

**May 28, 2020**

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

The Pledge of Allegiance was led by Supervisor Jeffery Gallahan.

Upon roll call, all Members of the Board were present except for Supervisor Frederick Lightfoote who was declared necessarily absent.

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

A Public Hearing regarding Local Law No. 2 (Intro.) 2020, a proposed local law entitled "Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2021" was called to order at 6:36 pm with Chairman John Marren presiding.

Ms. Lori Phillips spoke opposing the proposed local law. She stated she has a disabled husband and are both on Social Security and cannot take any more increases that are going to decrease what they need for living expenses.

As no one else wished to speak, the Public Hearing was closed at 6:36 pm.

A Public Hearing regarding Local Law No. 3 (Intro.) 2020, a proposed local law entitled "Establishing Ontario County Mutual Self Insurance Plan" was called to order at 6:38 pm with Chairman John Marren presiding.

As no one wished to speak, the Public Hearing was closed at 6:39 pm.

Director of Public Health, Mary Beer, gave a current status update of the COVID-19 numbers noting there are currently 197 positive cases in the County. There are 7 hospitalized and 25 deaths. Eleven of those deaths were from Ontario Center, thirteen were from Elm Manor, and one from the community. They currently have 154 individuals isolated or quarantined and 113 that have recovered. The challenges the Ontario County Public Health currently are having are calls from the school districts wanting clarification on graduations and testing for employees at the hospitals and nursing homes due to the executive order requiring the nursing homes to have all staff tested twice a week. Ms. Beer noted people are delaying going to the emergency room, so they are in worse shape than they would have if they'd come in earlier which is keeping UR Thompson very busy and at capacity. Geneva General and Clifton Springs hospitals are not experiencing this phenomenon. The challenge that Geneva General is facing is they don't have enough reagent for the testing ability to test all their people who are choosing an elective procedure or surgery. Her staff is doing well, and they started the new technical system with the state. They have had help from Wayne County with the system.

Interim County Administrator Brian Young thanked all the county residents and communities for being patient while they wait to hear about phase II opening. Mr. Young said the takeaway is not to get in front of the Governor until they get a green light from him. If they do, there could be repercussions down the road. They anticipate the next group of industries for phase II will include professional services, which include government, retail, administrative support, real estate rentals and leasing, as well as hair salons and barbers. From the county perspective, they are continuing to work on return to

work protocols and are slowly seeing employees come back to work but are still closed to the public. They hope to open a little by appointment only in phase II.

Mr. Young noted beginning on Monday, June 1<sup>st</sup> there will be food drives for the summer months rotating from three locations. It will include produce, dairy, and cooked meat. He noted they have distributed over 4,500 face masks through the county. Mr. Young thanked all who helped distribute face coverings.

Lastly, Mr. Young noted that 74 Ontario Street is still on track for mid-July, substantial completion and a final completion by mid to late August.

Chairman Marren noted several executive orders expire this week and anticipate them to be extended. A note to all of us in government on public meetings is we continue with virtual meetings and will give an update as soon as he hears otherwise. Outdoor seating for restaurants would begin again with guidance.

Mr. Marren recognized Tom Harvey and his planning department for his involvement with the code enforcement officers.

Finally, discussion continues in Washington on stimulus package number four.

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

- Health and Human Services Committee held on April 27, 2020.
- Planning and Environmental Quality Committee held on April 27, 2020
- Public Works Committee held on April 27, 2020
- Public Safety Committee held on April 29, 2020
- Governmental Operations and Insurance Committee held on April 29, 2020
- Ways and Means Committee held on April 29, 2020
- Special Ways and Means Committee held on May 7, 2020

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

Notification of Filing of Local Law 1 2020 on April 22, 2020 received from State Records and Law Bureau, State of New York, Department of State.

Notice Under Worker Adjustment and Retraining Notification Act received from Marquis W. Heilig, VP, Litigation, Bloomin' Brands.

Resolution No. 102-2020 entitled "Supervisors Call on New York State to Release Enhanced Federal Medicaid Matching Funds to Counties and New York City" received from Seneca County.

Resolution No. 137-20 entitled "Resolution Calling on the State of New York to Release Enhanced Federal Medicaid Matching Funds to Counties and New York City" received from Green County.

Resolution No. 160-2020 entitled "Resolution Calling on the Congressional Delegation to Provide counties with Direct Federal Aid to Support Counties COVID-19 Response and Reopening Economic Activity Efforts" received from County of Columbia.

Resolution No. 97-2020 entitled “Resolution Calling on the State of New York to Release Enhanced Federal Medicaid Matching Funds to Counties and New York City – Social Services” received from Schuyler County.

Resolution No. 111-2020 entitled “A Resolution Calling on New York State to Restore State Retirement Service Credits to Schuyler County Workers who Temporarily Lost those Service Credits Due to the County’s COVID-19 Temporary Workforce Reduction” received from Schuyler County.

Chairman/Supervisor John Marren offered the following resolution and moved for its adoption, seconded by Supervisor Robert Green:

**RESOLUTION NO. 281-2020**  
**RESOLUTION OF SYMPATHY - SHERIFF EDWARD M. GUINAN**

WHEREAS, This Board of Supervisors was saddened to learn from Sheriff Henderson

of the recent death of retired Ontario County Sheriff Edward M. Guinan; and

WHEREAS, Sheriff Guinan served Ontario County and the Office of Sheriff faithfully and as Sheriff from 1972 through 1977; and

WHEREAS, Sheriff Edward M. Guinan was a professional administrator who, during his five-year tenure as Sheriff, was instrumental in standardizing department handguns, establishing inmate behavior modification programs to hold inmates accountable for their actions and the construction of a new firearms range where the current range is today. Sheriff Guinan also created a juvenile investigator and welfare investigator positions and spearheaded the interagency communications system for instant communication with all county and state emergency agencies; and

WHEREAS, Edward M. Guinan has passed away to natural causes at the age of ninety years; and

WHEREAS, This Board of Supervisors wishes to express its sorrow in the loss of an extremely valued retired employee and respected individual; now, therefore, be it

RESOLVED, That this Board of Supervisors, on behalf of its members, both past and present, mourn the death of retired Sheriff Edward M. Guinan and extends its sympathy to his family; and further

RESOLVED, That this resolution be included in the minutes of this Board and a copy sent to the family of Edward M. Guinan.

Adopted.

Chairman Marren commented that Mr. Guinan was recognized at the fiftieth anniversary of FLCC, he was the only surviving supervisor voting for the establishment of the college.

Supervisor Green commented he as well as Sheriff Povero both had the honor of working for Mr. Guinan. His family was his pride and joy next to his community.

Supervisor Gallahan reminisced on Mr. Guinan starting a game dinner back in the mid-seventies which ended up donating thousands of dollars to the House of John and Camp Good days.

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

**RESOLUTION NO. 282-2020  
ADOPTING LOCAL LAW NO. 3 (INTRO.) 2020  
AFTER PUBLIC HEARING**

WHEREAS, A public hearing having been held on May 28, 2020, during a duly scheduled meeting of this Board, for public input on a proposed local law entitled “Establishing Ontario County Mutual Self-Insurance Plan”; and

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

RESOLVED, That Local Law No. 3 (Intro) of 2020, amending the Ontario County Mutual Self-Insurance Plan for Worker’s Compensation is hereby adopted.

Adopted.

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

**RESOLUTION NO. 283-2020  
CONTRACT WITH NTS DATA SERVICES FOR  
REGISTERED VOTER NOTICE CARD PREPARATION AND  
JUNE ELECTION MAILING**

WHEREAS, Governor Andrew M. Cuomo issued an Executive Order mandating that the New York State Board of Elections automatically mail every New Yorker a postage-paid application for an absentee ballot allowing all New Yorkers to vote absentee in the June 23rd primary election if they choose to; and

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

WHEREAS, NTS will provide NYS Absentee Ballot Applications mailing services to the Ontario County Board of Elections during the month of May 2020 for the upcoming June Elections; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors hereby approves a contract with NTS Data Services, Inc. 2079 Sawyer Drive, Niagara Falls, New York 14304, for the term of January 1, 2020, through December 31, 2020 for an amount not to exceed \$105,000; and further

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

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

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to NTS Data Services, Inc.

**RESOLUTION NO. 284-2020**  
**APPROVAL OF MICROFILM SERVICE CONTRACT**  
**INSTREAM LLC DBA BIEL'S INFORMATION TECHNOLOGY SYSTEMS**  
**AND RAIMS**

WHEREAS, Ontario County Purchasing Department solicited and received a new proposal for a microfilm service contract; and

WHEREAS, The proposal (B20022) was opened and read at 3:00 pm, May, 7 2020; and

WHEREAS, The Department of RAIMS has sufficient funds in account AA146054660 to pay for services not to exceed the individual item costs and the budgeted amount of \$17,025.00; and

WHEREAS, Instream LLC dba Biel's Information Technology Systems has been recognized as providing the only valid proposal by the Ontario County Purchasing Department and RAIMS; and

WHEREAS, Instream LLC dba Biel's Information Technology has the technology and ability to carry out the required microfilm services; now, therefore, be it

RESOLVED, That Instream LLC dba Biel's Information Technology Systems, 1201 Indian Church Road, West Seneca, NY 14224, will contract with the County of Ontario to provide microfilm services according to the specifications attached to the proposal document; and further

RESOLVED, That the microfilm service contract between Instream LLC dba Biel's Information Technology Systems and the County of Ontario shall be effective June 1, 2020 for a period of one year, with the possibility of renewal for two additional one-year extensions; and further

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

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

RESOLVED, That a copy of this resolution be sent to Instream LLC dba Biel's Information Technology Systems, 1201 Indian Church Road, West Seneca, NY 14424.

**RESOLUTION NO. 285-2020**  
**APPROVAL OF BUSINESS ASSOCIATE AGREEMENT WITH CISCO**  
**SYSTEMS, INC**

WHEREAS, the County entered into a contract with Finger Lakes Technologies Group per Resolution No. 701-2014 for Cisco Systems Inc. unified communication services; and

WHEREAS, The Cisco services have expanded to include WebEx video and teleconferencing necessitating entering into a corresponding business associate agreement; and

WHEREAS, The County and Cisco Systems, Inc. desire to enter into this agreement; and

WHEREAS, The GOI committee recommends approval of the agreement; now, therefore, be it

RESOLVED, Upon review and approval of the County Attorney as to form, the Board authorizes the business associate agreement for a term coinciding with the term of the contract for Cisco unified communication services; and further

RESOLVED, That the County Administrator is hereby authorized to execute the business associate agreement and any other documents necessary to effectuate the purpose of this resolution.

