, 2019

and

WHEREAS, Funds have been budgeted for said contract; and

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Planned Parenthood of Central and Western New York for a term of January 1, 2018, through December 31, 2019; and further

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

Adopted.

Supervisors Teed, Bateman, and Bendzlowicz wished to go on record as voting "NO" on the aforementioned Resolution.

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

**RESOLUTION NO. 291-2018
AUTHORIZATION FOR SERVICES
FINGER LAKES RADIOLOGY
ONTARIO COUNTY PUBLIC HEALTH**

WHEREAS, Resolution No. 553-2014 authorized a contract with Finger Lakes Radiology for the purpose of radiology services for the Tuberculosis Program; and

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

WHEREAS, Finger Lakes Radiology will provide services for the period January 1, 2018, through December 31, 2019, as follows:

Contractor	Professional Services	Time Period
Finger Lakes Radiology 908 Niagara Falls Blvd. #208 North Tonawanda, NY 14120-2016	Radiology Services	January 1, 2018 through December 31, 2019

and

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

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

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Finger Lakes Radiology for a term of January 1, 2018 to December 31, 2019; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute the Agreement with Finger Lakes Radiology and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 292-2018
AUTHORIZATION FOR PROFESSIONAL CONSULTANT CONTRACT
CONSILIUM STAFFING
MENTAL HEALTH – 2018**

WHEREAS, Ontario County Mental Health desires to enter into a professional consultant service contract with Consilium Staffing for professional services related to the provision of Psychiatric Nurse Practitioner Services or a Psychiatrist for a cost not to exceed \$50,000 annually; and

WHEREAS, Sufficient funds exist within the 2018 budget and propose 2019 budget for this contract; 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 the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Consilium Staffing for said services for an amount not to exceed \$50,000 annually for a term beginning May 7, 2018, and ending December 31, 2019; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and directed to execute said contract and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 293-2018
AUTHORIZATION FOR PROFESSIONAL CONSULTANT CONTRACT
LOCUMTENENS
MENTAL HEALTH – 2018**

WHEREAS, Ontario County Mental Health desires to enter into a professional consultant service contract with LocumTenens for professional services related to the provision of Psychiatric Nurse Practitioner Services or a Psychiatrist for a cost not to exceed \$50,000 annually; and

WHEREAS, Sufficient funds exist within the 2018 budget and proposed 2019 budget for this contract; 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 of the County Attorney as to form, the Board of Supervisors hereby approves said contract with LocumTenens for the term beginning May 7, 2018, and ending December 31, 2019, for an amount not to exceed \$50,000 annually; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and directed to execute said contract and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 294-2018
RESOLUTION SUPPORTING
SUBSTANCE ABUSE PREVENTION SERVICES**

WHEREAS, It is the function of the Community Services Board to plan for identified needs in the community for all three disability areas which include mental health, developmental disabilities and substance abuse; and

WHEREAS, The Community Services Board has identified that substance abuse prevention is a needed service in the community, most recently related to the opioid epidemic; and

WHEREAS, The Substance Abuse Prevention Coalition is an initiative of the Partnership for Ontario County; and

WHEREAS, The Substance Abuse Prevention Coalition provides prevention and education services by:

1. Increasing public awareness by all available means
2. Reaching children early, in and outside of schools
3. Advocating for opioid training in higher education
4. Facilitating safe disposal sites and take-back days
5. Along with numerous other activities to promote education and information-sharing across age groups throughout the community; and

WHEREAS, These philosophies are supported and encouraged by the National League of Cities, New York State OASAS and Governor Cuomo; and

WHEREAS, The Community Services Board is aware that funding for this valuable service is scheduled to end in September 2019; and

WHEREAS, The Health and Human Services Committee and the Community Services Board recommend that all efforts for additional funding be sought by the Partnership and the County; now, therefore, be it

RESOLVED, That the Community Services Board requests that the Ontario County Board of Supervisors continue to support the Substance Abuse Prevention Coalition in their efforts to promote and educate the community on substance abuse issues.

**RESOLUTION NO. 295-2018
PROCLAIMING
WORLD BREASTFEEDING WEEK 2018
AUGUST 1-7, 2018**

WHEREAS, the health and well-being of Ontario County residents are of utmost importance to the prosperity and livelihood of our local communities; and

WHEREAS, the United States Breastfeeding Committee declared August National Breastfeeding Month, and the World Alliance for Breastfeeding Action declared August 1-7, 2018, as World Breastfeeding Week to promote breastfeeding as a key to sustainable development; and

WHEREAS, exclusively breastfeeding infants for the first six months after birth with continued breastfeeding for at least twelve months ensures that both mothers and infants receive maximum health benefits; and

WHEREAS, breast milk is physiologically tailored to meet the needs of infants' maturing digestive systems, which ensures proper growth and development, helps prevent a variety of acute and chronic diseases, reduces childhood obesity, and improves a child's neurodevelopment; and

WHEREAS, breastfeeding provides women with health benefits such as reduced risk of ovarian, uterine, and breast cancer, osteoporosis, and high blood pressure; and

WHEREAS, breastfeeding enriches the bond between a mother and her baby; and

WHEREAS, comprehensive lactation support programs increase employee retention rates, decrease absenteeism, decrease health care costs, improve employee productivity, and support family-friendly communities; and

WHEREAS, all Ontario County employers are encouraged to accommodate the breastfeeding needs of mothers and their children; and

WHEREAS, as of March 23, 2010 Section 7 of the Fair Labor Standards Act (FLSA) (P.L. 111-148); Employers are required to provide "reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk" in addition to providing "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk."; and

WHEREAS, keeping breastfeeding high on the public health agenda is critical in improving the health and well-being of mothers and babies; now, therefore, be it

RESOLVED, that the Ontario County Board of Supervisors supports the World Breastfeeding Week 2018 and the Finger Lakes Breastfeeding Partnership in their efforts, and commands all who participate in such a worthy cause, and proclaims the first week in the month of August, as World Breastfeeding Week 2018.

The forgoing block of five resolutions was adopted.

Supervisor Marshall offered the following block of two resolutions and moved its adoption, seconded by Supervisor Hicks:

RESOLUTION NO. 296-2018
REAPPOINTMENT - ONTARIO COUNTY YOUTH BOARD
ELIZABETH MACZYNSKI

WHEREAS, Youth Board member Ms. Elizabeth Maczynski's term of office will expire on April 30, 2018; and

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

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

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

RESOLVED, That this Board of Supervisors does hereby reappoint Elizabeth Maczynski, 6646 Dugway Road, Canandaigua, New York, 14424, to the Ontario County Youth Board for a new three year term to expire April 30, 2021; and further

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

**RESOLUTION NO. 297-2018
REAPPOINTMENT - ONTARIO COUNTY YOUTH BOARD
SABRINA WILFERTH**

WHEREAS, Youth Board member Ms. Sabrina Wilferth's term of office will expire on May 31, 2018; and

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

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

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

RESOLVED, That this Board of Supervisors does hereby reappoint Sabrina Wilferth, 2109 State Route 96, Clifton Springs 14432, to the Ontario County Youth Board for a new three year term to expire May 31, 2021; and further

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

The forgoing block of two resolutions was adopted.

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

**RESOLUTION NO. 298-2018
COMMENTS ON CIRCULAR ENER G
PUBLIC INVOLVEMENT PLAN**

WHEREAS, On March 13, 2018 Circular enerG, LLC submitted a draft Public Involvement Plan to the State Board for Electric Generation Siting and the

Environment (BEGSE) as the first step in the application review process for a waste-to-energy plant on 39.4-acres of land at the former Seneca Army Depot in the Town of Romulus, New York (the "Project") under Article 10 of the Public Service Law of the State of New York, said application now assigned Case 18-F-0150 by BEGSE; and

WHEREAS, This Board has serious concerns over potential impacts associated with the Project on Finger Lakes' quality of life, tourism, agriculture, water quality, and air quality, and thus the negative impact these would have on public health and the economic vitality of the Finger Lakes Region's tourism and agricultural industries as well as the potential distribution of these impacts on underrepresented minority and impoverished residents; and

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

RESOLVED, That this Board of Supervisors does hereby adopt the following comments on the Project's Public Involvement Plan filed by Circular enerG, LLC in regard to BEGSE Case 18-F-0150:

1. The County of Ontario, the City of Geneva, Town of Geneva, and Town of Seneca should be involved as stakeholders because:
 - a. The public water supplies for these municipalities and their citizens are directly or indirectly from Seneca Lake. They should know, understand, and have input as to the potential impacts from air emissions and fallout therefrom that impact Seneca Lake and its water quality.
 - b. They contain tourism businesses, including but not limited to, hotels, motels, bed and breakfast facilities, wineries, restaurants, boat rental and excursion businesses, and vacation rentals that rely on the scenic vistas of and over Seneca Lake and the rural landscape that may be impacted by the Project.
 - c. The Project purports to involve hauling Municipal Solid Waste ("MSW") by truck or rail to the facility and the use of residual ash from the Project as concrete aggregate. Previous statements by Circular enerG, LLC claim operations at the proposed facility would likely start with hauling MSW in by truck with transition to more rail hauling in the future. Details on handling and potential hauling of ash or products produced using the ash are not clear at this time. These communities are interested in understanding the proposed truck and rail routes that would be used and the impact on their communities, neighborhoods, and emergency services. Ontario County further notes that the north-south access from main line rail carrier Norfolk Southern to the Finger Lakes Railway (the local freight service operator serving Ontario and Seneca County), is through the Town of Geneva and the City of Geneva, with a switching and storage yard in the City of Geneva. The municipalities must understand the management (shipment routing,

queuing, and storage) of rail cars containing solid waste and potentially ash from the plant in and surrounding their communities as the rail line and storage yards are proximate to and visible from the lakefront and adjacent to both City of Geneva and New York State park land as well as residential neighborhoods.

2. The Ontario County Agricultural Enhancement Board should be a stakeholder because of the potential impact of contaminant fallout from air emissions on agricultural production within Ontario County and the potential impact on organic agricultural production, a growing segment of the local agricultural economy. Circular enerG, LLC should also reach out to the Ontario County Farm Bureau to gauge their interest in becoming a stakeholder for these same reasons.
3. Since the proposed project purports to serve the solid waste disposal needs for upstate New York, the Ontario County Planning Department should be a stakeholder because of the potential impact on the Ontario County Local Solid Waste Management Plan and any update thereof. The Planning Department oversees the implementation of the current plan approved by NYS Department of Environmental Conservation (“DEC”) on July 7, 2014, submits progress reports on the implementation of said plan to the NY State Department of Environmental Conservation, and will oversee the preparation of the update to said plan.
4. The Ontario County Health Department and Planning Department are also interested in the potential public health impacts of the Project. Those agencies assume that BEGSE or the DEC will require a report on the distribution of potential air emission fallout across the region, and would like the opportunity to comment on the scope, methodology, and findings of such a study. Those agencies are also concerned with the project’s purported use of fly ash as aggregate in making concrete or concrete products. Those agencies assume that the types of concrete products proposed to be produced, their distribution and use, and the quality control and assurance mechanisms proposed to document safety will be part of the required application materials. These analyses are necessary to assess potential health impacts to the local population. Ontario County notes that the quantity of ash that would be produced by the Project on an annual basis if used as concrete aggregate seems to dictate distribution beyond the boundaries of Seneca County. Similarly, these agencies should understand and have the opportunity to comment on any alternative ash disposal techniques considered depending on the potential toxicity of the ash, and residue not considered ash, and the material collected from the smokestack emissions and particulate capturing and scrubbing systems.
5. The Project’s Public Involvement Plan does not consider the issue of social justice, in particular involving Ontario County’s minority and impoverished population within the City of Geneva as the Project involves the potential for shipping municipal solid waste, ash, material collected by the air emission system, and incineration residue by truck or rail through the City. Within the City of Geneva, Census Tract 518 contains the Finger Lakes Railway’s rail and switching and storage yard, NY State Route 5 and US Route 20 a major

east-west highway connecting Geneva and Seneca County, and NY State Route 14 a north-south highway connecting to the New York State Thruway to the north and Interstate 86 to the south. Also within the City, Census Tract 519 contains the Norfolk Southern north-south rail line that provides Finger Lakes Railway with access to a major rail carrier to the south, the portion of NY State Route 5 and US Route 20 leading west from Geneva, and NY State Route 14 to the south where it connects with Interstate 86. According to the American Community Survey 2016, the five year average poverty rate (% of residents living in poverty) for Census Tract 518 is 17.9% and for Census Tract 519 is 33.6%; the latter being the highest poverty rate of any Census Tract within Ontario County. Both tracts have poverty rates far above the County average of 9.6% and the nation-wide average of 12.7%. In addition, according to the same source, the City of Geneva is home to 48.2% of the County's population of individuals with Black or African descent, and 40.25% of those of Hispanic or Latino descent. In Census tract 518, those with Hispanic or Latino heritage account for 20.7% of the tract's population and those with Black or African heritage 16%. Ontario County as a whole has only 4.24% of its population with Hispanic and Latino heritage and 3.14% of its population with Black or African heritage. The Project's Public Involvement Plan needs to be amended to address reaching out to these minorities in order to involve them and provide them a voice in the review of the Project and the potential of shipping through, handling, and storage of MSW, ash, material from emissions collection systems, and other residual material through their neighborhoods to ensure Project Impacts do not unfairly burden their neighborhoods.

; and further

RESOLVED, That certified copies of this resolution be sent to Governor Cuomo, State Senator Helming, State Senator Funke, Assemblyman Kolb, the New York Association of Counties, the Intercounty Association of Western New York, the Seneca County Board of Supervisors, Romulus Town Board, the Planning Board of the Town of Romulus, the Zoning Board of Appeals of the Town of Romulus, the City of Geneva, the Town of Geneva, the Town of Seneca, the Ontario County Agricultural Enhancement Board, the Ontario County Farm Bureau, and the State Board for Electric Generation Siting and the Environment.

RESOLUTION NO. 299-2018
RESOLUTION OF SUPPORT FOR
SENATE BILL S8109 AND ASSEMBLY BILL A10277
EXCLUDING SOLID WASTE INCINERATORS FROM
THE TYPES OF FACILITIES ELIGIBLE TO USE AN
EXPEDITED POWER PLANT SITING PROCESS

WHEREAS, Senator Pamela Helming is sponsoring a Senate bill, S8109, co-sponsored by Senator Thomas O'Mara, to exclude solid waste incinerators from the types of facilities eligible to use an expedited power plant siting process; and

WHEREAS, A corresponding Assembly bill, A10277, is being sponsored by Assemblywoman Barbara Lifton and co-sponsored by Assemblyman Michael Cusick; and

WHEREAS, Supervisor Dominick Vedora, City of Geneva Wards 1 & 2, has brought to the attention of this Board the existence of these legislative items; and

WHEREAS, The legislation would prevent proposed power projects that generate electricity from burning solid waste from receiving expedited permitting through the Article 10 process; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed the potential impact of a waste-to-energy plant receiving expedited permitting and supports said legislation preventing expedited permitting; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby support Senate bill S8109 and Assembly Bill A10277; and further

RESOLVED, That certified copies of this resolution be sent to Governor Cuomo, Senator Pamela Helming, Senator Thomas O'Mara, State Senator Funke, Assemblyman Kolb, Assemblywoman Barbara Lifton, and Assemblyman Michael Cusick. the New York Association of Counties, the Intercounty Association of Western New York, the Seneca County Board of Supervisors, Romulus Town Board, the Planning Board of the Town of Romulus, the Zoning Board of Appeals of the Town of Romulus, the City of Geneva, the Town of Geneva, the Town of Seneca, the Ontario County Agricultural Enhancement Board, the Ontario County Farm Bureau, and the State Board for Electric Generation Siting and the Environment.

The forgoing block of two resolutions was adopted.

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

RESOLUTION NO. 300-2018
DESIGNATING NATIONAL TOURISM WEEK
MAY 6 - 12, 2018

WHEREAS, May 6, 2018 through May 12, 2018, 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, these promotional activities result in sales and lodging tax collections, as well as employment opportunities in tourism; and

WHEREAS, the 2016 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 \$14,187,000 in local taxes and \$11,562,000 in state taxes; and

WHEREAS, the Finger Lakes Region's tourism industry continues to create economic opportunities by employing 4,829 people in Ontario County, generating an annual labor income of \$106,147,000 for our residents; now, therefore, be it

RESOLVED, that the Ontario County Board of Supervisors in recognition and celebration of the importance of tourism declares May 6, 2018, through May 12, 2018, *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 Singer offered the following block of four resolutions and moved its adoption, seconded by Supervisor Lightfoote:

RESOLUTION NO. 301-2018
NEGATIVE DECLARATION –
STATE ENVIRONMENTAL QUALITY REVIEW ACT AND
AUTHORIZATION TO APPLY FOR
2018-2019 NYS SNOWMOBILE GRANT

WHEREAS, Ontario County has prepared an application for NYS Office of Parks Recreation and Historic Preservation (NYS OPRHP) 2018-2019 Snowmobile Trails Grant-in-Aid Funds; and

WHEREAS, This project constitutes an "Action" to be reviewed under the State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617, hereinafter collectively referred to as SEQR; and

WHEREAS, Pursuant to the requirements of said application, a Short Environmental Assessment Form (SEAF) regarding the project has been prepared by the County Planning Department and submitted to this Board by the Planning and Environmental Quality Committee; and

WHEREAS, This Board has reviewed said SEAF and all the information contained therein and such other documents as this Board felt it necessary or appropriate to examine to adequately review the proposed Action supporting and/or supplementing the SEAF; and

WHEREAS, Said SEAF has not identified any other potential involved or interested agency; and

WHEREAS, Said SEAF identified no significant negative environmental impacts associated with this project; now, therefore, be it

RESOLVED, That this Board hereby classifies the 2018-2019 Snowmobile Grant-in-Aid application as an unlisted action under SEQR; and further

RESOLVED, That as an unlisted action under SEQR, coordinated review is not required, making this Board of Supervisors the only involved agency; and further

RESOLVED, That this Board hereby finds that the proposed snowmobile trails will not result in any significant adverse environmental impacts, and in fact will be a great benefit to the residents of Ontario County ensuring public protection and enjoyment; and further

RESOLVED, That the SEAF on file with the Clerk of this Board is hereby approved and adopted; and further

RESOLVED, That the Chairman of this Board is hereby authorized and empowered to complete the determination of significance section of said SEAF, indicating that the proposed action will not result in any moderate to large impacts and, therefore, is one which will not have significant impact on the environment; and further

RESOLVED, That copies of this resolution and the completed SEAF be sent by the Clerk of this Board to the NYS OPRHP Snowmobile Unit; and further

RESOLVED, That the Director of the Department of Planning is hereby authorized to electronically sign certification and assurances to submit said application to the NYS OPRHP Snowmobile Unit; and further

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

**RESOLUTION NO. 302-2018
APPOINTMENT OF RUBY MORRISON
TO THE ONTARIO COUNTY PLANNING BOARD**

WHEREAS, The Manchester Town Board has recommended the appointment of Ruby Morrison as the Town’s representative to the Ontario County Planning Board; and

WHEREAS, The Planning and Environmental Quality Committee also recommends the appointment of Ms. Morrison; now, therefore, be it

RESOLVED, That as of May 10, 2018, the following individual is appointed as a member of the Ontario County Planning Board:

Name and Address	Representing	Term Expires
Ruby Morrison P.O. Box 115 1638 Freshour Road Shortsville, NY 14548	Town of Manchester	May 9, 2023

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Clerk, the Manchester Town Board, and Ruby Morrison.

RESOLUTION NO. 303-2018
RESOLUTION OF RECOGNITION AND APPRECIATION
ARTHUR BABCOCK

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

WHEREAS, Mr. Arthur Babcock has served faithfully for ten years as a member of the Ontario County Planning Board; and

WHEREAS, Mr. Babcock has been a member of the Town of East Bloomfield Zoning Board of Appeals for fourteen years and also serves as its chairman; and

WHEREAS, Mr. Babcock has informed the County of his resignation from said board effective May 10, 2018; and

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

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

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

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Planning Board, the Town of East Bloomfield, and Mr. Arthur Babcock 7605 Hallock Rd., Bloomfield, NY 14469.

RESOLUTION NO. 304-2018
RESOLUTION OF RECOGNITION AND APPRECIATION
JAYLENE FOLKINS

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

WHEREAS, Resolution No. 134-2004 appointed Ms. Jaylene Folkins, residing at 14 Stephens Street, Clifton Springs, NY 14432, in the Town of Manchester, as the

Town of Manchester’s representative to the County Planning Board effective March 1, 2004; and

WHEREAS, Ms. Folkins has served faithfully for over fourteen (14) years as a member of the Ontario County Planning Board serving as the Chair of said Board for nine years; and

WHEREAS, Ms. Folkins has dedicated additional time to be part of various committees created under the County Planning Board; and

WHEREAS, Ms. Folkins has also served as a dedicated member of the Village of Clifton Springs Zoning Board of Appeals for sixteen years serving as Chair for thirteen years; and

WHEREAS, Ms. Folkins served as the Chair of the Joint Town of Manchester and Villages of Manchester, Shortsville, and Clifton Springs Comprehensive Plan Committee; and

WHEREAS, Ms. Folkins has informed the County of her resignation from said board effective May 10, 2018; and

WHEREAS, Ms. Folkins’ service as a member of the Ontario County Planning Board has been voluntary and without remuneration; and

WHEREAS, The Ontario County Planning Board and the Town of Manchester continue to rely on dedicated citizen volunteers like Ms. Folkins to help make decisions regarding Ontario County Planning Policy and community development; now, therefore, be it

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

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Planning Board, the Town of Manchester, and Ms. Jaylene Folkins 14 Stephens Street, Clifton Springs, NY 14432.

The forgoing block of four resolutions was adopted.

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

RESOLUTION NO. 305-2018
AUTHORIZATION – AGREEMENTS FOR SERVICES
EMERGENCY SERVICE INSTRUCTORS

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

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

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

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

RESOLVED, Agreements for Services, authorized by the Director of the Emergency Management Office, on file with the Clerk of the Board of Supervisors, be approved by this Board of Supervisors for the period January 1, 2018 - December 31, 2018.