**RESOLUTION NO. 286-2020**  
**RESOLUTION CALLING ON THE CONGRESSIONAL DELEGATION TO**  
**PROVIDE COUNTIES WITH DIRECT FEDERAL AID TO SUPPORT**  
**COUNTIES COVID-19 RESPONSE AND REOPENING ECONOMIC ACTIVITY**  
**EFFORTS**

WHEREAS, The COVID-19 pandemic has impacted every aspect of our society, government and the economy, unlike any other event in the past 50 years; and

WHEREAS, The New York State Association of Counties (NYSAC) has released an economic impact report detailing revenue loss projections for counties across the state; and

WHEREAS, New York State will be disproportionately hard hit compared to other parts of the country; and

WHEREAS, Under a mild recession, counties outside of New York City can expect to lose \$1.52 billion in local revenue and state aid; and

WHEREAS, Under a more severe recession, counties outside of New York City can expect to lose \$3.55 billion in local revenue and state aid; and

WHEREAS, Counties face an unprecedented quadruple threat of

- Declining local revenues, especially sales tax, but also hotel occupancy taxes, mortgage recording taxes, gaming revenues, among other revenues;
- Higher spending necessary to respond to the health emergency;
- The loss of state reimbursement;
- The potential of significant losses for small businesses that could threaten jobs and the property tax base over the short to mid-term; and

WHEREAS, Without further federal assistance, the fiscal outlook for counties could become catastrophic; and

WHEREAS, Counties are the primary governmental unit responsible for delivering services to New Yorkers during this pandemic. Some of these services include:

- Maintaining public facilities including hospitals, clinics, nursing homes;
- Administering and providing for Medicaid on behalf of the state;
- Disease surveillance, monitoring, testing, and providing education to the public on how to practice social distancing and proper hygiene;
- Providing and coordinating the acquisition of PPE and other equipment;
- Providing mortuary services;
- Providing mental health educational resources to the public;
- Ensuring access to counseling and substance abuse services;
- Staffing and managing emergency operations center that organize disaster response;
- Maintaining and staffing 9-1-1 systems that respond to urgent calls for help;
- Providing families in need with services like childcare, cash assistance, emergency housing, responding to domestic violence situations, child and adult protective services, SNAP, Low Income HEAP, and foster care;
- Assisting small businesses with bridge loans and working capital;
- Employment training for those who are unemployed;
- Ensuring vulnerable seniors continue to receive essential services;
- Coordinating meals on wheels, medical supplies and prescriptions.

and

WHEREAS, The Governmental Operations and Insurance and Ways and Means Committees have reviewed and support this resolution; now, therefore, be it

RESOLVED, The County of Ontario calls upon the Congressional Delegation to provide all counties direct unrestricted federal aid; and further

RESOLVED, This aid should be distributed based on county population; and further

RESOLVED, Federal stimulus legislation must also grant counties who received funding under the Coronavirus Relief Fund as part of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) the ability to use these funds to supplant projected revenue loss; and further

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

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 287-2020  
CONTRACT WITH S2AY RURAL HEALTH NETWORK, INC. - 2020**

WHEREAS, Ontario County Public Health Department desires to contract with the S2AY Rural Health Network, Inc. for purposes of sharing in the cost of carrying out the work plan of the S2AY Rural Health Network, which includes the counties of Chemung, Ontario, Schuyler, Seneca, Steuben, Wayne and Yates; and

WHEREAS, The Public Health Director, County Administrator, and the Health and Human Services Committee recommend the participation of the Public Health Department in this network; and

WHEREAS, The funding for this contract is established in the amount of \$18,500.00 and has been budgeted for in the 2020 budget; 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 S2AY Rural Health Network for the term January 1, 2020 through December 31, 2020 at a cost not to exceed \$18,500; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute this agreement with S2AY Rural Health Network, Inc. and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That a certified copy of this resolution be forwarded by the Clerk of this Board to the S2AY Rural Health Network, Inc., PO Box 390, Canandaigua, NY 14424.

**RESOLUTION NO. 288-2020  
CONTRACT WITH THE CENTER FOR DISABILITY RIGHTS, INC FOR  
ADULT DAY SERVICES - EISEP – OFFICE FOR THE AGING - 2020-2021**

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, 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 \$20.00 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, 2020, through March 31, 2021; and further

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

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

**RESOLUTION NO. 289-2020  
AUTHORIZATION TO ACCEPT MAJOR DISASTER FUNDS  
ONTARIO COUNTY OFFICE FOR THE AGING**

WHEREAS, In response to the Coronavirus outbreak, New York State's Major Disaster Declaration (MDD) request was approved by the federal government on March 20, 2020; and

WHEREAS, The MDD triggers disaster relief authority in the Older Americans Act (OAA) and permits New York State to use any portion of the funds for disaster relief for older adults; and

WHEREAS, The Ontario County Office for the Aging was allocated the following funds from the Families First Coronavirus Response Act (FFCRA) and the Coronavirus Aid Relief and Economic Security Act (CARES) by the New York State Office for the Aging:

- \$23,031 Families First Coronavirus Response Act (FFCRA) CMC2 funds for the period covering March 20, 2020 – September 30, 2021
- \$46,054 Families First Coronavirus Response Act (FFCRA) HDC2 funds for the period covering March 20, 2020 – September 30, 2021

- \$138,161 Coronavirus Aid Relief and Economic Security (CARES) Act HDC3 funds for the period covering April 1, 2020 – September 30, 2021
- \$57,322 Coronavirus Aid Relief and Economic Security (CARES) Act SSC3 funds for the period covering April 1, 2020 – September 30, 2021
- \$31,281 Coronavirus Aid Relief and Economic Security (CARES) Act FCC3 funds for the period covering April 1, 2020 – September 30, 2021; and

WHEREAS, Service match is not required for the FFCRA and CARES Act funds, unless the county chooses to claim State Plan and Area Plan Administration expense then match is required at the normal 25% rate; and

WHEREAS, The funds are to be used for Coronavirus relief on any allowable OAA activities; and

WHEREAS, The Health and Human Services Committee has reviewed this resolution and recommends acceptance of the allocated funds by the Office for the Aging; now, therefore, be it

RESOLVED, Upon review and approval as to form by the County Attorney, the Board of Supervisors does hereby accept a total of \$295,849 of FFCRA and CARES funds; and further

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

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 290-2020  
ACCEPTANCE OF DONATION FROM RG&E  
ONTARIO COUNTY OFFICE FOR THE AGING**

WHEREAS, Rochester Gas & Electric (RG&E) with offices at 89 East Avenue, Rochester, NY 14649 would like to make a donation to the Ontario County Office for the Aging in the amount of \$2,500; and

WHEREAS, The donation is in recognition of the additional efforts to feed older adults during the COVID-19 pandemic through its Meals on Wheels program; and

WHEREAS, The Health and Human Services Committee has reviewed this offer and has recommended that the Ontario County Office for the Aging be given authorization to accept the donation; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby accept the donation from RG&E; and further

RESOLVED, That a certified copy of this resolution be sent to Laurie A. Picardo, c/o RG&E, 89 East Avenue, 5<sup>th</sup> Floor, Rochester, NY 14649

Adopted.

Supervisor Daniel Marshall, on behalf of the Office for the Aging and the Health and Human Services Committee, extends a special to thank you to RG&E for their donation to be used for Meals on Wheels.

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

**RESOLUTION NO. 291-2020  
APPOINTMENT OF MATT SOUSA  
TO THE ONTARIO COUNTY PLANNING BOARD**

WHEREAS, Resolution No.153-2019 adopted Local Law No. 1 of 2019 authorizing the appointment of alternate members to the County Planning Board in accordance with NYS statute in General Municipal Law; and

WHEREAS, Resolution No. 23-2019 approved revisions to the County Planning Board By-laws, including appointment of alternative members to join in the general discussion and serve as voting members only in the case of conflict of interest and necessary abstention on the part of a voting member; and

WHEREAS, The Director of the Ontario County Planning Department has recommended the appointment of Matt Sousa as an alternative member of the Ontario County Planning Board; and

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

RESOLVED, That this Board of Supervisors does hereby appoint the following individual as an alternate member of the Ontario County Planning Board:

Name and Address	Representing	Term Expires
Matt Sousa 6271 Hawks Road Naples, NY 14512	At large Alternate Member	May 27, 2025

and further

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

Adopted.

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

**RESOLUTION NO. 292-2020  
AUTHORIZING A CONTRACT WITH CANANDAIGUA LAKE WATERSHED  
COUNCIL FOR TRANSFER OF SFY 2019-20 FLOWPA FUNDING FOR  
LOCAL WATER QUALITY PROJECTS**

WHEREAS, Resolution No. 124-2020 authorized a contract with Oswego County Soil and Water Conservation District for transfer of SFY 2019-20 state grant funding from the Water Resources Board Reserve Fund to Ontario County in the amount of Eighty-Nine Thousand Two Hundred Dollars (\$89,200); and

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

WHEREAS, Said work program included funding for priority multi-year projects under the direction of the Canandaigua Lake Watershed Council including:

Canandaigua Lake Watershed Assessment – Year 7	\$10,000
Parish Flats/Naples Creek Wetland Project Phase 2	\$10,000
Cottage City Drainage Project – Year 2	\$5,000

and

WHEREAS, The Canandaigua Lake Watershed Council (hereinafter “Council”) has submitted a proposal and budget for aforesaid projects in the total amount of Twenty-Five Thousand Dollars and No Cents (\$25,000), on file with the Clerk of the Board; and

WHEREAS, The County and Council desire to authorize transfer of SFY19-20 FLOWPA funding for Council’s approved projects via a single contract; and

WHEREAS, The City of Canandaigua serves as the host agency for the Canandaigua Lake Watershed Council, including provision of bookkeeping and accounting services for Canandaigua Lake Watershed Council grants and funding maintained through the City of Canandaigua’s accounting system; and

WHEREAS, The administrative relationship between the Canandaigua Lake Watershed Council and City of Canandaigua is fully described in a renewable agreement titled the “Inter-municipal Cooperative Agreement between the City of Canandaigua and the Canandaigua Lake Watershed Council for Shared Employment Services” effective January 1, 2014, a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Ontario County Planning and Environmental Quality 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 and empowers the County Administrator to execute a contract with Canandaigua Lake Watershed Council in the amount of Twenty Five Thousand Dollars (\$25,000) for reimbursement of eligible expenses for aforementioned projects; and further

RESOLVED, That the cost of said contract shall be paid from SFY 2019-2020 FLOWPA grant funds (NYS Contract # C311775-1920, CFDA # N/A, MUNIS #G20004) in line AA8020PL54260 Consultation and Professional in the Planning Department operating budget; and further

RESOLVED, That the term of said contract shall commence on April 1, 2020 and terminate October 1, 2022; and further

RESOLVED, That payments from Ontario County pursuant to this agreement with the Canandaigua Lake Watershed Council shall be made payable to the City of Canandaigua on behalf of the Canandaigua Lake Watershed Council; and

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

RESOLVED, That a signed, certified copy of this resolution be sent by the Clerk of this Board to Mr. Kevin Olvany, Canandaigua Lake Watershed Program Manager, 205 Saltonstall Street, Canandaigua, NY 14424.

**RESOLUTION NO. 293-2020  
CONTRACT WITH TOWN OF CANANDAIGUA FOR MANPOWER,  
EQUIPMENT, AND MATERIALS  
FLCC WATER QUALITY, FLOOD RESILIENCY,  
AND HABITAT IMPROVEMENT PROJECT**

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

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

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

WHEREAS, The Town of Canandaigua has proposed to provide the necessary manpower, equipment, and some of the materials needed to implement said design plans prepared by GEI at cost and pursuant to the requirements of said Water Quality Improvement Grant; and

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby approve a contract with the Town of Canandaigua, 5440 Route 5 & 20 West, Canandaigua, NY 14424, for an amount not to exceed One Hundred Five Thousand Dollars (\$105,000.00), to provide labor, equipment, and some materials necessary for use in the construction of the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project; and further

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

RESOLVED, That the cost of said contract be paid from said Water Quality Improvement Grant pursuant to New York State Department of Environmental Conservation Contract Number DEC01-C00516GG-35000 and Ontario County Grant Project Number G18034; and further

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

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to the Town of Canandaigua, 5440 Route 5 & 20 West, Canandaigua, NY 14424.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 294-2020**

**AGREEMENT WITH THE PARTNERSHIP FOR ONTARIO COUNTY  
YOUTH COURT PROGRAM - RAISE THE AGE**

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

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

WHEREAS, The Partnership for Ontario County Youth Court Program has developed over the years into an early intervention program which now serves youth up to the age of 17 who are charged with offenses that are criminal in nature; and

WHEREAS, The Probation Department has plans to continue using the Youth Court for Raise the Age diversion cases to avoid adding an additional Probation Officer; and

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

WHEREAS, The Public Safety Committee recommends the County enter into an agreement with the Partnership for Ontario County Youth Court Program; now, therefore, be it

RESOLVED, That the agreement is subject to review and approval of the County Attorney's Office as to form, this Board of Supervisors does hereby authorize an agreement with, The Partnership for Ontario County Youth Court Program, 5297 Parkside Dr. #307, Canandaigua, NY 14424, for the period January 1, 2020 through December 31, 2020; at a cost not to exceed \$70,000; and

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

RESOLVED, That certified copies of this resolution be sent to the Probation Department and The Partnership for Ontario County Youth Court Program.