**RESOLUTION NO. 306-2018
RE-APPOINTMENTS TO
ONTARIO COUNTY FIRE ADVISORY BOARD**

WHEREAS, The terms of four members of the Ontario County Fire Advisory Board will expire on June 30, 2018, with said members willing to serve another term; now, therefore, be it

RESOLVED, That the following individuals be reappointed to the Ontario County Fire Advisory Board for a term of three years, commencing on July 1, 2018, and expiring on June 30, 2021:

Larry Bassett
36 Heritage Circle
Farmington, NY 14425

Steven Murnan
2594 Whalen Road
Bloomfield, NY 14469

Kevin Powers
17 Park Avenue
Geneva, NY 14456

James VanOpdorp
P.O. Box 2
Clifton Springs, NY 14432

and further

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

**RESOLUTION NO. 307-2018
AUTHORIZATION TO ENTER INTO A CONTRACT WITH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES,
DISTRIBUTION #7 GRANT
CONFLICT DEFENDER'S OFFICE**

WHEREAS, The Ontario County Conflict Defender's Offices was awarded funding in the amount of \$271,911.00 from the New York State Office of Indigent Legal Services, Distribution #7, Contract No. C700032, for a term commencing January 1, 2017, through December 31, 2019 for improvements in the provision of indigent legal services in Ontario County; and

WHEREAS, A contract with the State of New York, a copy of which is on file with the Clerk of the Board, is required in order to accept these funds; and

WHEREAS, The Conflict Defender's Office will use these funds to continue funding the full-time position of First Assistant Conflict Defender approved by prior funding; and

WHEREAS, There is no county match associated with the acceptance of these grant funds; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed and approved the contract; now, therefore, be it

RESOLVED, That the following budget is hereby approved for 2018, with unused portions flowing into future years:

	Description	Revenue	Appropriation
A 1176 0184 R 3025	Indigent Legal Services Fund	\$181,274.0 0	
A 1176 0184 E 1500	Salary		\$113,520.0 0
A 1176 0184 E 4131	Cellular Phone		\$1,680.00
A 1176 0184 E 8010	NYS Retirement		\$14,220.00
A 1176 0184 E 8020	FICA		\$5,580.00
A 1176 0184 E 8021	Medicare		\$1,305.00
A 1176 0184 E 8060	Cafeteria Plan Allowance		\$40,389.00
A 1176 0184 E 8067	Dental Insurance		\$548.00
A 1176 0184 E 8070	401a County Contribution		\$1,800.00
A 1176 0184 E 8075	Health Reimbursement Account		\$2,232.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with New York State for a term of three years at no cost; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the contract with New York State and all other documents necessary to effectuate the purposes of this resolution; and further

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

RESOLVED, That certified copies of this resolution shall be sent by the Clerk of this Board to the Conflict Defender, 3010 County Complex Drive, Canandaigua, NY 14424.

**RESOLUTION NO. 308-2018
AUTHORIZATION AGREEMENT
CRAIG W. JOHNSON, M.S., C.A.S.A.C.
JANUARY 1, 2018 – DECEMBER 31, 2018**

WHEREAS, As part of the Felony Diversion Program, approved by this Board of Supervisors, there are provisions for non-violent offenders to participate in a counseling program; and

WHEREAS, Pursuant to Res. 213-2018, the Public Safety Committee approved a resolution for \$10,000 for the contract; and

WHEREAS, The budgeted amount for 2018 is \$12,000;

WHEREAS, The Probation Department needs to add an additional \$2,000 to the previous resolution; and

WHEREAS, The Public Safety Committee has reviewed the contract and recommends approval; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, that this Board of Supervisors does hereby approve the additional contract amount with Craig W. Johnson, for the term January 1, 2018, through December 31, 2018, with a copy of said agreement being on file in the Office of the Clerk of this Board; and further

RESOLVED, that this contract shall not exceed \$12,000; and further

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

RESOLVED, That certified copies of this resolution be sent to Craig W. Johnson, 215 Alexander Street, Rochester, NY 14607 by the Clerk of the Board.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 309-2018
CAPITAL PROJECT NO. 1-2015
AUTHORIZING BUDGET TRANSFER
AND AWARD OF BID B18044
AND CONTRACT APPROVAL WITH
IRONWOOD HEAVY HIGHWAY L.L.C.
2015 FLCC CAPITAL MAINTENANCE PROJECT**

WHEREAS, Resolution No. 153-2015 established Capital Project No. 1-2015 FLCC Capital Maintenance Project in the amount of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00), and said project includes funding for site improvements at Finger Lakes Community College (FLCC); and

WHEREAS, Resolution No. 723-2017 approved a contract with TY Lin International (TYLIN) to provide architectural and engineering consulting services in regards to review and the interpretation of the Building Code for the removal of the exterior concrete stair located on the third floor level of FLCC extending into the courtyard in the amount of Three Thousand Nine Hundred Dollars (\$3,900.00); and

WHEREAS, Using plans and specifications provided by TYLIN, bids for the project have been released, duly advertised, and opened by the County Purchasing Department as Bid B18044; and

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

WHEREAS, FLCC staff recommend acceptance of the bid from Ironwood Heavy Highway, L.L.C., located at 755 Jefferson Road, Suite 200, Rochester, New York 14623, for the removal of the exterior concrete stair located on the third floor level of FLCC extending into the courtyard as the overall low responsive/responsible bid submitted for bid (B18044); and

WHEREAS, Sufficient funds exist in the 2015 FLCC Maintenance Capital Project to fund this contract; and

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

RESOLVED, That the budget for Capital Project No. 1-2015 be and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
HBZ 2485 E 2100	Furniture & Furnishings	\$51,721.48	\$0.00	\$51,721.48
HBZ 2485 E 4038	Moving Expense	\$2,240.00	\$0.00	\$2,240.00

HBZ 2485 E 4260	Consultation & Professional	\$419,298.5 5	\$0.00	\$ 419,298.55
TO:				
HBZ 2485 E 4491	General Construction	\$1,094,575. 47	+\$94,075.00	\$1,188,650.4 7
FROM:				
HBZ 2485 E 4492	HVAC	\$738,214.6 7	-\$3,752.49	\$734,462.18
HBZ 2485 E 4493	Electric	\$279,974.2 2	\$0.00	\$279,974.22
FROM:				
HBZ 2485 E 4494	Plumbing	\$86,298.78	\$38,017.00	\$48,281.78
HBZ 2485 E 4498	Asbestos & Related Testing	\$12,281.00	\$0.00	\$12,281.00
FROM:				
HBZ 2485 E 4743	Change Order Contingency	\$60,634.23	\$52,305.51	\$8,328.72
HBZ 2485 E 4865	Administrative	\$4,761.60	\$0.00	\$4,761.60
HBZ 2485 R 2240	Community College	\$75,000.00	\$0.00	\$75,000.00
HBZ 2485 R 3287	State Aid	\$1,375,000. 00	\$0.00	\$1,375,000.0 0
HBZ 2485 R 5036	General Fund- Interfund Transfer	\$1,300,000. 00	\$0.00	\$1,300,000.0 0

and further

RESOLVED, That the Ontario County Board of Supervisors hereby awards the bid (B18044) and accepts the proposal of Ironwood Heavy Highway, L.L.C., 755 Jefferson Road, Suite 200, Rochester, New York 14623, in the amount of Ninety Five Thousand Five Hundred Twenty Dollars (\$95,520.00) for the removal of the exterior concrete stair located on the third floor level of FLCC extending into the courtyard, as the low responsive/responsible bid; and further

RESOLVED, That subject to approval of the form of contract by the County Attorney, 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 11, 2018, and terminate on May 10, 2019; and further

RESOLVED, That the cost of said contract shall be paid from line HBZ 2485 E 4491 – General Construction of Capital Project No. 1-2015; and further

RESOLVED, That Five Thousand Dollars (\$5,000.00) of the funds available in line HBZ 2485 E 4743 Change Order Contingency are hereby reserved for potential use

in the issuance of change orders for said contract until the closing of said contract; and further

RESOLVED, That the following Change Order approval process is hereby approved for Capital Project No. 1-2015:

1. The FLCC Director of Facilities and Grounds is hereby authorized and empowered to approve and sign individual Change Orders for this contract up to One Thousand Dollars (\$1,000.00) in value, upon recommendation of the Architect and the Construction Manager designated for an individual contract, provided that the total amount of all Change Orders so authorized does not exceed the funds available in line HBZ 2485 E 4743 Change Order Contingency nor a total of One Thousand Dollars (\$1,000.00), whichever is less; and
2. Change Orders greater than One Thousand Dollars (\$1,000.00) in value shall also require approval and signature of the Chairman of the County's Public Works Committee; and
3. A complete report of all Change Orders approved for this construction contract awarded shall be presented by the FLCC Director of Facilities and Grounds at the next regularly scheduled meeting of the Public Works Committee after each Change Order is approved, and such report shall include an accounting of the remaining funds available in line HBZ 2485 E 4743, Change Order Contingency; and
4. The FLCC Director of Facilities and Grounds shall promptly file fully executed originals of each Change Order with the Contractor, the County Planning Department, the County Finance Department and the Clerk of the Board of Supervisors who shall place each Change Order in the contract file associated with the resolution awarding the involved construction contract; and
5. The Department of Finance is hereby authorized to transfer funds from line HBZ 2485 E 4743, Change Order Contingency to the appropriate expense line of Capital Project 1-2015 as necessary to fund each Change Order as it is approved; and further

RESOLVED, That the Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total capital project budget of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Finance Department and Mr. James Fisher, Senior Vice President for Administration and Finance of Finger Lakes Community College and Catherine Ahern, FLCC Director of Facilities and Grounds.

**RESOLUTION NO. 310-2018
CAPITAL PROJECT NO. 2-2013
AUTHORIZING BUDGET TRANSFER AND**

**CONTRACT APPROVAL FROM
SIEMENS INDUSTRY FOR
BUILDING CONTROL UPGRADES AT FLCC
2013 FLCC CAPITAL MAINTENANCE PROJECT**

WHEREAS, Resolution No. 252-2013 created and funded Capital Project No. 2 of 2013 as the 2013 FLCC Maintenance Capital Project; and

WHEREAS, FLCC Resolution No. 19-04 authorized standardizing on Siemens Industry Inc. for control units for the energy management systems for Finger Lakes Community College (FLCC); and

WHEREAS, Resolution No. 346-2013 authorized a contract with Siemens Industry, Inc., 50 Methodist Hill Drive, Suite 1500, Rochester, New York, 14623, for Building Control Upgrades; and

WHEREAS, Siemens Industry, Inc. has submitted a material quote for the Siemens Building Control HVAC System for an upgrade conversion of the HVAC pneumatics air damper actuator valves to electronics in AC11 in the amount of Two Thousand Eight Hundred Thirty Six Dollars and Forty Two Cents (\$2,836.42), a copy of which is on file with the Clerk of this Board; and

WHEREAS, These valves open and close outside air, return air, and exhaust air based on the Siemens Control System; and

WHEREAS, The Public Works Committee and FLCC staff recommend acceptance of this quote; and

WHEREAS, Sufficient funds exist in the 2013 FLCC Maintenance Capital Project to fund this quote; and

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

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

	Line Item	Description	Existing Budget	Change	New Budget
	HBQ 2481 R 3287	State Aid	\$500,000. 00	\$0.00	\$500,000. 00
	HBQ 2481 R 5036	General - Interfund Transfer	\$500,000. 00	\$0.00	\$500,000. 00
FRO M:	HBQ 2481 E 2100	Furniture & Furnishings	\$30,221.6 5	-\$290.27	\$29,931.3 8
FRO M:	HBQ 2481 E 2300	Computer Equipment	\$2,194.45	\$2,194.4 5	\$0.00

FRO M:	HBQ 2481 E 4260	Consultatio n & Profession al	\$126,817. 56	-\$17.16	\$126,800. 40
	HBQ 2481 E 4491	General Constructio n	\$613,707. 17	\$0.00	\$613,707. 17
TO:	HBQ 2481 E 4492	HVAC	\$131,994. 17	+\$2,836. 42	\$134,830. 59
	HBQ 2481 E 4493	Electrical	\$0.00	\$0.00	\$ 0.00
	HBQ 2481 E 4494	Plumbing	\$93,565.0 0	\$0.00	\$93,565.0 0
FRO M:	HBQ 2481 E 4865	Administrat ion	\$1,500.00	-\$334.54	\$1,165.46

and further

RESOLVED, That the quote from Siemens Industry, Inc., 50 Methodist Hill Drive, Suite 1500, Rochester, New York, 14623, to provide material for the Siemens Building Control HVAC System for an upgrade conversion of the HVAC pneumatics air damper actuator valves to electronics in AC11 in the amount of Two Thousand Eight Hundred Thirty Six Dollars and Forty Two Cents (\$2,836.42), a copy of which is on file with the Clerk of this Board, is hereby accepted; and further

RESOLVED, That the short form contract, a copy of which is on file with the Clerk of this Board, is hereby approved; and further

RESOLVED, That the cost of said contract shall be paid from line HBQ 2481 E 4492 –HVAC of Capital Project No. 2-2013; and further

RESOLVED, That the Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Million Dollars (\$1,000,000.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Finance Department, Mr. James Fisher, Senior Vice President for Administration and Finance of Finger Lakes Community College, and Siemens Industry, Inc., 50 Methodist Hill Drive, Suite 1500, Rochester, New York, 14623.