**RESOLUTION NO. 295-2020  
AUTHORIZATION TO EXTEND GRANT FUNDING FOR  
FY1819 RECRUITMENT AND RETENTION GRANT PROGRAM  
OFFICE OF EMERGENCY MANAGEMENT**

WHEREAS, Pursuant to Resolution No. 425-2019, this Board of Supervisors authorized Ontario County to accept an award of \$25,000 from New York State Division of Homeland Security and Emergency Services (DHSES), the FY1819 Recruitment and Retention Grant Program (RRGP) (DHSES Project # RR18-1016-E00, Contract #

T158142; MUNIS G19015; CFDA# n/a) for the purpose of recruiting and retaining emergency responders; and

WHEREAS, the Ontario County Office of Emergency Management, in agreement with the New York State Department of Homeland Security and Emergency Services, would like to request that the grant be further extended until March 31, 2021; and

WHEREAS, it is advantageous for Ontario County to extend this grant to fully utilize this grant, with no county match requirement; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this request at their respective May 20<sup>th</sup>, 2020 meetings and recommend the grant extension; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves extending the agreement with the New York State Department of Homeland Security and Emergency Services that expired on March 31, 2020, for a term starting April 1, 2020 through March 31, 2021 at no required County cost; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the extension of the FY1819 Recruitment and Retention Grant Program Agreement with the New York State Department of Homeland Security and Emergency Services, 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 effect the intent of this resolution; and further

RESOLVED, That a certified copy of this resolution be emailed by the Clerk of this Board to the Ontario County Office of Emergency Management.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO.296-2020  
PROCLAMATION  
EMERGENCY MEDICAL SERVICES WEEK**

**MAY 17-23, 2020**

WHEREAS, There exists in Ontario County many members of emergency medical services teams ready to respond to provide lifesaving care to those citizens and visitors of Ontario County at the time of need 24 hours a day, seven days a week; and

WHEREAS, Emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, firefighters, dispatchers, educators, administrators, and others; and

WHEREAS, Emergency medical services is a vital public service; and

WHEREAS, Approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, The members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Citizens and visitors benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, May 17 – 23, 2020 is National Emergency Medical Services Week; and

WHEREAS, EMS week brings together local communities and medical personnel to publicize safety and honor the dedication of those who provide the day to day lifesaving services of medicine's "front-line"; now, therefore, be it

RESOLVED, That the Ontario County Public Safety Committee and the Ontario County Board of Supervisors celebrate the achievements of the men and women who daily, are on the front lines within the EMS Community; and further

RESOLVED, That I, Jack Marren, as Chairman of the Ontario County Board of Supervisors, do hereby proclaim the week of May 17-23, 2009 as ONTARIO COUNTY EMERGENCY SERVICES WEEK and urge both public and private sectors to join with me and this Board in recognizing the contributions of Emergency Medical Services providers, and encourage the communities to observe this week with appropriate programs, ceremonies and activities; and further

RESOLVED, That a certified copy of this proclamation be sent by the Clerk of this Board to the Ontario County Emergency Management Director and the Ontario County EMS Coordinator.

**RESOLUTION NO. 297-2020  
RECOGNIZING NATIONAL LAW  
ENFORCEMENT WEEK 2020  
MAY 10, 2020 - May 15, 2020**

WHEREAS, Each May the Office of Sheriff comes together to recall the service and sacrifice of those who gave their lives protecting the people of Ontario County. While prevented from gathering in person this year, we will not be prevented from keeping our commitment to remember those who serve and those who have made the ultimate sacrifice; and

WHEREAS, On May 4, 1963 President John F. Kennedy signed a proclamation which designates May 15 as National Peace Officer Memorial Day and the week in which it falls as Police Week; and

WHEREAS, In October 1991 President George H. W. Bush dedicated the National Law Enforcement Officers Memorial in Washington D.C. This year alone, over 307 officers will be added to the walls of the memorial; and

WHEREAS, During Police Week we commend the brave men and women of our law enforcement community for fulfilling their oath to protect and serve. We also pause to remember all those who have lost their lives and have suffered permanent disabilities defending their communities and the rule of law; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors, at the request of the Sheriff, declares the week of May 10 – May 15, 2020 to be National Police Week in Ontario County in honor of the men and women whose diligence and professionalism keep our community and citizens safe.

The foregoing block of two resolutions was adopted.

Supervisor Robert Green said it is an honor to recognize the people; emergency services and law enforcement, especially during these times.

Supervisor Robert Green offered the following resolution and moved for its adoption, seconded by Supervisor Gregory Bendzłowicz:

**RESOLUTION NO. 298-2020  
REAPPOINTMENT OF CARRIE W. BLEAKLEY  
CONFLICT DEFENDER**

WHEREAS, Ms. Carrie W. Bleakley's appointment as Conflict Defender expires on June 30, 2020; and

WHEREAS, The Interim County Administrator has completed the performance review process for the Conflict Defender and recommends reappointment; and

WHEREAS, The Public Safety Committee supports the Interim County Administrator's recommendation and recommends reappointment of Ms. Carrie W. Bleakley to the Board of Supervisors effective July 1, 2020 through June 30, 2022; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby reappoints Ms. Carrie W. Bleakley to the position of Conflict Defender for a term of two years to commence on July 1, 2020; and further

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

Adopted.

Supervisor Peter Ingalsbe offered the following thirteen resolutions as a block and moved for its adoption, seconded by Supervisor Theodore Bateman:

**RESOLUTION NO. 299-2020**  
**CAPITAL PROJECT H036-17**  
**MAIN CAMPUS RESTROOMS UPGRADES**  
**2017 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 49-2017 created and funded Capital Project No. 1-2017 as the 2017 FLCC Maintenance Capital Project in the amount of One Million One Hundred Seven Thousand Dollars (\$1,107,000.00) now known as Capital Project H036-17; and

WHEREAS, Resolution No. 256-2018 decreased the total Capital Project No. H036-17 budget to Eight Hundred Sixty-Six Thousand Three Hundred Three Dollars (\$866,303.00); and

WHEREAS, Due to the COVID-19 pandemic, Finger Lakes Community College has found it necessary to upgrade the Main Campus restrooms to touchless fixtures; and

WHEREAS, FLCC received quotes from three vendors for the bathroom fixtures needed, and found Geck Plumbing & Heating Supply, 620 Meigs Street, Rochester, New York 14620, to be the most economical choice; and

WHEREAS, FLCC staff recommend acceptance of the quote from Geck Plumbing & Heating Supply for 68 flushometers in the amount of Eleven Thousand Two Hundred Twenty Dollars (\$11,220.00) and 32 touchless faucet fixtures in the amount of Seven

Thousand Two Hundred Sixteen Dollars (\$7,216.00) for a total of Eighteen Thousand Four Hundred Thirty-Six Dollars (\$18,436.00); and

WHEREAS, StepNpull, 8177 North FR 197, Fair Grove, Missouri 65648, is the desired vendor for the foot operated door pulls to be installed on all restroom doors; and

WHEREAS, FLCC received a quote from StepNpull for fifty (50) foot operated door pulls in the amount of One Thousand Two Hundred Eighty-Seven Dollars and Eighty-Eight Cents (\$1,287.88); and

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

WHEREAS, FLCC will self-perform the installation of the touchless bathroom fixtures and foot operated door pulls; and

WHEREAS, Sufficient funds exist in budget line HH H036 17 54491 - General Construction of the 2017 FLCC Maintenance Capital Project for the total of the two quotes of Nineteen Thousand Seven Hundred Twenty-Three Dollars and Eighty-Eight Cents (\$19,723.88); and

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

RESOLVED, That the quote from Geck Plumbing & Heating Supply, 620 Meigs St., Rochester, NY 14620 for 68 and 32 touchless faucets in the amount of Eighteen Thousand Four Hundred Thirty-Six Dollars (\$18,436.00) is hereby accepted; and further

RESOLVED, That the quote from StepNpull for fifty (50) foot operated door pulls in the amount of One Thousand Two Hundred Eighty-Seven Dollars and Eighty-Eight Cents (\$1,287.88) is hereby accepted; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Eight Hundred Sixty Six Thousand Three Hundred Three Dollars (\$866,303.00); and further

RESOLVED, That the Purchasing Department is hereby directed to issue a purchase order for said items from said vendors in said amounts; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department, and the Vice President of Administration and Finance of Finger Lakes Community College.

**CAPITAL PROJECT H036-17  
MAIN CAMPUS LIGHTING UPGRADES  
2017 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 49-2017 created and funded Capital Project No. 1-2017 as the 2017 FLCC Maintenance Capital Project in the amount of One Million One Hundred Seven Thousand Dollars (\$1,107,000.00) now known as Capital Project H036-17; and

WHEREAS, Resolution No. 256-2018 decreased the total Capital Project No. H036-17 budget to Eight Hundred Sixty-Six Thousand Three Hundred Three Dollars (\$866,303.00); and

WHEREAS, Finger Lakes Community College has found it necessary to replace lamps with LED fixtures of the main corridors at the Main Campus, updated lighting fixtures will lead to a potential savings of \$5,500.00 per year; and

WHEREAS, FLCC staff is working with Rochester Gas & Electric on an energy savings rebate in the amount of Three Thousand Two Hundred Dollars (\$3,200.00); and

WHEREAS, FLCC received a quote for the materials needed from VP - Dansville Electric Supply, 30 Ossian Street, Dansville, New York 14437, in the amount of Eight Thousand Five Hundred Fifty-Seven Dollars and Thirty-Five Cents (\$8,557.35) a copy of which is on file with the clerk of this Board; and

WHEREAS, FLCC staff will self – perform the removal and disposal of existing lighting fixtures and installation of new lighting fixtures; and

WHEREAS, Sufficient funds exist in the 2017 FLCC Maintenance Capital Project; and

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

RESOLVED, That the following budget amendment for Capital Project No. H036-17 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
<i>Appropriations:</i>				
HH H036 17 54260	Consultation & Professional	\$39,573.00	-\$8,557.35	\$31,015.65
HH H036 17 54491	General Construction	\$671,050.88	\$0.00	\$671,050.88
HH H036 17 54493	Electric	\$0.00	+\$8,557.35	\$8,557.35
HH H036 17 54521	HVAC	\$110,321.00	\$0.00	\$110,321.00

HH H036 17 54743	Change Order Contingency	\$42,073.12	\$0.00	\$42,073.12
HH H036 17 54865	Administration	\$3,285.00	\$0.00	\$3,285.00
HH H036 17 42397	FLCC Revenue – Other	\$40,000.00	\$0.00	\$40,000.00
HH H036 17 43297	State Aid	\$433,151.50	\$0.00	\$433,151.50
HH H036 17 45031	A – Interfund Transfer	\$393,151.50	\$0.00	\$393,151.50

and further

RESOLVED, That the quote from VP - Dansville Electric Supply dated May 8, 2020 on file with the Clerk of this Board in the amount of Eight Thousand Five Hundred Fifty-Seven Dollars and Thirty-Five Cents (\$8,557.35) is hereby accepted; and further

RESOLVED, That the Purchasing Department is hereby authorized and directed to issue a Purchase Order to VP – Dansville Electric Supply in accordance with said quote; and further

RESOLVED, That the cost of said materials and supplies from VP – Dansville Electric be paid from budget line HH H036 17 54493 – Electric; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Eight Hundred Sixty Six Thousand Three Hundred Three Dollars (\$866,303.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department, and the Vice President of Administration and Finance of Finger Lakes Community College.