**RESOLUTION NO. 311-2018
CAPITAL PROJECT NO. 5-2011
AUTHORIZING CONTRACT WITH
TRANE U.S., INC.
FLCC VITICULTURE CENTER PROJECT**

WHEREAS, Resolution No. 626-2011 created Capital Project No. 5-2011 as the Finger Lakes Community College (FLCC) Viticulture Center Capital Project; and

WHEREAS, Resolution No. 56-2013 authorized a contract with the New York State Department of Agriculture and Markets (Ag & Markets) to provide grant funding in the amount of Three Million Two Hundred Fifty Six Thousand Dollars (\$3,256,000.00) for the construction of the FLCC Viticulture Center on the campus of the Cornell Agriculture and Food Technology Park in Geneva, New York; and

WHEREAS, The State of New York has authorized additional state funding through the State University of New York (SUNY) in the amount of One Million Two Hundred Sixty Two Thousand Five Hundred Dollars (\$1,262,500.00) to match local funding sources for the FLCC Viticulture Center Project; and

WHEREAS, Resolution No. 626-2011 established that the FLCC Foundation, Inc. shall provide 100 percent of the local share of Capital Project No. 5-2011 to match state funding provided through SUNY; and

WHEREAS, Resolution No. 205-2014 awarded construction contracts, including the installation of the Trane Variable Refrigerant Flow HVAC System (VRFHVAC); and

WHEREAS, Despite being installed and approved by a certified TRANE technician, there have been significant operational issues with the VRFHVAC system; and

WHEREAS, Trane U.S., Inc., 75 Town Centre Drive, Suite 300, Rochester, NY 14623, has evaluated the VRFHVAC system and identified the necessary equipment and piping to allow the system to operate per specification; and

WHEREAS, Trane U.S., Inc., has agreed to fix the system and recommission the system for no cost to Ontario County as agreed to by FLCC and TRANE staff; and

WHEREAS, There are system enhancements that were not included in the design documents that will improve the performance and increase the life of the equipment; and

WHEREAS, Trane U.S., Inc., has provided a proposal dated March 9, 2018 for labor and materials for said system enhancements in the amount of Twenty One Thousand Six Hundred Ninety Dollars (\$21,690.00), a copy of which is on file with the Clerk of this Board of Supervisors; and

WHEREAS, FLCC and Ontario County staff recommend acceptance of the Trane U.S., Inc. proposal; and

WHEREAS, Sufficient funds exist in Capital Project No. 5-2011 to fund this proposal; and

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

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

Line	Description	Current Budget	Change	Revised Budget
Appropriation				
HBF 2479 E 2100	Furniture & Furnishings	\$17,787.85		\$17,787.85
HBF 2479 E 2300	Data Processing Equipment	\$30,999.94		\$30,999.94
HBF 2479 E 2450	Operating Equipment	\$230,767.84		\$230,767.84
HBF 2479 E 4090	Insurance Cost	\$6,000.00		\$6,000.00
HBF 2479 E 4260	Consultation & Professional	\$187,452.76		\$187,452.76
HBF 2479 E 4489	Construction Testing & Inspections	\$30,000.00		\$30,000.00
FROM:				
HBF 2479 E 4491	General Construction	\$2,023,886. 88	\$13,050.4 1	\$2,010,836. 47
TO:				
HBF 2479 E 4492	HVAC	\$460,079.13	+\$13,050. 41	\$473,129.54
HBF 2479 E 4493	Electrical	\$349,530.18		\$349,530.18
HBF 2479 E 4494	Plumbing	\$458,467.25		\$458,467.25
HBF 2479 E 4495	Architectural/Engine ering	\$160,974.38		\$160,974.38
HBF 2479 E 4497	Site Work	\$219,431.45		\$219,431.45
HBF 2479 E 4865	Administrative Expenses	\$5,801.58		\$5,801.58
HBF 2479 E 4731	Contingency	\$10,511.40		\$10,511.40
Revenue:				
HBF 2479 R 2189	Other Income & Community Service	\$32,036.99		\$32,036.99
HBF 2479 R 2705	Gifts & Donations	\$375,900.00		\$375,900.00
HBF 2479 R 3287	State Aid - Dept Agr	\$3,256,000. 00		\$3,256,000. 00
HBF 2479 R 3287	State Aid	\$502,030.82		\$502,030.82
HBF 2479 R 5048	Interfund Trans - A Fund Res	\$25,722.83		\$25,722.83
and further				

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with Trane U.S., Inc., 75 Town Centre Drive, Suite 300, Rochester, NY 14623 for an amount not to exceed Twenty One Thousand Six Hundred Ninety Dollars (\$21,690.00) subject to approval of the form of contract by the County Attorney; and further

RESOLVED, That the term of said contract shall commence on May 11, 2018, and terminate on May 10, 2019; and further

RESOLVED, That the Finance Department is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Four Million One Hundred Ninety One Thousand Six Hundred Ninety Dollars and Sixty Four Cents (\$4,191,690.64); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department and FLCC Senior Vice President for Administration and Finance.

The forgoing block of three resolutions was adopted.

Unanimous approval was given to Supervisor Lightfoote's request to take agenda item no. 38 (Resolution No. 312-2018) out of order.

Supervisor Lightfoote offered the following resolution and moved its adoption, seconded by Supervisor Ingalsbe:

RESOLUTION NO. 312-2018
CAPITAL PROJECT 03 - 2013
ESTABLISHMENT OF LEAD AGENCY
AND DETERMINATION OF SIGNIFICANCE
74 ONTARIO STREET RENOVATION – PHASE II PROJECT

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

WHEREAS, Resolution No. 218-2017 hired the firm of QPK Design, LLP, as the architect on said project; and

WHEREAS, Collectively, the renovation of said building, the expansion of said building, renovation to the site, and the decision to fund and undertake same constitute an “action” as defined in the New York State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as “SEQR”); and

WHEREAS, Pursuant to Resolution No. 218 – 2018 this Board classified said action as a Type I action, initiated a coordinated review process of this action, and established its desire to act as lead agency pursuant to SEQR; and

WHEREAS, A full Environmental Assessment Form (EAF) part I, Draft part II, and Draft Part III (hereinafter collectively referred to as the ‘EAF’) have been prepared by the Director of Planning; and

WHEREAS, On April 19, 2018 a public hearing was held before this Board to solicit comments on the establishment of this Board as Lead Agency and on the determination of significance for said project pursuant to SEQR; and

WHEREAS, The Clerk of this Board has circulated said EAF, project materials, and a notice to all interested and involved agencies and none have objected to

the establishment of this Board as Lead Agency for the environmental review of said project pursuant to SEQR; and

WHEREAS, This Board has reviewed said EAF parts I, II, and III and all the information contained therein, comments received in writing, and the draft findings on file with the Clerk of this Board, and such other documents as this Board felt it necessary or appropriate to examine to adequately review the proposed Action supporting and/or supplementing the EAF; and

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

RESOLVED, That this Board is hereby established as Lead Agency pursuant to SEQR for the environmental review of the 74 Ontario Street Renovation Phase II Project; and further

RESOLVED, That the EAF parts I, II, and III on file with the Clerk of this Board are hereby approved and adopted as final; and further

RESOLVED, That this Board hereby finds that the 74 Ontario Street Renovation Phase II Project:

1. will be constructed in a manner compliant with or exceeding current regulations for storm water quality and quantity discharges both during and after construction.
2. will not impact historic or archeological resources on site because the project site has been disturbed by prior construction activities.
3. will involve the replacement of exterior lighting with new LED lighting that will increase energy efficiency and direct lighting down reducing emissions to adjoining properties and to the sky.
4. will increase handicap accessibility to this county building by providing more handicap accessible parking and making the entry route into the building compliant with the requirements and standards of the Americans with Disabilities Act.
5. is necessary to provide statutorily required services by the County (Sheriff Civil and Board of Elections), and adequate functional space for the Sheriff's Road Patrol, Criminal Investigation, Juvenile Aid Bureau, Administration, Evidence Storage and Processing, Warrants, Records, Tactical, and Crime Scene Investigation.
6. is necessary to provide a new home for the meetings of the Board of Supervisors and its committees with room for more than 100 members of the public to attend within the County Seat, with this room being used also for the County Grand Jury meetings that are currently held in the County Courthouse.
7. will reduce impacts on adjacent residential properties, including those

within the City of Canandaigua's Gorham Street Historic District by providing a more appropriate screen buffer.

8. will involve excavation and removal of soil and subsoil material from the site to the minimum practical extent that will not be disruptive to the surrounding community nor the environment as no unique environmental features are impacted and excess material will be used off site.

9. will comply with the standards of the City of Canandaigua's Zoning Ordinance to the extent practical as it is an existing use allowed as a special use in the City of Canandaigua's R-1B Single-Family Residential district.

10. may be funded partially from capital reserves and partially through the issuance of up to \$5.2 million in serial bonds, that will allow the project to be completed in a single phase at a lower overall project cost while maintaining necessary capital reserves; and further

RESOLVED, That based on its findings, the EAF, comments received, and other project materials this Board has reviewed, this Board hereby makes a negative declaration of significance for the 74 Ontario Street Renovation Phase II Project pursuant to SEQR, stating that said Project will not result in any significant adverse environmental impacts and that the impacts identified shall be mitigated to the extent practical; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to complete the determination of significance section of said EAF, checking box A indicating that the proposed action result in no significant adverse impacts on the environment and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued; and further

RESOLVED, That a Negative Declaration of Significance for this project be prepared by the County Planning Department and sent for Publication in the Environmental Notice Bulletin and to all involved and interested agencies; and further

RESOLVED, That this resolution take effect immediately.

Adopted.