**RESOLUTION NO. 301-2020  
FLCC NURSING EXPANSION PROJECT  
AUTHORIZATION TO CONTRACT WITH FLCC ASSOCIATION, INC.,  
FLCC STUDENT CORPORATION, INC., AND THE FLCC FOUNDATION, INC.  
FOR FUNDING LOCAL SHARE**

WHEREAS, Resolution No. 757-2019 amended the 2020-2025 Ontario County Capital Improvement Plan to add the FLCC Nursing Program Expansion Project to be funded 50% by SUNY and 50% locally through funding from the FLCC Foundation, Inc., FLCC Association, Inc., and the FLCC Student Corporation; and

WHEREAS, The 2020-2021 New York State Budget included authorization for SUNY funding of the FLCC Nursing Expansion Three Million Seven Hundred Seventy Five Thousand Dollars (\$3,775,000); and

WHEREAS, The FLCC Foundation, Inc. has agreed to provide Three Million Dollars (\$3,000,000.00) in funding for the FLCC Nursing Expansion Project, to be paid to the County in annual installments of Three Hundred Thousand Dollars (\$300,000.00) a year beginning in 2020; and

WHEREAS, The FLCC Student Corporation has agreed to provide Two Hundred Fifty Thousand Dollars (\$250,000.00) in funding for the FLCC Nursing Expansion Project to be paid in 2020; and

WHEREAS, The FLCC Association, Inc. has agreed to provide Two Hundred Thousand Dollars (\$200,000.00) in funding for the FLCC Nursing Expansion Project to be paid in 2020; and

WHEREAS, A draft contract between the County, the FLCC Association, Inc., the FLCC Student Corporation, and the FLCC Foundation is on file with the Clerk of this Board; and

WHEREAS, In said contract the FLCC Association, Inc. and the FLCC Student Corporation have agreed to provide said funding in a lump sum payment to the county within 30 days of the execution of said agreement, and the FLCC Foundation shall provide its first annual payment within 30 days of the execution of said agreement; and

WHEREAS, The Public Works and Ways and Means Committees recommend approval of said contract with the FLCC Foundation, Inc.; now, therefore, be it

RESOLVED, That the proposed contract between the FLCC Foundation, Inc., the FLCC Student Corporation, the FLCC Association, Inc. (collectively the “Contributors”), and the County of Ontario wherein the Contributors shall provide up to Three Million Four Hundred Fifty Thousand Dollars (\$3,450,000.00) of funding as the local share of the cost of the FLCC Nursing Expansion Project incurred by the County, is hereby approved; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute said contract with the Contributors, subject to the review and approval of such contract by the County Attorney as to form; and further

RESOLVED, That the term of said contract shall commence on May 29, 2020 and terminate on December 31, 2029; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Stephanie Carpentier, Executive Director of the FLCC Association, Inc., 3325 Marvin Sands Dr., Canandaigua, NY 14424, Stephanie Carpentier as the Fiduciary agent for the

FLCC Student Corporation, Louis Noce, Executive Director of the FLCC Foundation, Inc., 3325 Marvin Sands Drive, Canandaigua, NY 14424, and the Vice President of Administration and Finance at Finger Lakes Community College.

**RESOLUTION NO. 302-2020  
ESTABLISH CAPITAL PROJECT NO. HO68-20  
AS THE FLCC NURSING EXPANSION CAPITAL PROJECT**

WHEREAS, Resolution No. 757-2019 amended the Ontario County 2020-2025 Capital Improvement Plan to include the FLCC Nursing Expansion Project; and

WHEREAS, The 2020-2021 New York State Budget has authorized funding in the amount of up to Three Million Seven Hundred Seventy Five Dollars (\$3,775,000.00) for the FLCC Nursing Expansion Capital Project; and

WHEREAS, The FLCC Foundation, Inc., the FLCC Association, Inc., and the FLCC Student Corporation have agreed to provide funding amounting to Three Million Four Hundred Fifty Thousand Dollars as the local share of this project; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby establishes Capital Project No. HO68-20 as the FLCC Nursing Expansion Capital Project and assign it budget number HHH06820; and further

RESOLVED, That the budget for Capital Project No. H068-20 be, and hereby is, established as follows:

Line	Description	Budget
Appropriations		
HHH06820 54260	Consultation & Professional	\$ 525,000.00
HHH06820 54444	Financing of Debt	\$ 50,000.00
HHH06820 54053	Construction Tests/Inspections	\$ 10,000.00
HHH06820 54498	Asbestos and Related Testing	\$ 10,000.00
HHH06820 54731	Contingency	\$ 900,000.00
HHH06820 54865	Administration	\$ 5,000.00
Revenues		
HHH06820 42705	Gifts and Donations	\$ 750,000.00
HHH06820 43297	State Aid	\$ 750,000.00

and further

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

RESOLVED, That the Director of Planning shall be administratively responsible for this Capital Project; and further

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

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Million Five Hundred Thousand Dollars (\$1,500,000.00); and further

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

**RESOLUTION NO. 303-2020  
APPROVAL OF LEASE TO TOWN OF CANANDAIGUA  
FOR EXISTING TANK AND WATER SYSTEM  
ON CHESHIRE TOWER PROPERTY**

WHEREAS, The County owns real property at 5480 Cramer Road in the Town of Canandaigua, New York 14424, being tax map number 125.00-1-13.000 (the "Premises") upon which the County owns and maintains emergency radio communications and related equipment; and

WHEREAS, The Town of Canandaigua through the Canandaigua Consolidated Water District which the Town of Canandaigua administers (hereinafter collectively referred to as the "Town"), owns a water storage tank, water mains, and related equipment necessary for the storage and transportation of potable water located on the Premises ("Existing Tank"); and

WHEREAS, To the best of both the Town and the County's knowledge, no formal agreement exists between the Town and County permitting the Town's Existing Tank to be located on the Premises; and

WHEREAS, The Town desires to demolish the Existing Tank and construct, operate, maintain and repair two new water storage tanks and related equipment necessary for the storage and transportation of potable water at and from the Premises and improve the entry driveway providing access the Premises from Cramer Road including acquisition of property immediately adjacent on the west of the portion of

Lessor's property containing the driveway from Cramer Road (collectively the "Water System"); and

WHEREAS, A draft lease agreement between the Town and the County has been prepared which permits the Town's occupancy and maintenance of the Existing Tank and the future construction, occupancy, and operation of the Water System, including access thereto, in exchange for the Town's maintenance of the road, site, and access thereto; and

WHEREAS, The Director of Planning and the Commissioner of Public Works recommend approval of the draft lease agreement between the Town and the County on file with the Clerk of this Board; and

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby approve the lease with the Town of Canandaigua, 5440 Route 5 & 20 West, Canandaigua, NY 14424, concerning the Existing Tank and Water System at the County's property at 5480 Cramer Road in the Town of Canandaigua; and further

RESOLVED, That the term of said lease shall commence on May 29, 2020 and end on May 28, 2030, and shall automatically extend for eight (8) renewal periods of ten (10) years each unless either party provides written notice to the other of its election not to renew the term at least thirty (30) days prior to the end of the current term; and further

RESOLVED, That this resolution shall take effect immediately; and further

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to the Town of Canandaigua, 5440 Route 5 & 20 West, Canandaigua, NY 14424.

**RESOLUTION NO. 304-2020**  
**CAPITAL PROJECT NO. H013-13**  
**ALLEN PADGHAM ROAD BRIDGE OVER GANARGUA CREEK**  
**BUDGET TRANSFER**

WHEREAS, Resolution No. 100-2013 created Capital Project No. 01-2013, Allen Padgham Road Bridge Over Ganargua Creek, PIN 4755.37 (the "Project") with costs to be borne at the ratio of 80% Federal Funds and 20% non-Federal funds; and

WHEREAS, This project is now known as Capital Project No. H013-13; and

WHEREAS, It is time to invoice Capital Project No. H013-13 for Ontario County Highway Engineering services during the design and construction phases; and

WHEREAS, Said engineering services total \$41,129.96; and

WHEREAS, There are sufficient funds available in the Contingency Line of Capital Project No. H013-13 to cover these services; 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. H013-13 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Expenditures:				
HHH01313 54491	General Construction	\$2,064,989. 99		\$2,064,989. 99
HHH01313 54495	Engineering	\$632,100.0 0	+\$41,129. 96	\$673,229.9 6
HHH01313 54820	Easements & Land	\$12,575.00		\$12,575.00
HHH01313 54865	Administrative Expenses	\$2,750.00		\$2,750.00
HHH01313 54731	Contingency	\$250,421.0 1	\$41,129.9 6	\$209,291.0 5
Revenue:				
HHH01313 43089	State Aid	\$544,584.0 0		\$544,584.0 0
HHH01313 44597	Federal Aid	\$2,279,652. 00		\$2,279,652. 00
HHH01313 45031	Interfund Transfers	\$138,600.0 0		\$138,600.0 0

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 Two Million Nine Hundred Sixty-Two Thousand Eight Hundred Thirty-Six Dollars and Zero Cents (\$2,962,836.00); and further

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

**RESOLUTION NO. 305-2020  
CAPITAL PROJECT NO. H015-13  
74 ONTARIO STREET RENOVATION – PHASE II  
BUDGET TRANSFER**

WHEREAS, Resolution No. 297-2013 created Capital Project No. 03-2013, 74 Ontario Street Renovation – Phase II; and

WHEREAS, The project budget includes items such as accessories, appliances, and other items with an estimated cost of less than \$2500 each; and

WHEREAS, These items were budgeted in the Furniture & Furnishings line (HHH01513 52100) and should be purchased from the Minor Equipment line (HHH01513 54101); and

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

RESOLVED, That the budget of Capital Project No. H015-13 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
HHH01513 52100	Furniture & Furnishings	\$320,400.83	-\$20,000.00	\$300,400.83
HHH01513 54101	Minor Equipment	\$129,344.17	+\$20,000.00	\$149,344.17

and further

RESOLVED, That the Department of Finance is hereby authorized to make any and all budgetary and accounting entries to effect the intent of this resolution for a total project budget of Fourteen Million Eight Hundred Eleven Thousand Four Hundred Fifteen Dollars and Zero Cents (\$14,811,415); and further

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

**RESOLUTION NO. 306-2020  
CAPITAL PROJECT NO. H015-13  
APPROVE CONTRACT WITH SIRCHIE ACQUISITION COMPANY, LLC  
TO PROVIDE EVIDENCE TESTING EQUIPMENT  
74 ONTARIO STREET RENOVATION – PHASE II**

WHEREAS, Resolution No. 297-2013 established 74 Ontario Street Renovation – Phase II, now known as Capital Project No. H015-13, for purposes of renovating County facilities, including certain departments of the Office of the Sheriff (hereinafter Project); and

WHEREAS, Resolutions No. 218-2017, 615-2017, 444-2018 and 52-2019 authorized a contract with QPK Design, LLP (hereinafter Architect), 450 South Salina

Street, Syracuse, NY 13201 to provide all phases of design, bidding and construction administration services required to complete said Project; and

WHEREAS, Resolution No. 52-2019 awarded bids for the construction of said Project; and

WHEREAS, Architect's design includes evidence testing facilities for the Office of the Sheriff; and

WHEREAS, Sirchie Acquisition Company, LLC, 100 Hunter Place, Youngsville, North Carolina, 27596 has provided quote #0956202IN dated March 18, 2020 for twenty-four thousand, nine hundred thirty dollars and thirty cents (\$24,930.30) for evidence testing equipment meeting Architect's design and program requirements of the Office of the Sheriff, on file with the Clerk of this Board; and

WHEREAS, Sirchie Acquisition Company, LLC has provided documentation certifying the company is a sole source provider for said equipment, approved by the Director of Purchasing and on file with the Clerk of this Board; and

WHEREAS, There is sufficient funding in Capital Project No. H015-13 budget lines HHH01513 52100 Furniture and Furnishings and HHH01513 54101 Minor Equipment, for items with an acquisition cost less than \$2,500; and

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

RESOLVED, That the Sirchie Acquisition Company, LLC quote to provide Evidence Testing Equipment is accepted at a cost not to exceed twenty-four thousand, nine hundred thirty dollars and thirty cents (\$24,930.30); and further

RESOLVED, Upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves and empowers the County Administrator to execute a contract with Sirchie Acquisition Company, LLC for said amount; and further

RESOLVED, That the term of said contract shall commence on May 29, 2020, and terminate on February 13, 2021; and further

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

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to the Department of Finance, and Ms. Kim Wright, Sirchie Acquisition Company, LLC, 100 Hunter Place, Youngsville, North Carolina, 27596.