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

RESOLUTION NO. 313-2018
CAPITAL PROJECT 03 – 2013
EXEMPTION FROM LOCAL ZONING AND SITE PLAN REVIEW
74 ONTARIO STREET RENOVATION – PHASE II PROJECT

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

WHEREAS, The City of Canandaigua has a local Zoning Ordinance and site plan review process; and

WHEREAS, A full Environmental Assessment Form (EAF) part I was prepared for this project that included the intent of the County to consider exempting itself from the City of Canandaigua's Zoning Code and review process; and

WHEREAS, Said EAF was circulated to the City of Canandaigua for its review and consideration; and

WHEREAS, On April 19, 2018 a public hearing was held before this Board to solicit comments on the establishment of this Board as Lead Agency and on the determination of significance for said project pursuant to SEQR; and

WHEREAS, No comments were received from the City of Canandaigua objecting to the exemption of this project from local zoning; now, therefore, be it

RESOLVED, that this Board does hereby make the following findings in regard to the consideration of exemption from the Zoning Ordinance of the City of Canandaigua, including site plan review:

- 1) Nature and scope of the instrumentality seeking immunity: The County of Ontario is a municipal corporation of the State of New York seeking immunity from the requirements of the City of Canandaigua Zoning Ordinance. The County is a municipal jurisdiction of a more regional basis than the City of Canandaigua that lies within the geography of the County.
- 2) The encroaching Government's legislative grant of authority: Ontario County is obligated by state statute to maintain a Sheriff's Civil Office and Board of Elections Office in the County Seat. The Board of Supervisors of the County also seeks to create a space to accommodate public meetings of the Board of Supervisors within the County Seat.
- 3) The kind of function or land use involved: The proposed land use (government office building) is allowed as a special use by local zoning (public use, including institutional), subject to site plan review by the City Planning Commission. A portion of this site was the site of the Ontario County jail since the early 1800's until 2003 and has also housed the non-jail offices of the County Sheriff including Sheriff's Road Patrol, Criminal Investigation, Juvenile Aid Bureau, Administration, evidence storage and processing, 9-1-1, Civil, Warrants, Records, Tactical, and Crime Scene Investigation. The building currently also houses the County's Information Services Department (since 1988), the Board of Elections (since 2011) and the Office of the Aging's Nutrition Kitchen (since 2004). The proposed project involves removing the Nutrition Kitchen (to be co-located with at the County Jail kitchen), remodeling the basement and first floor to provide adequate space for said functions of the Office of the Sheriff, and expanding the building on the front (Ontario St.) side to provide new efficient space for the Board of Elections and provide public meeting space for the Board of Supervisors on the second floor (the Board of Supervisors surrendered their previous meeting space in the County Courthouse to create a dedicated courtroom for the third Ontario County Judge in

compliance with the Rules of the Chief Judge Part 34, Guidelines for New York State Court Facilities). These uses are consistent with the current office uses found on the site and on the County Campus within the City of Canandaigua.

- 4) The effect local land use regulation would have upon the enterprise concerned: The project conforms with local zoning except for proposed changes to the front setback. The city's zoning code requires a 35 ft. front setback and the current building lobby (added in 1983) is located approximately 19 feet from the Ontario St. right-of-way. The County proposes expanding the building so that approximately 175 feet will have a similar front setback of approximately 19 feet (other than the lobby, the Information Services (west) end of the building has a 31 ft. front setback, the center (1983 section) has a 32 ft. front setback, and the 1960 section (east end) has a 40 ft. front setback). Compliance with the front setback requirement would eliminate the ability of the building to be expanded and would leave insufficient room to house the County functions proposed. The County invited all the surrounding property owners, residents, and business owners to an open house and hosted a public hearing before to hear neighbor concerns. There were no concerns voiced over the proposed expansion of the building on the Ontario Street side. The project involves mostly a remodeling of up to 40,000 sq. ft. of an existing 68,925 square ft. building and a 4,587 sq. ft. expansion, or 6.55 % increase in floor area. The expansion provides space for the Board of Elections on the first floor and the ability to create a room of adequate size to accommodate a meeting room for the Board of Supervisors. If the project was designed to eliminate the addition (not to decrease the front setback from the existing condition), the existing building cannot be configured to create a room large enough for the Board of Supervisors' meeting room. As a result additional property would have to be acquired to construct a new building for the Ontario County Board of Supervisors or the existing building torn down and replaced, both at considerably greater expense to county taxpayers.
- 5) Alternative locations for the facility in less restrictive zoning areas: Following the logic from the latter part of 4) above, constructing or operating a separate building just to house the meeting room for the Board of Supervisors and Grand Jury would not require relocation to another zoning district. The county would have to purchase additional property and build a new building to provide space for the Board of Supervisors and Grand Jury. The County is looking to avoid the expense of acquiring additional property, taking additional property off of the tax roll, and the impacts involved with developing a new site by a modest expansion to its existing building at 74 Ontario Street by extending a pre-existing non-conforming front yard setback.
- 6) The impact upon legitimate local interests: As discussed above, the County has circulated information, hosted neighbors, and conducted a public hearing concerning the project and has received few comments and concerns about the potential impact. The County has proposed removing the barbed wire that dates from the period prior to 2003 when the site was used as a County jail, and installing a new 'privacy' fence between the County property and neighboring properties. This was well received by the neighbors attending the open house on April 17, 2018. The County will meet individually with each neighboring

property owner to settle on fence material, location, and color and to be compatible with the Gorham Street Historic District. The County is addressing the concerns of neighbors, and there would be little gained by going through a variance and site plan review process for this project. Finally, the County is working directly with Canandaigua City staff to ensure that the modifications to the driveway curb cuts, side walk, street crossing, and creation of a vehicle loading zone on Ontario Street are acceptable to the City.

- 7) Alternative methods of providing the proposed improvement: The County considered raising the existing building and constructing a new building that could be designed to meet all zoning requirements. The cost of a new building was estimated to be more than twice the cost of the proposed renovations. The County's Architect also considered alternative designs to create a meeting room of sufficient size to accommodate the Board of Supervisors, but given the location of existing stair wells and elevators, and the dimensions of the building, configuration within the existing building footprint was found to not be possible.
- 8) The extent of the public interest to be served by the improvements: Ontario County is a growing County and the Sheriff's office has outgrown the space allocated to them (they have occupied the same space at 74 Ontario Street since 1983). As explained previously, the Board of Supervisors relinquished their former meeting space in the County Courthouse and need a new meeting space within the County Seat to meet on a permanent basis. Finally, exempting the County from meeting the front setback requirements allows a modest addition to be constructed to the 74 Ontario Street building so that it can house the Board of Supervisors, Board of Elections, Grand Jury, and Office of the Sheriff for many years to come in a cost effective manner.
- 9) Intergovernmental participation in the project development process and an opportunity to be heard: The County has circulated notice and project information to the City of Canandaigua, hosted an open house for neighbors, neighboring businesses, and neighboring property owners, and duly advertised and hosted a public hearing during the environmental review of this project. The County has and will continue to work with neighbors on the details of the project such as fencing, and will continue to work with the City of Canandaigua on the final design of driveway curb cuts, sidewalk modifications, crosswalk modifications, and the creation of a drop-off zone for vehicles making deliveries or dropping people off to ensure that all these changes are thoroughly reviewed for pedestrian and vehicle safety and in compliance with City requirements within and impacting the City right-of-way.

and further

RESOLVED, That after due deliberation and consideration of the proposed 74 Ontario Street Renovations-Phase II project and the findings made herein, this Board hereby determines that said project is exempt from the requirements of the Zoning Ordinance of the City of Canandaigua, including special use, site plan review, and front setback; and further

RESOLVED, That a copy of this resolution be sent to the Mayor of the City of Canandaigua by the Clerk of this Board.

Adopted.

Supervisor Lightfoote offered the following resolution and moved its adoption, seconded by Supervisor Teed:

**RESOLUTION NO. 314-2018
CAPITAL PROJECT NO. 05-2017
COUNTY ROAD 1 CULVERT #9 OVER
UNNAMED TRIBUTARY TO CANANDAIGUA LAKE
BRIDGE NY PROJECT**

Authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State-aid eligible costs, of a federal-aid and/or state-aid transportation project, and appropriating funds therefore.

WHEREAS, Sponsor will design, let and construct the “project”; and

WHEREAS, a Project for the County Road 1 Culvert #9 Over Unnamed Tributary to Canandaigua Lake, P.I.N. 4BNY.16 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and

WHEREAS, the County of Ontario desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of said Project; and

WHEREAS, the County of Ontario shall be the sole fiscal responsible party for a non-participating local share in the amount of \$356,996; as a result of project costs exceeding funds awarded under the BRIDGE NY Program; and

NOW, THEREFORE, the Ontario County Board of Supervisors, duly convened does hereby

RESOLVE, that the Ontario County Board of Supervisors hereby approves the above-subject project; and it is hereby further

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

RESOLVED, that the Ontario County Board of Supervisors hereby agrees that the County of Ontario shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the County of Ontario; and it is further

RESOLVED, that the sum of \$1,356,996.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the County of Ontario shall be the sole fiscal responsible party for a non-participating local share in the amount of \$356,996; as a result of project costs exceeding funds awarded under the BRIDGE NY Program; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Ontario County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Ontario County Board of Supervisors hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

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

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Adopted.

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

RESOLUTION NO. 315-2018
CAPITAL PROJECT NO. 05-2017
COUNTY ROAD 1 CULVERT #9 OVER UNNAMED TRIBUTARY
TO CANANDAIGUA LAKE
AWARD OF CONTRACT FOR CONSTRUCTION AND
CONTRACT AMENDMENT FOR CONSTRUCTION INSPECTION SERVICES
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 213-2017 created Capital Project No. 5-2017, County Road 1 Culvert #9 Over Unnamed Tributary to Canandaigua Lake; and

WHEREAS, A project for the County Road 1 Culvert #9 Over Unnamed Tributary to Canandaigua Lake, Town of Gorham, PIN 4BNY.16 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such projects to be borne at the ratio of 0% Federal funds and 100% non-Federal funds; and

WHEREAS, Ontario County Purchasing Department received bids (B18020) for County Road 1 Culvert #9 Over Unnamed Tributary to Canandaigua Lake; and

WHEREAS, Economy Paving Co., Inc., 1819 NYS Route 13 Cortland NY 13045, is the apparent lowest, responsive, responsible bidder with a bid of \$988,898.80; and

WHEREAS, The Construction Phase of the Project is estimated to cost \$1,063,066.21, which includes a 7.5% construction contract contingency of \$74,167.41; and

WHEREAS, Resolution No. 298-2017 awarded a contract to Popli Design Group, 555 Penbrooke Drive, Penfield, New York 14526, for preliminary engineering services for a cost not to exceed \$141,000.00; and

WHEREAS, The County Public Works Department received a qualification based proposal for construction inspection and construction support services related to the Project, under the procedures set forth by the Federal Government for use of Federal Transportation funds; and

WHEREAS, The NYSDOT and County Engineering staff have reviewed and approved the construction inspection and construction support services scope and the corresponding price proposal; and

WHEREAS, After review of said proposal the Public Works Department recommends Popli Design Group for construction inspection and construction support services related to said Project for a cost not to exceed \$142,500.00; and

WHEREAS, Ontario County was awarded \$1,000,000 of New York State Aid under the BRIDGE NY Program; and

WHEREAS, The County of Ontario shall be the sole fiscal responsible party for a non-participating local share in the amount of \$356,996.00; as a result of the project costs exceeding funds awarded under the BRIDGE NY Program; and

WHEREAS, CHIPS revenue will be used to fund this non-participating local share of \$356,996.00; and

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

RESOLVED, That the budget of Capital Project No. 05-2017 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HCU 5163 E 4491	General Construction	\$8,430.00	+\$1,063,066.21	\$1,071,496.21
HCU 5163 E 4495	Architectural & Engineering	\$141,000.00	+ \$142,500.00	\$283,500.00

HCU 5163 E 4865	Administration	\$2,000.00		\$2,000.00
HCU 5163 E 4731	Contingency	\$23,570.00	-\$23,570.00	\$0.00
Revenue:				
HCU 5163 R 3089	State Aid	\$175,000.00	+\$825,000.00	\$1,000,000.00
HBP 5149 R 5041	Interfund Transfer - D Fund	\$0.00	+\$356,996.21	\$356,996.21

and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves an agreement with Economy Paving Co., Inc., for said work for a cost not to exceed \$988,898.80, said contract will expire on September 28, 2018; and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract amendment agreement with Popli Design Group for said work for a cost not to exceed \$142,500.00 for a total amended contract price not to exceed \$283,500.00 said contract will expire December 31, 2018; and further

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

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

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

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

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution for a total project budget of One Million Three Hundred Fifty Six Thousand Nine Hundred Ninety Six Dollars and Twenty One (\$1,356,996.21); and further

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

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

Supervisor Lighfoote made the motion, seconded by Supervisor Ingalsbe to amend Resolution No. 315-2018, as follows:

**RESOLUTION NO. 315-2018
CAPITAL PROJECT NO. 05-2017
COUNTY ROAD 1 CULVERT #9 OVER UNNAMED TRIBUTARY
TO CANANDAIGUA LAKE
AWARD OF CONTRACT FOR CONSTRUCTION AND
CONTRACT AMENDMENT FOR CONSTRUCTION INSPECTION SERVICES
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 213-2017 created Capital Project No. 5-2017, County Road 1 Culvert #9 Over Unnamed Tributary to Canandaigua Lake; and

WHEREAS, A project for the County Road 1 Culvert #9 Over Unnamed Tributary to Canandaigua Lake, Town of Gorham, PIN 4BNY.16 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such projects to be borne at the ratio of 0% Federal funds and 100% non-Federal funds; and

WHEREAS, Ontario County Purchasing Department received bids (B18020) for County Road 1 Culvert #9 Over Unnamed Tributary to Canandaigua Lake; and

WHEREAS, Economy Paving Co., Inc., 1819 NYS Route 13 Cortland NY 13045, is the apparent lowest, responsive, responsible bidder with a bid of \$988,898.80; and

WHEREAS, The Construction Phase of the Project is estimated to cost \$1,063,066.21, which includes a 7.5% construction contract contingency of \$74,167.41; and

WHEREAS, Resolution No. 298-2017 awarded a contract to Popli Design Group, 555 Penbrooke Drive, Penfield, New York 14526, for preliminary engineering services for a cost not to exceed \$141,000.00; and

WHEREAS, The County Public Works Department received a qualification based proposal for construction inspection and construction support services related to the Project, under the procedures set forth by the Federal Government for use of Federal Transportation funds; and

WHEREAS, The NYSDOT and County Engineering staff have reviewed and approved the construction inspection and construction support services scope and the corresponding price proposal; and

WHEREAS, After review of said proposal the Public Works Department recommends Popli Design Group for construction inspection and construction support services related to said Project for a cost not to exceed \$142,500.00; and

WHEREAS, Ontario County was awarded \$1,000,000 of New York State Aid under the BRIDGE NY Program; and

WHEREAS, The County of Ontario shall be the sole fiscal responsible party for a non-participating local share in the amount of \$356,996.00; as a result of the project costs exceeding funds awarded under the BRIDGE NY Program; and

WHEREAS, CHIPS revenue will be used to fund this non-participating local share of \$356,996.00; and

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

RESOLVED, That the budget of Capital Project No. 05-2017 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HCU 5163 E 4491	General Construction	\$8,430.00	+\$1,063,066.21	\$1,071,496.21
HCU 5163 E 4495	Architectural & Engineering	\$141,000.00	+ \$142,500.00	\$283,500.00
HCU 5163 E 4865	Administration	\$2,000.00		\$2,000.00
HCU 5163 E 4731	Contingency	\$23,570.00	-\$23,570.00	\$0.00
Revenue:				
HCU 5163 R 3089	State Aid	\$175,000.00	+\$825,000.00	\$1,000,000.00
HBP 5149 R 5041	Interfund Transfer - D Fund	\$0.00	+\$356,996.21	\$356,996.21

and further

RESOLVED, Approval of an agreement with Economy Paving Co., Inc., for said work shall be contingent upon review and approval by the NYSDOT and New York State Office of Minority and Women-owned Business Enterprises of Economy Paving Co., Inc., M/WBE utilization plan; and

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves an agreement with Economy Paving Co., Inc., for said work for a cost not to exceed \$988,898.80, said contract will expire on September 28, 2018; and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract amendment agreement with Popli Design Group for said work for a cost not to exceed \$142,500.00 for a total amended contract price not to exceed \$283,500.00 said contract will expire December 31, 2018; and further

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

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

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

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

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution for a total project budget of One Million Three Hundred Fifty Six Thousand Nine Hundred Ninety Six Dollars and Twenty One (\$1,356,996.21); and further

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

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

The foregoing amendment was adopted.

Resolution No. 315-2018, as amended, was adopted.

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

RESOLUTION NO. 316-2018
CAPITAL PROJECT NO. 02-2014
COUNTY ROAD 33 RETAINING WALL & CULVERT REPLACEMENTS
BUDGET AMENDMENT AND ACCEPTANCE OF BID
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 605-2014 created Capital Project No. 2-2014, Reconstruction of County Road 33; and

WHEREAS, Ontario County Purchasing Department received bids (B18013) for the County Road 33 Retaining Wall & Culvert Replacements project; and

WHEREAS, Ramsey Constructors, Inc., 5711 Gateway Park, Lakeville, NY 14480, is the apparent lowest responsive responsible bidder with a bid of \$4,487,597.30 per the bid tabulation sheet on file with the clerk of this board; and

WHEREAS, Total construction contract is estimated to cost \$4,824,167.10, which includes a 7.5% contract contingency of \$336,569.80; and

WHEREAS, The 2016 - 2017 Capital Improvement Plans included tax levy funding of \$2,450,000 for this phase of the County Road 33 Project and said funding has been transferred to Capital Project No. 02-2014; and

WHEREAS, The 2018 Capital Improvement Plan includes an additional \$3,581,796 of funding for said Project (\$354,701 of tax levy, \$395,299 of PAVE-NY funding, \$481,796 of CHIPS funding, \$1,500,000 from the Capital Project Reserve, and \$850,000 from D Fund Reserve for Roads and Bridges); and

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

RESOLVED, That the following budget transfer is hereby approved:

A 0511 B 0878	Appropriated Reserve – CRARM	+\$1,500,000.00
A 9950 E 9950	Transfer to Capital Projects	+\$1,500,000.00

and further

RESOLVED, That the budget of Capital Project No. 02-2014 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
<i>Appropriations:</i>				
HBX 5151 E 4491	General Construction	\$8,203,496.51	+\$4,530,242.00	\$12,733,738.51
HBX 5151 E 4820	Land Acquisitions	\$37,096.00		\$37,096.00
HBX 5151 E 4865	Administrative	\$6,119.00		\$6,119.00
HBX 5151 E 4731	Contingency	\$2,442,700.00	-\$2,442,700.00	\$0.00
<i>Revenues:</i>				
HBX 5151 R 2389	Misc. Revenue, Other Govts	\$3,000.00		\$3,000.00
HBX 5151 R 5036	Interfund Transfer – A Fund	\$4,497,297.00		\$4,497,297.00
HBX 5151 R 5041	Interfund Transfer – D Fund	\$4,508,796.51	+\$587,542.00	\$5,096,338.51

HBX 5151 R 5048	Interfund Transfer – Capital Project Reserve	\$1,680,318.00	+\$1,500,000.00	\$3,180,318.00
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and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves an agreement with Ramsey Constructors, Inc., for said work for a cost not to exceed \$4,487,597.30, said contract will expire on November 30, 2018; and further

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

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

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

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

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this resolution for a total project budget of Twelve Million Seven Hundred Seventy Six Thousand Dollars Nine Hundred Fifty Three Dollars and Fifty One Cents (\$12,776,953.51); and further

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

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

**RESOLUTION NO. 317-2018
AUTHORIZATION TO ACCEPT LOW BID FOR THE
PUMP STATION 7W IMPROVEMENTS
DEPARTMENT OF PUBLIC WORKS
CANANDAIGUA LAKE COUNTY SEWER DISTRICT**

WHEREAS, The approved 2018-2023 Capital Improvement Plan includes funding for the Pump Station 7W Improvements in 2018; and

WHEREAS, Resolution No. 729-2017 authorized a contract with Arcadis of New York, Inc., 295 Woodcliff Drive, Suite 301, Fairport, N.Y. 14450, for design and bidding period services for the Pump Station 7W Improvements at County Road 16 in the Town of Canandaigua; and

WHEREAS, The Purchasing Department advertised for and received, per tabulation sheets on file with the Clerk of this Board, sealed bids for the Pump Station 7W Improvements (B18039); and

WHEREAS, The lowest bid was submitted by Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450 for the cost of \$223,850.00; and

WHEREAS, This contract is estimated to cost \$246,235.00, providing for a contract contingency of 10 percent or \$22,385.00; and

WHEREAS, Sufficient funds exist in the Canandaigua Lake County Sewer District Capital Improvements budget to complete this 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 as to form, the Board of Supervisors hereby approves an agreement with Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450 for the Pump Station 7W Improvements for the contract price of \$223,850.00; 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 December 31, 2018; 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, prior to authorizing a single work item financed with the contract contingency that exceeds \$7,500.00, shall request review by the Public Works Committee Chairperson, and if by review, the

Chairperson determines such field change is critical to the timely progression of the project, the Chairperson, at his or her discretion, will approve said change; 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 certified copies of this resolution be sent by the Clerk of this Board to Villager Construction, Inc. and Arcadis of New York, Inc.

RESOLUTION NO. 318-2018
AUTHORIZE AMENDMENT AGREEMENT
ARCADIS OF NEW YORK, INC.
PUMP STATION 7W IMPROVEMENTS
DEPARTMENT OF PUBLIC WORKS
CANANDAIGUA LAKE COUNTY SEWER DISTRICT

WHEREAS, The approved 2018-2023 Capital Improvement Plan includes funding the Pump Station 7W Improvements located at 3461 Lakeview Lane 16 in the Town of Canandaigua (the “project”) in 2018; and

WHEREAS, Resolution No. 729-2017 authorized a contract with Arcadis of New York, Inc. for design and bidding period services for said project; and

WHEREAS, The Purchasing Department received construction bids for the Pump Station 7W Improvements, Bid No. (B18039); and

WHEREAS, The Public Works Committee has recommended accepting the bid of Villager Construction, Inc. for the construction of the project; and

WHEREAS, Arcadis has submitted a proposal for Construction Phase Professional Services for said project; and

WHEREAS, The Commissioner of Public Works has reviewed said proposal and recommends its acceptance with a fee not to exceed \$39,900.00; and

WHEREAS, Sufficient funding is available in the Canandaigua Lake County Sewer District budget line G1 8120 9999 4490 for this 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 as to form, the Ontario County Board of Supervisors hereby authorizes a contract amendment with Arcadis of New York, Inc., 295 Woodcliff Drive, Third Floor, Suite 301, Fairport, New York 14450 for Construction Phase Professional Services for the Pump Station 7W Improvements for a cost not to exceed \$39,900.00; that the total amended contract sum is

not to exceed \$75,900.00; and the term of the contract is extended to January 31, 2019; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Arcadis of New York, Inc.

**RESOLUTION NO. 319-2018
AUTHORIZING AN AGREEMENT
FOR CONSTRUCTION INSPECTION SERVICES
CREEKVIEW APARTMENTS AT
WOODLAND PARK EXTENSION PUMP STATION
DEPARTMENT OF PUBLIC WORKS
CANANDAIGUA LAKE COUNTY SEWER DISTRICT**

WHEREAS, The proposed Creekview Apartments at Woodland Park residential community (the Project) in the Town of Canandaigua requires an extension of the Canandaigua Lake County Sewer District (CLCSD); and

WHEREAS, The developer The DiMarco Group proposes to construct sanitary sewer facilities to serve the Project that will include sewer lines and a pump station to convey flows from the Project to the CLCSD sewer system; and

WHEREAS, The developer has submitted construction plans and specifications for said sewer lines and pump station to CLCSD and has proposed that the same be offered to CLCSD for dedication; and

WHEREAS, CLCSD has reviewed and approved said plans and specifications and agrees that accepting dedication of said sewer lines and pump station is desirable and will allow the District to extend sanitary sewer service to other properties in the Town of Canandaigua; and

WHEREAS, It is desirable and necessary that the construction of the proposed sewer lines and pump station be inspected by District representatives for compliance with the approved plans and specifications; and

WHEREAS, Resolution No. 343-2017 authorized an on-demand contract for development review services with Barton & Loguidice, D.P.C.; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal for on-site construction observation services for the installation of the Creekview Apartments at Woodland Park Extension Pump Station for a cost not to exceed \$33,166.00; and

WHEREAS, Pursuant to the terms of the sewer extension permit the developer is required to reimburse the CLCSD for inspection fees in connection with the construction of said sewer extension; and

WHEREAS, The Commissioner of Public Works has reviewed said proposal from Barton & Loguidice, D.P.C. and recommends its acceptance; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its adoption; 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 Barton & Loguidice, D.P.C., 443 Electronics Parkway, Liverpool, NY 13088, for construction observation services in connection with the Creekview Apartments at Woodland Park Pump Station installation, for a cost not to exceed \$33,166.00; the term of said contract shall run through October 31, 2018; and further

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Barton & Loguidice, D.P.C. and The DiMarco Group, 1950 Brighton-Henrietta Town Line Road, Rochester, NY 14623.

**RESOLUTION NO. 320-2018
AUTHORIZING A NO-COST TIME EXTENSION
GHD CONSULTING SERVICES INC.
HONEOYE LAKE WASTEWATER TREATMENT PLANT IMPROVEMENTS
DEPARTMENT OF PUBLIC WORKS
HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT**

WHEREAS, Resolution No. 339-2017 authorized an agreement with GHD Consulting Services, Inc. (GHD) for the preparation of an engineering report in connection with the Honeoye Lake Wastewater Treatment Plant Improvements Project (the "Project"); and

WHEREAS, Resolution No. 73-2018 authorized an amendment agreement with GHD for additional services in connection with the preparation of said engineering report and extended the term of the agreement to May 31, 2018; and

WHEREAS, Resolution No. 185-2018 authorized an amendment agreement with GHD for preliminary design phase services without an associated extension to the term of the agreement; and

WHEREAS, The County and GHD desire to extend the term of the agreement to provide sufficient time to complete the work with no additional increase to the contract amount; 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 a no-cost time extension with GHD Consulting Services, Inc., One Remington Park Drive, Cazenovia, New York 13035 to August 31, 2018; and further

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to GHD Consulting Services Inc.

**RESOLUTION NO. 321-2018
RENEWAL OF BID FOR
PURCHASE OF HVAC AIR FILTERS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 422-2016 awarded a bid to R.P. Fedder Corporation for the purchase of HVAC air filters (B16050); and

WHEREAS, R. P. Fedder Corporation has agreed to a 12-month renewal for the purchase of HVAC air filters at the current pricing; and

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

RESOLVED, That Bid (B16050) for the purchase of HVAC air filters be renewed with R. P. Fedder Corporation, 740 Driving Park Avenue, Rochester, New York 14613 for a period beginning June 17, 2018, and expire on June 16, 2019; and further

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

**RESOLUTION NO. 322-2018
ACCEPTANCE OF MATERIALS AND SERVICES BIDS
DEPARTMENT OF PUBLIC WORKS
BUREAU OF HIGHWAYS**

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:

B18024	
EQUIPMENT RENTAL	Midland Asphalt Materials Inc.
	640 Young Street
	Tonawanda, New York 14150
	Northern Paving, LLC
	6131 East Taft Road

	North Syracuse, New York 13212
	Donegal Construction Corp.
	PO Box 450
	New Stanton, PA 15672
	Admar Supply
	1950 Brighton Henrietta Town Line Road
	Rochester, New York 14623
	Roadtek, LLC
	4846 Route 104
	Williamson, New York 14589
	Klug Crane, Inc.
	2552 Freshour Road
	Canandaigua, New York 14424
	Minority Paving, LLC
	3 Sunrise Park
	Pittsford, New York 14534
	Villager Construction, Inc.
	425 Old Macedon Center Road
	Fairport, New York 14450
	C.P. Ward, Inc.
	100 West River Road
	PO Box 900
	Scottsville, New York 14546
B18025	
PURCHASE OF PIPE AND APPURTENANCES	Lane Enterprises
	16 May Street
	Bath, New York 14810
	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Advanced Drainage Systems, Inc.
	4640 Trueman Boulevard
	Hilliard, Ohio 43026
B18026	
PURCHASE OF LIQUID CALCIUM CHLORIDE & MAGNESIUM CHLORIDE	Innovative Municipal Products (US) Inc.
	454 River Road

	Glenmont, New York 12077
	Millennium Roads, LLC
	12118 East Yates Center Road
	Lyndonville, New York 14098
B18027	
GENERAL & EMERGENCY ROAD & SEWER REPAIRS	W. P. Mahoney Enterprises, Inc. 90 Middle Street Geneva, New York 14456
	Villager Construction, Inc. 425 Old Macedon Center Road Fairport, New York 14450
	C. P. Ward, Inc. 100 West River Road PO Box 900 Scottsville, New York 14546
B18028	
BRIDGE WASHING	Fleetwash, Inc. 26 Law Drive Fairfield, New Jersey 07004
B18029	
SEALING OF STRUCTURAL CONCRETE	C. P. Ward, Inc. 100 West River Road PO Box 900 Scottsville, New York 14546
B18030	
REMOVAL & REPAIR OF STRUCTURAL CONCRETE	C. P. Ward, Inc. 100 West River Road PO Box 900 Scottsville, New York 14546
B18031	
PURCHASE/PLACEMENT OF ASPHALT PAVEMENT MATERIALS	Innovative Municipal Products (US), Inc. 454 River Road Glenmont, New York 12077
	Northern Asphalt, LLC 6131 East Taft Road North Syracuse, New York 13212

	Dolomite Products, Co. Inc.
	Dbas Rochester Asphalt Materials
	1150 Penfield Road
	Rochester, New York 14625
	Seneca Stone Corporation
	2747 Canoga Road
	Seneca Falls, New York 13148
	Hanson Aggregates New York, LLC
	6895 Ellicott Street
	Pavilion, New York 14525
	Spallina Materials, Inc.
	1 Conlon Avenue, PO Box 337
	Mt. Morris, New York 14510
B18040	
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
	Spallina Materials, Inc.
	PO Box 337
	Mt. Morris, New York 14510
	Seneca Stone Corp.
	2747 Canoga Road
	Seneca Falls, New York 13148
B18041	
PAVEMENT MAINTENANCE AND REHABILITATION	D. Clark Distributors, LLC
	425 Old Macedon Center Road
	Fairport, New York 14450
	Minority Paving, LLC
	3 Sunrise Park
	Pittsford, New York 14534
	Highway Rehab Corp.

	2258 Route 22
	Brewster, New York 10509
	Suit-Kote Corporation
	159 Flint Hill Road
	Leroy, New York 14482
	Midland Asphalt Materials, Inc.
	640 Young Street
	Tonawanda, New York 14150
B18042	
PURCHASE OF SIGN MATERIALS	Erberl Iron Works, Inc.
	128 Sycamore Street
	Buffalo, New York 14204
	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Garden State Highway Products, Inc.
	301 Riverside Drive
	Millville, New Jersey 08332
	Vulcan Inc.
	Db a Vulcan Aluminum, Vulcan Signs
	PO Box 1850
	Foley, AL 36536-1850

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, 2018, through May 14, 2019; 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 the same; and further

RESOLVED, That should the lowest responsive/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.

The forgoing block of seven resolutions was adopted.

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

RESOLUTION NO. 323-2018

A BOND RESOLUTION, DATED MAY 10, 2018, OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ONTARIO, NEW YORK (THE "COUNTY") AUTHORIZING (A) THE RECONSTRUCTION AND RENOVATION OF, AND THE CONSTRUCTION OF IMPROVEMENTS, ADDITIONS, RENOVATIONS AND UPGRADES TO THE COUNTY-OWNED BUILDING (AND RELATED FACILITIES AND SITE) LOCATED AT 74 ONTARIO STREET, CANANDAIGUA, NEW YORK (COLLECTIVELY, THE "PROJECT") AT AN ESTIMATED MAXIMUM COST OF \$10,400,000; (B) TO EXPEND OR APPLY TOWARD THE PROJECT, DURING THE CURRENT FISCAL YEAR OF THE COUNTY, \$2,300,000 FROM THE COUNTY'S CAPITAL PROJECT RESERVE FUND; (C) TO EXPEND OR APPLY TOWARD THE PROJECT \$2,900,000 OF OTHER AVAILABLE AND BUDGETED COUNTY FUNDS; AND (D) TO ISSUE SERIAL BONDS OR OTHER OBLIGATIONS OF THE COUNTY (IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,200,000) TO FINANCE THE BALANCE OF THE ESTIMATED MAXIMUM COST OF THE PROJECT, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES (IN ANTICIPATION OF THE SALE OF SUCH OBLIGATIONS) TO THE COUNTY TREASURER.

WHEREAS, the Board of Supervisors of the County of Ontario (the "County"), a municipal corporation of the State of New York (the "State") has been in the process of planning for a capital improvements project consisting of the reconstruction and renovation of, and the construction of improvements, additions, renovations and upgrades to the County-owned building (and related facilities and site) located at the 74 Ontario Street in Canandaigua, New York (collectively, the "Project"); and

WHEREAS, such planning has been undertaken by the County, together with appropriate environmental compliance determination proceedings under the State Environmental Quality Review Act, by the County's Public Works Committee and by the County's Ways and Means Committee, and included such administrative actions as necessary or required by the State or any federal agency with respect to ensuring the safety and security of persons and property in the County with respect to the Project; and

WHEREAS, the Board of Supervisors, following the recommendations of its Public Works and Ways and Means Committees, has determined (A) to undertake the Project; (B) to expend or apply toward the Project, during the current fiscal year of the County, \$2,300,000 from the County's Capital Project Reserve Fund; (C) to expend or apply toward the Project \$2,900,000 of other available and budgeted County funds; and (D) to levy a tax in the amount of \$5,200,000 to finance the balance of the estimated maximum cost of the Project, such tax to be collected in annual installments, with obligations of the

County to be issued in anticipation thereof, and has determined and hereby determines that such Project is in the public interest of the County; and

WHEREAS, the amount of obligations authorized herein, and the plan of financing stated herein, are hereby determined to be consistent with, and not to violate, the County's adopted Debt Management Policy as now in effect;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Ontario, New York, as follows:

SECTION 1. The class of objects or purposes to be financed pursuant to this resolution is the reconstruction and renovation of, and the construction of improvements, additions, renovations and upgrades to the County-owned building (and related facilities and site) located at the 74 Ontario Street in Canandaigua, New York, to implement various health, safety, accessibility and Code compliance measures required in connection with any significant capital project, various re-purposing measures, and various other measures, all as generally described in (but not to be limited by) the written plan for the Project that was prepared by the County (with the assistance of QPK Design, LLC), which is available for public inspection in the offices of the Clerk of the Board, such work being currently anticipated to include, without limitation and to the extent as and where required (and subject to reasonable adjustment as the work proceeds and as construction bids are received), the particular items described below. Proposed interior renovations are anticipated to include renovations to allow for occupancy by the Office of the Sheriff, storage for the Board of Elections, Information Services, and Buildings and Grounds, a meeting room to host the sessions of the Board and Grand Jury with support spaces, and replacement of mechanicals throughout. Proposed construction is anticipated to include a first floor addition for the Board of Elections office and a two story addition for first floor office space for the Office of the Sheriff, and to allow for the creation of a meeting room on the second floor to serve as the Sessions Room for the Board, with an option to add a basement for future use. Proposed renovations are also anticipated to include the removal of an existing vestibule and the addition of a new lobby. Proposed site work is anticipated to include new security gates, the creation of additional parking spaces and the replacement of any deteriorating utility infrastructure. All of the foregoing work shall include the purchase of original furnishings, equipment, machinery and apparatus required in connection with the purposes for which such buildings, facilities and sites are used, and all ancillary or related work required in connection therewith, including preliminary costs and costs incidental thereto and in connection with the financing thereof.