**RESOLUTION NO. 307-2020**

**VEHICLE MAINTENANCE SERVICES R15027  
CONTRACT RENEWAL R15027 - QUALTECH AUTOMOTIVE**

WHEREAS, Resolution No. 371-2015 awarded a contract to Qualtech Automotive for vehicle maintenance services on County vehicles rated less than one ton; and

WHEREAS, Said contract was for a period of thirty-six (36) months with a possible renewal period of three (3), one (1) year terms upon satisfactory performance; and

WHEREAS, Resolution No. 361-2018 renewed the contract for a period at the current price structure from June 20, 2018, through June 19, 2019; and

WHEREAS, Resolution No. 307-2019 renewed the contract for a period at the current price structure from June 20, 2019, through June 19, 2020; and

WHEREAS, Qualtech Automotive has agreed to renew its contract for said services for an additional twelve-month period at the current terms and conditions as stated in request for proposal #R15027; and

WHEREAS, The Public Works Department feels it is in the best interest of the County to renew this contract for an additional twelve (12) months; and

WHEREAS, The Public Works Committee recommends accepting the renewal of this contract; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors, upon review and approval of the County Attorney, as to form, hereby authorizes a contract extension with Qualtech Automotive, 5531 Buffalo Street, Canandaigua, NY 14424 for vehicle maintenance services on County vehicles rated less than one ton per the maintenance specification as stated in request for proposal #R15027, for the period beginning June 20, 2020 through June 19, 2021; and further

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

**RESOLUTION NO. 308-2020  
RENEWAL OF BID B19008– GOTTA DO CONTRACTING, LLC  
HAULING AND DISPOSAL OF SLUDGE  
HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT**

WHEREAS, Resolution No. 203-2019 awarded a bid to Gotta Do Contracting, LLC for the Hauling and Disposal of Sludge from the Honeoye Lake County Consolidated Sewer District (B19008); and

WHEREAS, Gotta Do Contracting, LLC has agreed to renew its contract for said services for an additional twelve-month period at the current price structure; and

WHEREAS, The Public Works Committee recommends accepting the renewal of this bid; now, therefore, be it

RESOLVED, That on the recommendation of the Public Works Committee, the Ontario County Board of Supervisors hereby authorizes an extension of the contract with Gotta Do Contracting, LLC of 9289 Bonta Bridge Road, Jordan, New York 13080 for the Hauling and Disposal of Sludge from the Honeoye Lake County Sewer District for the period beginning May 15, 2020, through May 14, 2021 and further

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to Gotta Do Contracting, LLC.

**RESOLUTION NO. 309-2020  
ACCEPTING RENEWAL OF A QUOTE Q18006 FOR  
HAULING AND DISPOSAL OF REFUSE AND SCREENINGS  
HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT**

WHEREAS, Resolution No. 38-2019 accepted a quote from Casella Waste Management of NY, Inc. of 54 Doran Avenue, Geneva, New York 14456, for the collection, hauling and disposal of refuse and screenings from the Honeoye Lake County Sewer District (Q18006); and

WHEREAS, Casella Waste Management of NY, Inc. has agreed to renew its quote for these services for an additional twelve-month period at the current price structure; and

WHEREAS, After discussion between the County Purchasing Department, Commissioner of Public Works and the Public Works Committee, it was deemed that the County recommends accepting the renewal of this quote; now, therefore, be it

RESOLVED, That Ontario County Board of Supervisors hereby authorizes an extension of the contract with Casella Waste Management of NY, Inc. for the hauling and disposal of refuse and screenings from the Honeoye Lake County Sewer District, for the period beginning April 1, 2020 and ending March 31, 2021, at a cost of \$520.00 per month, subject to quarterly fuel price adjustments as provided for in the quote specifications; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Casella Waste Management of NY, Inc.

**RESOLUTION NO. 310-2020  
AWARD OF PROFESSIONAL SERVICES CONTRACT  
PUMP STATIONS 1E AND 2E - REPLACEMENT OF WET WELL STAIRS  
CANANDAIGUA LAKE COUNTY SEWER DISTRICT**

WHEREAS, The approved 2020-2025 Capital Improvement Plan (CIP) includes funding for wet well modifications and repairs at various pump stations in the Canandaigua Lake County Sewer District (CLCSD); and

WHEREAS, The Ontario County Department of Public Works solicited proposals for furnishing design and construction phase professional services for the removal and replacement of wet well stairs at Pump Stations 1E and 2E; and

WHEREAS, Erdman Anthony has provided a proposal for said services for a cost not to exceed \$18,495.00; and

WHEREAS, The Commissioner of Public Works has reviewed said proposal and recommends entering into an agreement with Erdman Anthony for these services; and

WHEREAS, Sufficient funds are available in the 2020 CLCSD budget within line G1811099 54260 Consultation and Professional to pay for this work; 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 Erdman Anthony, 145 Culver Road, Suite 200, Rochester, NY 14620, for design and construction phase professional services in connection with Pump Stations 1E and 2E Replacement of Wet Well Stairs, for a cost not to exceed \$18,495.00; the term of said contract shall run through June 30, 2021; and further

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

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

#### **RESOLUTION NO. 311-2020**

#### **RENEWAL OF BID B19036 FOR PAINT AND PAINTING SUPPLIES**

WHEREAS, Resolution No. 255-2019 awarded a bid (B19036) to Rochester Paint Center for paint and painting supplies for remodeling and preservation of County buildings; and

WHEREAS, Rochester Paint Center has agreed to renew their bid at the current price structure for all but 6 of the 24 bid items; and

WHEREAS, The Purchasing department has reviewed this request and has determined that it is within the CPI limits set forth in the bid; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the renewal of Bid (B19036) for paint and painting supplies to Rochester Paint Center, 1800 Lyell Avenue, Rochester, New York 14606 for a renewal period effective May 30, 2020, through May 29, 2021; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Rochester Paint Center.

The forgoing block of thirteen resolutions was adopted.

Supervisor Richard Russell pointed out Res. No. 301-2020 and Res. No. 302-2020 as the establishment of the funding stream and Capital Project for FLCC's nursing program expansion project. He noted the project will go forward with local funding from various FLCC associations.

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

**RESOLUTION NO. 312-2020  
ONTARIO COUNTY NON-DISCRIMINATION AND  
SEXUAL HARASSMENT PREVENTION IN THE WORKPLACE POLICY**

WHEREAS, Ontario County wishes to promote a productive work environment, and to prohibit conduct that disrupts or interferes with another's work performance or creates an intimidating, offensive, or hostile work environment due to discrimination based on protected status or sexual harassment; and

WHEREAS, Pursuant to Resolution Numbers 874-2015 and 632-2018, this Board of Supervisors adopted the Ontario County Non-Discrimination and Sexual Harassment Prevention in the Workplace Policy; and

WHEREAS, Effective August 11, 2020, New York State law is amended to extend the statute of limitations for filing a claim and update standards for a successful claim; and

WHEREAS, Upon review by the County Attorney and Human Resources, it was determined that modifications to the Non-Discrimination and Sexual Harassment Prevention in the Workplace Policy were necessary to ensure compliance with the new state laws; and

WHEREAS, The Ways and Means Committee of the Ontario County Board of Supervisors has reviewed the Non-Discrimination and Sexual Harassment Prevention in the Workplace Policy with incorporated modifications (the "Updated Non-Discrimination and

Sexual Harassment Prevention in the Workplace Policy”) and recommends its adoption; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, that this Board does hereby approve the Updated Non-Discrimination and Sexual Harassment Prevention in the Workplace Policy attached hereto and filed with the Clerk of the Board; and, be it further

RESOLVED, That the Updated Non-Discrimination and Sexual Harassment Prevention in the Workplace Policy, filed herewith, is hereby adopted and shall be effective on the date of this adoption; and be it further

RESOLVED, That copies of this resolution and attached policy be sent by the Clerk of this Board to all County Department Heads.

**Ontario County Policies and Procedures**  
**Non-Discrimination and Sexual Harassment Prevention in the Workplace**  
**Adopted May 28, 2020**

**Policy Statement** – It is the policy of Ontario County to promote a productive work environment and to prohibit conduct by any employee that disrupts or interferes with another’s work performance, or that creates an intimidating, offensive, or hostile work environment due to discrimination based on protected status or sexual harassment. In keeping with this goal, Ontario County is committed to educate employees in the recognition and prevention of workplace discrimination and sexual harassment. Any conduct that discriminates against, denigrates or shows hostility or aversion toward a person on the basis of gender, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information, genetic predisposition or carrier status, sexual orientation, domestic violence victim status, or any other protected status is strictly prohibited. Such conduct may also violate the law. The County will not tolerate any form of discrimination or sexual harassment and will take all steps necessary to prevent and stop the occurrence of such conduct in the workplace. Further, improper conduct may violate the County’s policy, even if it does not rise to the level of illegal discrimination or harassment. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of discrimination and sexual harassment, without any risk of retaliation against an employee who, in good faith, files such complaint.

**Applicability of Policy** – This policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with Ontario County, regardless of immigration status.

**Supervisory Responsibility** – Department heads and supervisory personnel are responsible for maintaining a work environment that is free from discrimination and sexual harassment. In order to assure compliance with this policy, department heads and supervisors are **required** to promptly report any complaint of discrimination or sexual harassment that they receive, or any discrimination or harassment that they observe, suspect, or become aware of, to the Director of Human Resources. Department heads and supervisors may be subject to disciplinary action, up to and including termination, for failing to report suspected discrimination or sexual harassment, or knowingly permitting such conduct to continue in the workplace. Department heads and supervisors will also be subject to discipline for engaging in any retaliation against a person who makes a complaint of discrimination or sexual harassment, or who assists, participates, or testifies in any investigation or proceeding related to such complaint.

**Prohibited Activity** – In addition to the prohibited conduct specified in the above Policy Statement, the following is prohibited activity in the workplace. Employees shall not make offensive or derogatory comments based on gender, gender identity, sex, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information, genetic predisposition or carrier status, sexual orientation, domestic violence victim status, or any other protected status either directly or indirectly to another person. Employees shall not produce offensive or inappropriate written materials or electronic communications (e.g. letters, e-mail, text messages, social media postings, or graffiti.) These are examples of

harassment that are a prohibited form of discrimination under state and federal employment law and also considered misconduct subject to disciplinary action by the County. These examples are not intended to be a comprehensive list and do not limit the County's ability to take disciplinary action in other instances for inappropriate conduct.

**Definition of Sexual Harassment** – This policy places special attention on the prohibition of sexual harassment in the workplace. Sexual harassment is a form of sex discrimination and is unlawful under federal and state law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual advances that are not welcome, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Such conduct is made, either explicitly or implicitly, a term of condition of an individual's employment; OR
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual; OR
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment refers to behavior that is not welcome, that is personally and objectively offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with an employee's work performance and/or effectiveness or creates an intimidating, hostile or offensive working environment. Exposure to such conduct that serves to alter the terms and conditions of employment is prohibited by this policy and state and federal law.

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees may, in certain circumstances, constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

**Forms and Examples of Sexual Harassment** – Specific forms of behavior that Ontario County considers sexual harassment and which are prohibited include, but are not limited to, the following:

- “Quid pro quo” threats or promises by a supervisor in an attempt to trade job benefits for sexual favors (e.g. loss of job or promise of job, promotion, or other

employment benefit).

- Verbal harassment of a sexual nature related to an employee's gender, including sexual innuendoes, slurs, suggestive, derogatory, insulting or lewd comments or sounds, whistling, jokes of a sexual nature, sexual propositions and/or threats.
- Sexually oriented comments, sexually explicit derogatory statements, or sexually disparaging remarks that are unwelcome and offensive or objectionable to the recipient, which interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment.
- Any sexual advance that is unwelcome or any demand for sexual favors.
- Sexually suggestive written, recorded or electronically transmitted material, showing or displaying pornographic or sexually explicit or demeaning objects or pictures, graphic commentaries, leering or obscene gestures in the workplace. This includes pictures, posters, calendars, or promotional material displayed on work stations, work computers, or cell phones displayed at work.
- Hostile actions taken against an individual because of that individual's protected status, such as interfering or destroying a person's workstation, tools, equipment, or otherwise interfering with their ability to perform the job, or bullying, yelling, or derogatory/offensive name-calling.
- Unwanted physical contact of any kind which is sexual in nature, including touching, grabbing, hugging, fondling, jostling, petting, pinching, coerced sexual intercourse or sexual relations, assault or intentional brushing up against a person's body.

**Reporting of Discrimination and Sexual Harassment** – Ontario County cannot prevent or remedy discrimination or sexual harassment unless it knows about it. Employees or other individuals covered by this policy who believe they have been subject to discrimination or sexual harassment or who witnessed or became aware of such conduct, are encouraged to report such incidents to their department head as soon as possible after their occurrence. Reports may be made verbally, however, employees are strongly encouraged to submit a written complaint using the attached Discrimination and Sexual Harassment Complaint Form (hereinafter "Complaint Form").

If the employee's department head is believed to be involved in the incident, or if the employee is not comfortable in addressing the matter with the department head, the report should be made directly to the Director of Human Resources. If the employee does not feel comfortable addressing the matter with the department head or Director of Human Resources, the report can be made to the County Administrator. Employees who believe they have been discriminated against or harassed and would like to obtain guidance on the process of filing a complaint, should contact their immediate supervisor, their department head, the Director of Human Resources, or the County Administrator. Employees who work during off-hours are encouraged to contact their

supervisor, their department head, the Director of Human Resources, or the County Administrator at home if these individuals do not work during the employee's shift.

Employees or individuals covered by this policy who believe they have been a victim of discrimination or sexual harassment may also seek assistance in other available forums, as explained below in the section on "Legal Protections".

**Discrimination and Sexual Harassment Complaint Form** – To ensure that all discrimination and harassment complaints are managed appropriately, effectively and in accordance with the County's policy, discrimination and sexual harassment complaints will be recorded in writing by using the County sanctioned Complaint Form. These forms can be obtained from the Department of Human Resources or accessed on the County's website. While initial complaints may be made verbally, the department head or supervisor receiving a verbal complaint should encourage the employee to complete the written Complaint Form. If the employee refuses, a Complaint Form should be completed by the department head or supervisor based on, and accurately reflecting, the verbal report.

**Confidentiality** – All complaints of discrimination and sexual harassment will be promptly and thoroughly investigated in a manner that is as impartial and confidential as possible. To the extent possible, no information concerning a complaint will be released by the County to third parties or to anyone within the County employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

**Investigation of Complaint** – Any complaints received will be investigated promptly and thoroughly, and investigations will be completed as soon as possible. Upon receipt of a complaint, the County will determine the appropriate individual(s) to conduct the investigation, and will take any interim preventative actions, as appropriate. The investigation will normally include interviewing the parties involved and any named or apparent witnesses, as well as the collection and review of any relevant documentation. All parties involved, including the complainant(s), witnesses, and those accused of alleged discrimination or sexual harassment, will be accorded due process as described herein, to protect their rights to a fair and impartial investigation. The particular facts of the allegation will be examined individually, with a review of the nature of the behavior and the context in which the incident(s) occurred. All employees are required to cooperate in an investigation, if so directed. The content and disposition of the investigation shall be recorded in a written report maintained in a secure and confidential file in the Department of Human Resources. The reporting employee and the individual about whom the complaint is made shall receive a prompt notification summarizing the determination of the investigation.

**Employee Response** – Any employee named in a complaint of discrimination or sexual harassment will be afforded a full and fair opportunity to offer and present information in response to the allegations in the complaint. Such information will be confidential to the extent possible.

**Employee Rights** – Nothing in this policy should be construed as in any way limiting employees' rights to use the grievance procedure contained in their collective bargaining agreement or to file a formal complaint with appropriate state or federal

agencies responsible for administering anti-discrimination and sexual harassment laws, as described below in more detail in the “Legal Protections” section.

**Disciplinary Action** – Discriminatory conduct and sexual harassment are forms of employee misconduct. Any employee or official who is found to have violated this policy will be subject to disciplinary action, up to and including termination of employment, as provided by County operating procedures, applicable statutes including Public Officers Law and Civil Service Law, or the disciplinary procedures contained in a collective bargaining agreement. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the County is empowered to take such action.

**Prohibition Against Retaliation** – Retaliation against any employee who, in good faith, brings a written or verbal complaint of discrimination or sexual harassment, or who assists, participates, or testifies in any investigation or proceeding related to such complaint, regardless of whether or not the alleged harassment rises to the level of a violation of this policy or the law, is unlawful and strictly prohibited. The County will not tolerate or permit adverse treatment of employees because they report discrimination or sexual harassment or provide information related to such complaints. Any employee who participates in the procedure may do so without fear of retaliation. Violations of this prohibition may result in disciplinary action up to and including dismissal from employment.

**False Accusations** – An employee who knowingly makes a false accusation against another individual as to allegations of discrimination or sexual harassment as set forth in this policy will be subject to disciplinary action up to and including dismissal from employment in accordance with applicable disciplinary provisions, laws rules or regulations. Disciplinary action resulting from an employee’s intentional submission of a false complaint does not constitute retaliation under this policy.

**Legal Protections And External Remedies** – Discrimination and sexual harassment are not only prohibited by Ontario County but are also prohibited by state, federal, and, where applicable, local law. Aside from the Ontario County’s internal process, employees may also choose to pursue legal remedies with the following governmental entities:

**New York State Division of Human Rights (DHR)** – The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State with regard to discrimination and sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the HRL may be filed with either DHR or in New York State Supreme Court. Complaints with DHR may be filed at no cost. Until August 11, 2020, a complaint must be filed with the Division within one year of the discriminatory act. For harassment that occurs after that date, victims must file complaints within three years of sexual harassment and one year of other discriminatory acts. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination or sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court. Complaining internally to

Ontario County does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination or sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination or sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the discrimination or harassment, or redress the damage caused, including monetary damages, attorney's fees and civil fines.

DHR's contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458; (718) 741-8400; [www.dhr.ny.gov](http://www.dhr.ny.gov). Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint, to obtain a downloadable complaint form, or to obtain contact information for DHR's regional offices across New York State.

**The United States Equal Employment Opportunity Commission (EEOC)** – The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e *et seq.*). An individual can file a complaint, at no cost, with the EEOC anytime within 300 days from the discrimination or harassment. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination or harassment is found to have occurred.

An employee alleging discrimination or harassment at work may file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov). If an individual filed a complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

**Local Protections** – Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

**Local Police Department** – If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. You may wish to contact the local police department.

**RESOLUTION NO. 313-2020  
ABOLISH POSITIONS  
2020 ONTARIO COUNTY BUDGET**

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

WHEREAS, The negative impact of the COVID-19 pandemic on sales tax receipts for all counties of New York, including Ontario County, is unprecedented; and

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

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

WHEREAS, Ontario County must take steps to recover budgeted expenditures by reducing department budgets and eliminating funded but vacant positions; and

WHEREAS, The County Administrator and the Ways and Means Committee have reviewed and approved the abolition of these positions; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the following position abolitions, effective immediately:

DEPARTMENT	TITLE	Encumbrant	POSITION #
COUNTY ATTORNEY	LEGAL AIDE	**NOT ENCUMBERED**	12304/1
COUNTY CLERK	INDEX CLERK, PART-TIME	**NOT ENCUMBERED**	11381/1
COUNTY CLERK	INDEX CLERK	**NOT ENCUMBERED**	01381/1
COUNTY CLERK	INDEX CLERK	**NOT ENCUMBERED**	01381/3
COUNTY CLERK	MOTOR VEHICLE SERVICES REPRESENTATIVE	**NOT ENCUMBERED**	01399/8
COUNTY CLERK	DOCUMENT SPECIALIST	**NOT ENCUMBERED**	01799/3
DEPARTMENT OF SOCIAL SERVICES	SOCIAL WELFARE EXAMINER	**NOT ENCUMBERED**	01041/2 3
DEPARTMENT OF SOCIAL SERVICES	SOCIAL WELFARE EXAMINER	**NOT ENCUMBERED**	01041/3 4

DEPARTMENT OF SOCIAL SERVICES	SOCIAL WELFARE EXAMINER	**NOT ENCUMBERED**	01041/14
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/1
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/2
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/3
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/4
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/5
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/6
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/8
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/9
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/10
DEPARTMENT OF SOCIAL SERVICES	FINANCE CLERK II	**NOT ENCUMBERED**	01673/10
DEPARTMENT OF SOCIAL SERVICES	SUMMER YOUTH COUNSELOR	**NOT ENCUMBERED**	12307/7
DEPARTMENT OF SOCIAL SERVICES	OFFICE SPECIALIST I	**NOT ENCUMBERED**	01533/5
DISTRICT ATTORNEY	VICTIM ASSISTANCE CASE MANAGER, PART-TIME	**NOT ENCUMBERED**	11793/1
DPW - COUNTY BUILDINGS	BUILDING MAINTENANCE ASSISTANT	**NOT ENCUMBERED**	02097/6
DPW - HIGHWAY DEPARTMENT	LABORER (SEASONAL)	**NOT ENCUMBERED**	43106/1

DPW - PUBLIC WORKS	STUDENT AIDE	**NOT ENCUMBERED**	13162/3
DPW - SEWER	PUMP STATION & SEWER LINE MAINTAINER TRAINEE	**NOT ENCUMBERED**	01983/1
EMERGENCY MANAGEMENT	FIRE TRAINING INSTRUCTOR, SUB.	**NOT ENCUMBERED**	71045/1
EMERGENCY MANAGEMENT	FIRE TRAINING INSTRUCTOR (COUNTY)	**NOT ENCUMBERED**	01045/2
HUMAN RESOURCES	SENIOR HUMAN RESOURCE ANALYST	**NOT ENCUMBERED**	01725/2
HUMAN RESOURCES	STUDENT INTERN (MAXIMUM 3 YEAR TERM)	**NOT ENCUMBERED**	12488/1
HUMAN RESOURCES	STUDENT INTERN (MAXIMUM 3 YEAR TERM)	**NOT ENCUMBERED**	12488/2
HUMAN RESOURCES	STUDENT AIDE	**NOT ENCUMBERED**	13162/4
HUMAN RESOURCES	STUDENT AIDE	**NOT ENCUMBERED**	13162/1
MENTAL HEALTH ADMINISTRATION	STAFF SOCIAL WORKER (TRAUMA INFORMED THERAPIST)	**NOT ENCUMBERED**	01833/1
MENTAL HEALTH ADMINISTRATION	STAFF SOCIAL WORKER (RTA)	**NOT ENCUMBERED**	01473/1 1
OFFICE FOR THE AGING	FOOD SITE AIDE	**NOT ENCUMBERED**	12424/9
OFFICE FOR THE AGING	FOOD SITE AIDE	**NOT ENCUMBERED**	12424/5
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/2 1
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/4
OFFICE OF SHERIFF - JAIL	COUNTY POLICE OFFICER, PART-TIME	**NOT ENCUMBERED**	12272/8
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER	**NOT ENCUMBERED**	01261/7 7

OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/8
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/6
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER (TEMPORARY)	**NOT ENCUMBERED**	01261/99
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/17
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/16
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/14
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/19
OFFICE OF SHERIFF - JAIL	CORRECTION OFFICER, PART-TIME	**NOT ENCUMBERED**	12261/3
PLANNING DEPARTMENT	WEED HARVESTER OPERATOR, SEASONAL	**NOT ENCUMBERED**	42380/3
PLANNING DEPARTMENT	ASSOCIATE PLANNER	**NOT ENCUMBERED**	01574/2

and further be it

RESOLVED, That the Ontario County Board of Supervisors does hereby defund the following position, effective immediately; and further be it

OFFICE OF SHERIFF - 911	DISPATCHER II	HOOVER, EMILY (unfund position)	01677/25
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RESOLVED, That the County Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution; and be it further

RESOLVED, That copies of this resolution shall be provided to All Ontario County Department Heads.

**RESOLUTION NO. 314-2020  
2020 AND 2021 RATES OF PAY  
FOR PART-TIME HOURLY/DAILY PERSONNEL**

WHEREAS, There are part-time hourly/daily employees who are not represented by employee organizations under the Taylor Law; and

WHEREAS, as a result of declining revenues and the economic impact of responding to the COVID-19 crisis, Ontario County is anticipating a budget shortfall in 2020 and continued financial strain in 2021; and

WHEREAS, the County Administration has recommended that to the extent possible wages be frozen in 2021; and

WHEREAS, Ontario County intends to enter into an inter-municipal agreement with other municipalities for lifeguard services in 2020 and needs to standardize salaries in those titles; and

WHEREAS, The Ways and Means Committee has reviewed and recommends that the rates of pay for 2020 and 2021 for this group of employees be established according to the attached schedule; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby adopt the attached pay schedule entitled, "Amended 2020 and 2021 Rates of Pay for Part-Time Hourly/Daily Personnel," effective as indicated in the table.