SECTION 2. The estimated maximum cost of such class of objects or purposes is determined to be \$10,400,000, which expenditure is hereby authorized. The plan for the financing of the Project is (A) to expend or apply toward the Project, during the fiscal year of the County, \$2,300,000 from the County's Capital Project Reserve Fund; (B) to expend or apply toward the Project \$2,900,000 of other available County funds; and (C) to issue up to \$5,200,000 of serial bonds or other obligations of the County that may be lawfully issued under the Local Finance Law (the issuance of which is hereby specifically authorized), with such amount to be offset by any federal, State, county and/or local funds received by the County for the Project. Unless paid from other sources or charges (as is currently the Board's intention), the cost of the Project is to be paid by the levy and collection of taxes on all real property in the County to pay the principal of

such bonds or other obligations, and the interest thereon, as the same shall become due and payable.

SECTION 3. It is hereby determined that the class of objects or purposes of the Project described in Section 1 of this resolution is class of objects or purposes described in subdivision 93 of paragraph 1 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such class of objects or purposes is 25 years. Obligations authorized in this resolution shall mature in not more than 25 years, computed from the earlier of (A) the date of issuance of the first bond anticipation notes authorized to be issued in anticipation of the issuance of such serial bonds or (B) the date of such serial bonds. It is hereby determined and stated that current funds are not required by the Local Finance Law to be provided as a down payment prior to the issuance of the serial bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, in accordance with Section 107.00(d)(9) of the Local Finance Law.

SECTION 4. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges (as is currently the Board's intention), there will annually be levied on all the taxable real property of the County a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 5. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the County pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of such bonds, and the renewals of such notes, are hereby delegated to the County Treasurer, as the chief fiscal officer of the County. Without in any way limiting the scope of the foregoing delegation of powers, the County Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the County.

SECTION 6. In the absence or unavailability of the County Treasurer, the Deputy County Treasurer is hereby specifically authorized to exercise the powers delegated to the County Treasurer in this resolution.

SECTION 7. When this resolution takes effect, the Clerk of the Board of Supervisors shall cause the same (or a summary of same) to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the Finger Lakes Times and the Daily Messenger, newspapers having general circulation in the County and published in Geneva and Canandaigua, New York, respectively. The

validity of such serial bonds and of bond anticipation notes issued in anticipation of the issuance of such serial bonds may be contested only if such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or the provisions of law which should have been complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

SECTION 8. Each of the obligations authorized by this resolution, and any notes issued in anticipation of the sale of such obligations, shall contain the recital of validity as prescribed by Section 52.00 of the Local Finance Law. Such obligations shall be general obligations of the County, and, unless paid from other sources or charges (as is currently the Board's intention), shall be payable as to both principal and interest by a general tax upon all the taxable real property within the County, without limitation as to rate or amount (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York). The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations, and provision shall be made annually in the budget of the County by appropriation for (A) the amortization and redemption of any such obligations to mature in such year and (B) the payment of interest on any such obligations to be due and payable in such year.

SECTION 9. Prior to the issuance of obligations authorized to be issued by this resolution, the Board of Supervisors of the County shall have complied (to the extent not accomplished already) with any applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable federal laws and regulations in connection with the environmental quality review process relating to the Project (collectively, the "Environmental Compliance Proceedings"). In the event that any of such Environmental Compliance Proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board will re-adopt, amend or modify this bond resolution prior to the issuance of obligations authorized to be issued herein, to the extent required and upon the advice of bond counsel. It is hereby reaffirmed by the Board that to the extent the Environmental Compliance Proceedings may apply to the Project, the Project will not have a significant effect on the environment.

SECTION 10. The County intends to issue obligations authorized by this bond resolution to finance the cost of the purpose described in Section 2 hereof. The County covenants for the benefit of the holders of the obligations authorized herein that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the County, and will not make any use of the facilities financed with the proceeds of such obligations which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") or subject the County to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or any facilities financed thereby if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code or subject the County to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance

of the bonds or any other provision hereof until the date which is 60 days after the final maturity date (or earlier prior redemption date) thereof.

SECTION 11. The temporary use of available funds of the County not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution, is hereby approved and (to the extent that such use has already occurred), is hereby ratified. The County reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (A) the date hereof or (B) any earlier expression by the County of its intent to reimburse expenditures for the Project or any earlier iteration of the Project) with the proceeds of the obligations authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such obligations), to the extent consistent with the financing plan for the Project as stated herein. This resolution shall constitute a reaffirmation of the County's "official intent" to reimburse the expenditures authorized by Section 2 hereof (or expenditures for any earlier iteration of the Project) with such proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 12. For the benefit of the holders and beneficial owners from time to time of the bonds and bond anticipation notes authorized pursuant to this resolution (the "obligations"), the County agrees, in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the County's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the County Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the County, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Clerk to the Board, which shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the County and that are approved by the County Treasurer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively, by this paragraph and the Commitment, shall be the County's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the County would be required to incur to perform thereunder. The County Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the County with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the County Treasurer shall consult with, as appropriate, the County Attorney and the County's bond counsel, the County's municipal advisor, or other qualified independent special counsel to the County. The County Treasurer, acting in the name and on behalf of the County, shall be entitled to rely upon any legal advice provided by the County Attorney or such bond counsel or other special counsel in determining whether a filing should be made.

SECTION 13. The County Treasurer is hereby specifically authorized to act, on the advice of bond counsel at the time of the issuance of the bonds and notes authorized hereby, to designate such obligations, if applicable, as “qualified tax-exempt obligations” in accordance with Section 265(b)(3) of the Code.

SECTION 14. The County has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, has duly completed an Environmental Assessment Form for the Project, which is a Type I action under SEQRA, has undertaken a thorough review of the Project’s potential environmental impacts, and has found that the Project will not result in a significant adverse impact on the environment, and a written, reasoned elaboration of the SEQRA determination of significance has been provided in a Negative Declaration.

SECTION 15. This resolution shall take effect immediately upon its adoption.

At this time, Chairman Marren asked for a roll call vote on Resolution No. 323-2018.

A two thirds majority roll call vote resulted as follows:

Ayes: 4,395 Supervisors Baker, Bateman, Bendzlowicz, Gallahan, Green, Guard, Hicks, Ingalsbe, Lightfoote, Marren, Marshall, Russell, Sauer, Singer, Teed, Vedora, Venuti, Westbrook, Wickham, Wille

Noes: 0

Absent: 101 Supervisor Campbell

Resolution No. 323-2018 was adopted with more than the required 2,998 in weighted votes necessary for adoption.

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

**RESOLUTION NO. 324-2018
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING ON
LOCAL LAW NO. 3 (INTRO.) 2018**

WHEREAS, There has been introduced at a meeting of this Board held on May 10, 2018, 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 2019”; now, therefore, be it

RESOLVED, That a public hearing shall be held on May 31, 2018, at 6:30 p.m. at the Supervisors' Chambers, interim location Ontario County Safety Training Facility, County Road 48, Canandaigua, New York; and further

RESOLVED, That at least five days' notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the Supervisors' bulletin board at the

Ontario County Court House, and by publishing such notice at least once in the official newspapers of the County.

RESOLUTION NO. 325-2018
2019 - 2020 COUNTY BUDGET GUIDELINES

WHEREAS, Ontario County continues to experience reductions in State Aid, slow sales tax growth, unfunded mandates and pressure from New York State with the tax cap requirements; and

WHEREAS, Ontario County desires that the County Departments prepare their annual budgets with those constraints in mind; now, therefore, be it

RESOLVED, that the Ways and Means Committee recommends the following guidelines for use in the preparation of the 2019 and 2020 County Department budgets:

1. It is the intent of the Board of Supervisors that the 2019-2020 Budget will not exceed the mandated New York State Tax Cap.
2. It is the intent of the Board of Supervisors that there will be no tax levy supported debt used to fund the operating budget or Capital Improvement Plan.
3. Only essential needs required to maintain the operations of the department may be budgeted. Departments will make every effort to actively reduce or maintain contractual, equipment, overtime, and compensatory costs at 2018 levels. Departments are expected to develop a written *Budget Review Report* for their Standing Committee and the Ways and Means Committee review which will highlight details of line item changes and the reason the proposed budget amount is necessary. This report must also include a description of, and reasoning for, any changes in operations, including but not limited to increases in contractual expenditures, additional equipment purchases, staffing adjustments and new, revised or eliminated programs.
4. Changes in the number of full time equivalent positions due to program changes will be considered through the normal process, once the County Administrator has approved the request to move forward. The County does not anticipate a net increase in full-time equivalent positions however, changes in staffing to support County operations will be considered on a case by case basis in compliance with the Vacancy Review Policy.
5. Departments will continue to comply with the Vacancy Review Policy.
6. Total funding for Team Agencies in 2018 will be reviewed by the County Administrator prior to presentation to their Standing Committee. Funding to support continued operations will be considered on a case by case basis.
7. Departments which pass State and Federal aid through to contract agencies will continue to maintain a net zero County cost for those programs by passing along any reductions in aid to those contract agencies.

- 8. The Capital Improvement Project expenses for County Departments are excluded from these Budget Guidelines and are handled through a separate process.
- 9. Acceptance of grant money will be evaluated for existing projects, programs or equipment, and to fund new programs with zero (0) county match whenever possible. Request for County matching dollars or in-kind services will be considered on a case by case basis.
- 10. The General Fund Contingency Budget will be held to .25% of total budgeted appropriations.
- 11. County expectations are that the Finger Lakes Community College (FLCC) will operate its expanded facilities within the revenues generated by SUNY, tuition and other revenues. County funding to FLCC consists of sponsor contribution and capital contribution. The total funding level for FLCC will be comprehensively reviewed as it relates to the budgetary constraints placed on the County by New York State including unfunded mandates and tax cap requirements.

and, be it further

RESOLVED, that a certified copy of the resolution be sent by the Clerk of this Board to each member of the Board of Supervisors, each Department Head, the Chair of the FLCC Board of Trustees and the Finance Department.

**RESOLUTION NO. 326-2018
 CREATION OF POSITION
 CORRECTION SERGEANT (DBL)
 ONTARIO COUNTY OFFICE OF SHERIFF**

WHEREAS, Sheriff Philip C. Povero, has filed a New Position Duties Statement with the Director of Human Resources for a position he would like to create temporarily during the disability of a Correction Sergeant in the Office of Sheriff; and

WHEREAS, Said position has been classified as Correction Sergeant (DBL) by Personnel Officer Certification No. 24-2018; and

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

RESOLVED, That the position of Correction Sergeant (DBL) (01129/#14) be created effective upon adoption for a period not to exceed 90 days; and further

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

**RESOLUTION NO. 327-2018
 SALARY ADJUSTMENT – COLLEEN M. SULLIVAN
 DISTRICT ATTORNEY’S OFFICE**

WHEREAS, Mr. James Ritts, District Attorney, has recommended a salary adjustment for Assistant District Attorney, Colleen M. Sullivan, to MCP Band 5/Step 1 (\$94,909), based on her years of experience, to be effective June 1, 2018; and

WHEREAS, The Ways and Means Committee have reviewed and approved the salary adjustment for Attorney Sullivan, effective June 1, 2018; and

WHEREAS, Sufficient funds are provided in the 2018 Budget for this salary change; now, therefore, be it

RESOLVED, That the salary for Assistant District Attorney Sullivan, be set at MCP Band 5/Step 1 (\$94,909) effective June 1, 2018.

The forgoing block of four resolutions was adopted.

On motion of Supervisor Gallahan, seconded by Supervisor Teed, the meeting was adjourned at 7:20 p.m.