Amended 2020 and 2021 Rates of Pay for Part-Time Hourly/Daily Personnel,					
TITLE	DEPARTMENT	2019 WAGE /hr	2020 WAGE /hr. effective 1/1/20	2021 WAGE /hr effective 1/1/21	COMMENTS
Human Services Worker, Seasonal	Social Services	\$16.54	\$17.04	\$17.04	Comparable to A08, Step 1 (CSEA) - no change
Community Aide & Com Aide, P-T	Workforce Development	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Examination Monitor, Part-Time	Human Resources	\$11.88	\$12.18	\$12.50	2021 tied to NYS Minimum Wage effective 12/31/2020
Student Aide	HR/Public Works	\$11.31	\$11.80	\$12.50	NYS Minimum Wage
Legal Aide	County Attorney	\$16.14	\$16.54	\$16.54	no change to rate
Information Technology/HR Intern	Information Services	\$15.99	\$16.39	\$16.39	no change to rate
Fire Training Instructor, Substitute	Emergency Management	\$24.65	\$25.27	\$25.27	no change to rate
Motor Equipment	Public Works	\$17.65	\$18.18	\$18.18	Grade HH2, Step 1 (CSEA)

Operator I, Seasonal					
Aquatics Supervisor	Public Works	\$14.05	\$14.40	\$14.90	Consistent with industry
Senior Lifeguard	Public Works	\$12.54	\$14.00	\$14.00	Consistent with industry
Lifeguard	Public Works	\$11.65	\$13.50	\$13.50	Consistent with industry
Laborer, Seasonal	Public Works	\$14.05	\$14.40	\$14.40	no change to rate
Weed Harvester Operator, Seasonal	Planning	\$19.48	\$19.97	\$19.97	no change to rate
Client Transportation Driver, P-T, on-call sub	Social Services	\$15.53	\$15.92	\$15.92	no change to rate
Food Site Aide, PT	Office for the Aging	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Bus Driver, Substitute	Office for the Aging	\$13.57	\$14.04	\$14.04	Comparable to Grade A02, Step 1 (CSEA) - no change
Election Clerk	Board of Elections	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Election Custodian	Board of Elections	\$14.64	\$15.01	\$15.01	no change to rate
Election Technician	Board of Elections	\$16.73	\$17.15	\$17.15	no change to rate
Election Inspector	Board of Elections	Per Res. 515-2019	Per Res. 515-2019	Per Res.	3 daily rates (\$30/training day; \$180/primary or general election day; \$12.50/hour early voting days)
Clerk, Part-Time	Public Health/Rabies	\$11.10	\$11.80	\$12.50	NYS Minimum Wage
Medical Director, Part-Time	Public Health	\$100.00	\$100.00	\$100.00	no change to rate
Psychiatrist	Mental Health	\$162.00	\$162.00	\$162.00	no change to rate
Clerk, Seasonal	Social Services	\$13.63	\$14.04	\$14.04	Comparable to Grade A02, Step 1 (CSEA) - no change
Registered Prof. Nurse, On-call, Substitute	Sheriff	\$25.92	\$26.70	\$26.70	Comparable to Grade SP2, Step 1 (SGU) - no change
Part-time hours for titles in MCP Plan	Various			Varies by title	Hourly rate is calculated based on full-time position annual salary at step 1.



Band 5	\$100,200	\$102,343	\$104,492	\$106,634	\$108,783	\$110,926	\$113,226	
Band 6	\$93,295	\$95,440	\$97,587	\$99,731	\$101,877	\$104,023	\$106,323	
Band 7	\$86,451	\$88,932	\$91,413	\$93,898	\$96,376	\$98,858		
Band 8	\$80,249	\$82,574	\$84,901	\$87,228	\$89,554	\$91,877		Eligible for Longevity
Band 9	\$74,045	\$76,291	\$78,541	\$80,791	\$83,039	\$85,287		Eligible for Longevity
Band 10	\$70,294	\$72,355	\$74,418	\$76,481	\$78,541	\$80,602		Eligible for Longevity
Band 11	\$54,893	\$57,066	\$59,237	\$61,407	\$63,578	\$65,748		Eligible for Longevity
Band 12	\$52,404	\$54,428	\$56,519	\$58,614	\$60,707	\$62,802		Eligible for Longevity

Band 0:	County Administrator
Band 1:	County Attorney; Public Defender; Conflict Defender
Band 2:	Director of Finance; Economic Developer (RES #756-2006 adds \$10,000 to Economic Developer Salary); Director of Human Resources
Band 3:	Commissioner of Public Works; Chief Information Officer; Director of Community Mental Health Services; Commissioner of Social Services
Band 4:	Deputy County Administrator; Assistant County Attorney Nacca; Assistant District Attorney MacBride's. Public Defender Walsh; Asst. Conflict Defender (to be named later); Director of Community Public Health Services
Band 5	Manager of Financial Operations; Undersheriff; Assistant County Attorney; Assistant District Attorney; Assistant Public Defender; Assistant Conflict Defender; Supervising Psychologist; Director of Planning; Dep Commissioner of Social Services; Dep Commissioner of Public Works; Deputy Director of Human Resources; Director of Sustainability & Solid Waste Management; Deputy Director of Mental Health
Band 6	Professional Engineer; Chief Deputy; Economic Development Specialist
Band 7	Chief Correction Officer; Director of Real Property Tax Services; Director of Emergency Management Services; Probation Director II; Sr. Fiscal Manager; Sr. Human Resource Analyst; Chief Dispatcher, Manager of Audit & Financial Projects
Band 8	Director of Office for the Aging; Purchasing Director; Supervisor, Bureau of Buildings & Grounds; Supervisor, Bureau of Highways; Supervisor, Bureau of Wastewater Management; Manager of Strategic Assets
Band 9	Director of Preventive Health Services; Supervising Social Worker; Nursing Director (Correctional Facility); Director of Veterans' Services
Band 10	Director of Weights & Measures II; Deputy County Clerk; Associate Level Attorney; Director of Youth Bureau; Director, Children with Special Needs; Human Resource Analyst; Elections Commissioners; Records Management Officer, Clerk to the Board of Supervisors; Dep. Director of Real Property Tax Services
Band 11	Confidential Secretary to the County Administrator

Band 12	Deputy Clerk to the Board of Supervisors; Conf. Secretary to the County Attorney; Conf. Secretary to the District Attorney; Conf. Secretary to the Sheriff; Conf. Secretary to the Public Defender; Conf. Secretary to the Conflict Defender; Deputy Commissioner of Elections
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**Amended 2020 Management Compensation Plan for  
Salaried- NonExempt Positions  
(Group SN)**

0% in 2021

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	
Sal-NonEx 9	\$65,160	\$67,257	\$69,356	\$71,453	\$73,552	\$75,652	Eligible for Longevity
Sal-NonEx 10	\$60,025	\$62,161	\$64,294	\$66,430	\$68,562	\$70,699	Eligible for Longevity
Sal-NonEx 11	\$54,893	\$57,066	\$59,237	\$61,407	\$63,578	\$65,748	Eligible for Longevity
Sal-NonEx 12	\$52,338	\$54,428	\$56,519	\$58,614	\$60,707	\$62,802	Eligible for Longevity

Sal-NonEx 9	(This salary used as an exempt salary for Human Resource Analyst Trainee)
Sal-NonEx 10	Sr. Investigator (Public Defender)
Sal-NonEx 11	Paralegal Specialist (Spanish Speaking); Investigator (Public Defender); Investigator (District Attorney)
Sal-NonEx 12	Secretary to the Director of Human Resources; Secretary to the Commissioner of Social Services; Secretary to the Director of Finance;

*\*Note: Positions that are filled or only authorized to work half-time hours, or less, per year shall be paid an hourly rate determined by dividing the corresponding full-time salary by 1950 hours. The appropriate hourly rate for such positions shall be calculated by the Human Resources Department. Other benefits will be provided in the same manner as the part-time/hourly personnel consistent with the CSEA General Unit.*

**RESOLUTION NO. 316-2020  
ONTARIO COUNTY ALTERNATIVE WORK ARRANGEMENT POLICY**

WHEREAS, The New York State Governor’s response to the COVID-19 pandemic required immediate reduction in Ontario County’s on-site workforce and required employees to work remotely, regardless of the absence of adopted policies; and

WHEREAS, Ontario County acknowledges the positive benefits that can be achieved by the County and by the employees through the continued use of remote work and other alternative work arrangements; and

WHEREAS, Ontario County wishes to promote a productive work environment and to establish a policy and procedures to encourage, where appropriate, the use of alternative

work arrangements in order to attract and retain a diverse and talented work force, reduce costs, and improve productivity among employees; and

WHEREAS, Ontario County supports alternative work arrangements and allows Department Heads to implement remote working arrangements and/or flexible scheduling, where appropriate, for eligible employees; now, therefore, be it

RESOLVED, That this Board does hereby approve the attached “Alternative Work Arrangement Policy”, which is also filed with the Clerk of the Board; and be it further

RESOLVED, That this policy shall be effective on the date of this adoption; and be it further

RESOLVED, That copies of this resolution and attached policy be emailed by the Clerk of this Board to all County Department Heads.

**ALTERNATIVE WORK ARRANGEMENT POLICY****Adopted By Resolution No. 316-2020****Date of Adoption: May 28, 2020**

- 1.0 EFFECTIVE DATE:** May 28, 2020 for non-represented employees; as negotiated for represented employees
- 2.0 PURPOSE:** To establish a policy and procedures to encourage, where appropriate, the use of alternative work arrangements in order to attract and retain a diverse and talented work force, reduce costs, and improve productivity among employees. Ontario County supports alternative work arrangements and allows Department Heads to implement remote working arrangements and/or flexible scheduling, where appropriate, for eligible employees.
- 3.0 ORGANIZATIONS AFFECTED:** Applicable to all Ontario County departments where an alternative work arrangement is feasible and appropriate, as determined by the Department Head.
- 4.0 DEFINITIONS:**
- 4.1. "Alternative Work Arrangements" means a Flexible Schedule or Remote Work Arrangement that has been agreed to by the Department Head and the employee.
  - 4.2. "Centrally Located Worksite" means the Ontario County worksite where the employee would be required to work if they were not remote working.
  - 4.3. "Flexible Schedule" when an employee's schedule is shifted to start or end the day either earlier than or later than the standard hours of operation at the County Centrally Located Worksite. The total number of work hours in the work week and the compensation remain the same.
  - 4.4. "Remote Work Arrangement" means working one or more days each work week from a non-County location instead of commuting to the employee's centrally located worksite.
  - 4.5. "Remote Work location" means the non-County site where the employee intends to perform County work.
  - 4.6. "Voluntary" means employees choose to an alternative working arrangement.
- 5.0 POLICY:**
- 5.1. General Alternative Work Standards and Requirements
    - 5.1.1. The Alternative Work policy shall supersede all prior and/or existing Alternative Work policies.
    - 5.1.2. The Alternative Work policy shall apply to all non-represented employees. The application of this policy to represented employees shall be the subject of collective bargaining between the Ontario County and the exclusive bargaining agents for those employees.
    - 5.1.3. Alternative Work arrangements may be implemented where appropriate and approved by the Department Head for eligible employees. Alternative Work arrangements may be made in recognition of the positive personal and organizational impacts of such arrangements, including increased workplace flexibility and increased productivity.

- 5.1.4. Alternative Work arrangements are not appropriate for all employees. No employee is entitled to, nor guaranteed the opportunity to have an Alternative Work schedule. It is not a universal employee benefit; employees do not have the “right” to Alternative Work arrangements. Offering the opportunity for an Alternative Work arrangement is based on the discretion of the employee’s Department Head. An employee’s participation is strictly voluntary. All Alternative Work arrangements must meet the criteria in this policy and may be terminated at any time by the Department Head. The Department Head shall endeavor to give 7 days’ notice when terminating an Alternative Work arrangement.
- 5.1.5. Employee is responsible for providing space, telephone, printing, networking and/or Internet capabilities at the remote work location, and shall not be reimbursed by the County for these or related expenses. Internet access must be via DSL, Cable Modem, or an equivalent bandwidth network.
- 5.1.6. Department expenses incurred in the implementation and execution of flexible schedule/remote work arrangements require the approval of the Department Head. If County equipment is provided to the employee, the employee is responsible for seeing that the equipment is properly used.
- 5.1.7. Implementation and termination of remote work agreements will be at the discretion of the employee’s Department Head
- 5.1.8. An employee wishing to request an Alternative Work arrangement shall submit a written request to his/her Department Head. An Alternative Work arrangement must be mutually agreed upon in writing by the employee and Department Head. Any changes, other than termination of the arrangement, to the written arrangement must also be documented in writing and approved by the employee and the Department Head.
- 5.1.9. The Department Head shall consult with the Director of Information Services or his designee before approving a Remote Work agreement.
- 5.1.10. Alternative Work agreements must expire on a routine basis, up to a maximum 12 month period. At the expiration of an Alternative Work agreement, the employee may request renewal of the arrangement. The request to renew the arrangement must be made in writing.
- 5.1.11. The Department Head will evaluate and adjust Alternative Work arrangements as needed to meet their organizational and workload needs. Adjustments may be made at any time during the agreement, subject to Department Head approval.
- 5.1.12. After an employee begins an Alternative Work arrangement, supervisors must conduct periodic reviews with the employee to evaluate the success of the arrangement. The initial Alternative Work agreement shall be reviewed and evaluated during the first 45 days, at the end of 90 days, and at the end of 180 days. Subsequent Alternative Work agreements shall be reviewed no less than every 6 months.
- 5.1.13. Should a conflict arise between two or more employees concerning an Alternative Work arrangement, the Department Head shall have final authority to resolve the matter.
- 5.1.14. The business of the County will take precedence over remote workdays. Employees may, at the discretion of their immediate supervisor or Department Head, be called to work at their centrally located worksite

on their regular remote working workday during their regular work hours to meet workload or operational requirements.

- 5.1.15. When an employee engaged in an Alternative Work agreement comes in to their centrally located worksite, the time traveling from the employee's home to the centrally located worksite will be treated as regular commuting time and the employee's travel time will not be counted as hours worked, nor will the employee's mileage be reimbursed.
- 5.1.16. The essential duties, obligations, and responsibilities of an employee who remote works are the same as employees at the centrally located worksite. Employees must be available to communicate with those whom he/she normally conducts business (e.g. supervisor, clients/the public, co-workers, etc.) by phone and email while remote working. Employees must respond to inquiries in the same fashion and within the same timeframes, as if she/he were in the office. In-person meetings must not be delayed because of remote work scheduling.
- 5.1.17. A set procedure and schedule for regular communication between a remote working employee, staff, and clients must be identified in the remote working agreement. For Fair Labor Standards Act (FLSA)-exempt employees, the remote working agreement must indicate the hours that the remote working employee will be available to be reached by staff and clients. For non-exempt employees, the remote working agreement must indicate the hours the employee will be on work status as well as be available to be reached by staff and clients. The Department Head may also outline specific job assignments and expectations of the remote working employee. Work schedules and variations are subject to Department Head approval.
- 5.1.18. Work hours, overtime compensation, and annual leave schedule must conform to state and federal law and the County policies. Requests to work overtime or use annual or other leave must first be approved by the Department Head/Supervisor in the same manner as when working in the office. If the employee is sick and unable to work he/she must follow the same procedure as employees at the centrally located worksite and notify his/her supervisor as soon as possible.
- 5.1.19. Employees must record and report all of their time accurately.
- 5.1.20. Employees who remote work or have a flexible schedule are expected to be working during their Alternative Work schedule, without the availability of a direct supervisor during non-standard hours of operation. Personal leave time (such as annual leave) scheduled during an Alternative Work employee's scheduled workday must be arranged in the same manner as employees at the centrally located worksite.
- 5.1.21. The Alternative Work employee's salary, retirement, and benefits are also the same as if the employee were working at the regularly scheduled work site.
- 5.1.22. Responsibilities and tasks need to be completed with the same importance and attention as they would if they were tended to in the office. Non-work related interruptions must be kept to a minimum. Remote working shall not be used as a substitute for dependent child or elder care. Employees who remote work are expected to make dependent or child care arrangements during the period they will be

working. Remote working is not intended to enable employees to conduct personal or non-County business while on County time.

- 5.1.23. Employees who remote work will be covered by workers' compensation for all job-related injuries occurring during their defined work period. The employee is responsible for maintaining a safe and ergonomic working environment, including the work area, bathroom, and other areas that may be necessary for working during the remote working arrangement. Workers' compensation will not apply to non-job-related injuries that occur at the remote work site. The employee also remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. Ontario County will not be responsible for injuries to third parties or members of the employee's family that occur on the employee's premises and employee will hold the County harmless for injury to others at the remote work site.
- 5.1.24. In the event of a job-related incident, accident or injury during remote working hours, the employee shall report the incident to their supervisor as soon as possible within 24 hours and follow established procedures to report and investigate workplace incidents, accidents, or injuries.
- 5.1.25. The employee must allow inspections of the employee's work area(s), home office, or other relevant location to be conducted by the County or its agent if a job-related incident, accident, or injury has occurred.
- 5.1.26. Remote working employees shall not hold business meetings with internal or external clients, customers, or colleagues at their residence.
- 5.1.27. Employees shall not conduct any unauthorized external (non-County) work during their remote working work schedule.
- 5.1.28. The employee shall participate in any County-sponsored remote working and/or technology training as requested by the employee's supervisor or Department Head.
- 5.1.29. The employee shall participate as requested in any County evaluation of the remote working arrangement.

## 5.2. Alternative Work Arrangement Eligibility:

- 5.2.1. Characteristics of the employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and ability to work well alone. The employee communicates effectively with supervisors, co-workers, support staff and clients. The employee operates computer or other equipment independently, to the degree that will be required to work from their home or during non-supervised periods. The employee must be performing currently at an overall satisfactory level or above in their position.
- 5.2.2. An employee's work must be of a nature that face-to-face interaction with internal or external customers or project workgroups is minimal and/or the employee's tasks can be performed successfully away from the office.
- 5.2.3. The need for specialized material or equipment in order to remote work should be minimal. Employees interested in Remote Work must already have a safe and ergonomic home office environment or work area and the primary materials and equipment needed at their home in order to remote work.

5.3. Hardware, Software and Supplies

- 5.3.1. Although the need for specialized material or equipment in order to remote work should be minimal, the County may provide equipment (hardware and/or software) and services (such as technical support) if it is approved in advance by the employee's Department Head and the Director of Information Services.
- 5.3.2. Standard office supplies (such as paper and pens) will be provided by the County and should be obtained by the employee at the centrally located worksite. Out-of-pocket expenses for supplies normally available at the centrally located worksite will not be reimbursed.
- 5.3.3. Employees who remote work are subject to the same internal County policies regarding the use of County-provided equipment (hardware and/or software) and services as that of employees at the centrally located worksite.
- 5.3.4. Employees who remote work shall not allow anyone, except County employees, to use or access County-provided equipment (including hardware, software, and storage devices) and services.
- 5.3.5. **HARDWARE:** New or existing personal computer equipment may be provided on an as-needed basis to employees by the County if approved in advance by the employee's Department Head. This equipment may consist of a personal computer, modem and related supplies. All supplies must be returned to the County as soon as the remote working arrangement is no longer valid or if the equipment will no longer be needed by the employee to do their work. The County will provide routine maintenance and repairs for County equipment if the equipment is returned to the employee's centrally located worksite or if maintenance can be performed remotely.
- 5.3.6. Remote working employees may use their own personal computer equipment at their own risk. Employees may consult with the Information Services Help Desk for work-related assistance for their computer. The County will not be able to provide technical support for computer or telecommunications equipment that is not compatible with equipment that is currently supported by the County. Employees will be responsible for the maintenance and repair of their own equipment. The employee shall grant the County immediate access to such employee-owned equipment at any time access is requested.
- 5.3.7. Office furniture will not be provided to employees who remote work.
- 5.3.8. **SOFTWARE:** Employees must conform to the County's software standards. Department Heads will consult with Information Services support staff to ensure that the software needed conforms to the County's software policies.
- 5.3.9. Remote access to the County's network may be provided to the employee at the discretion of the employee's Department Head and with the approval of the Director of Information Services or his designee. If the County's remote access system includes internet access or other dial-in services, the employee may only use the County provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who remote work are subject to the same internal County policies regarding the use

of County provided equipment, software and services as that of employees at the centrally located worksite.

- 5.3.10. The County will not purchase or reimburse employees for the cost of an internet service provider or internet access/use.
- 5.3.11. The County will not provide or reimburse employees for software that is commercially available for installation on an employee’s personal computer, such as Microsoft Office.
- 5.3.12. The County may purchase software for installation on County-provided equipment if approved in advance by the employee’s Department Head and the Director of Information Services or his designee.
- 5.3.13. County information stored on an employee’s personal computer is subject to public disclosure requirements.

5.4. Supplies, Equipment and Costs:

- 5.4.1. The County will not reimburse the employee for phone calls or service, except as provided in the Ontario County Mobile Device Policy (Resolution 458-2018, as subsequently amended).

5.5. Confidential Information:

- 5.5.1. The employee will maintain the confidentiality of County information and documents, prevent unauthorized access to any County system or information, and dispose of work-related documents in a manner that will not jeopardize the interests of the County.

**6.0 PROCEDURE:**

<b>Action By</b>	<b>Action</b>
Employee	<ul style="list-style-type: none"> <li>○ Makes a written request and submits it to Department Head.</li> </ul>
Department Head	<ul style="list-style-type: none"> <li>○ Reviews request. May request a written analysis of work tasks from employee, or other information needed to evaluate the feasibility of the Alternative Work arrangement.</li> <li>○ Informs employee in writing of denial or granting of request for remote working arrangement, equipment, software, and service expenses if applicable, including date the arrangement will be implemented and date it will end. If denied, provides the employee with a written explanation of why the request has been denied.</li> </ul>

**Alternative Work Agreement**

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Department Head Name

The parameters of this Alternative Work Agreement are valid for the following period of time, unless terminated early by the Department Head:

<input type="checkbox"/> Initial Trial Period 3-6 months	_____/_____/_____ to ____/____/_____
<input type="checkbox"/> Annual Recertification & Renewal	_____/_____/_____ to ____/____/_____

**Alternative Work Schedule**

It is understood that Alternative Work days must be scheduled in advance and approved by the Department Head. At certain times, it may be necessary for the Alternative Work schedule to be revised to ensure critical deadlines are met or to attend meetings. Any changes by the employee in the agreed upon schedule must be pre-approved, and when permanent, documented and appended to this Agreement.

This arrangement must be reviewed and renewed at least annually to ensure the standards for participation are being followed.

The following Alternative Work schedule is being established:

Primary Remote Work Site (Address):		
Number of Alternative Work Days	<input type="checkbox"/> per week	<input type="checkbox"/> per month
Alternative Work Days of Week/Month	<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	
_____ days of the month		
Monday	From: _____ To: _____	
Tuesday	From: _____ To: _____	
Wednesday	From: _____ To: _____	
Thursday	From: _____ To: _____	
Friday	From: _____ To: _____	
Saturday	From: _____ To: _____	
Sunday	From: _____ To: _____	

The employee agrees to complete assignments during the Alternative Work Schedule by the agreed upon delivery dates. The employee further agrees to report all time spent working honestly and accurately. The Department Head/Supervisor will provide the alternative worker/ employee with all work assignments.



RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Sgt. Everett Roach, President of Ontario County Police Benevolent Association Unit, Sheriff Kevin Henderson, the Director of Finance, and the County Attorney.

**RESOLUTION NO. 318-2020**  
**2021 - 2022 COUNTY BUDGET GUIDELINES**

WHEREAS, Ontario County continues to experience reductions in State and Federal Aid, increases in unfunded and underfunded mandates, and a permanent tax cap. In addition, in 2020 the County faces an unprecedented level of lost revenue. Sales tax loss, continued diversion by New York State of county sales tax revenues to cover state expense in the form of Aid and Incentives for Municipalities (AIM) payments to cities, towns and villages and funding for a newly created Fiscally Distressed Hospital and Nursing Home Pool and an unprecedented mid-year decrease in State Aid have put strain on the County budget at an extraordinary level; and

WHEREAS, This Board of Supervisors desires that 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 2021 and 2022 County Department budgets:

1. 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.
2. Only essential needs required to maintain the operations of the department may be budgeted. Departments will reduce 2021 contractual, equipment and overtime budgets by 5% below originally approved 2020 levels, 2022 budgets will be created with zero increase in contractual, equipment and overtime budgets. Departments are expected to complete the *Departmental Budget – Executive Summary* form for their Standing Committee and the Ways and Means Committee review which will highlight details of line item changes necessary to meet this reduction.
3. There will be no additional positions unless those positions are fully funded through a grant.
4. Departments will continue to comply with the Vacancy Review Policy.
5. Total funding for Team Agencies in 2021 will be reviewed by the County Administrator prior to presentation to their Standing Committee. Funding levels to support continued operations will be considered on a case by case basis.
6. Departments which pass State and Federal aid through to contract agencies will pass along any reductions in aid to those contract agencies.

7. The Capital Improvement Project expenses for County Departments are excluded from these Budget Guidelines and are handled through a separate process.
8. 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. The Department of Finance, through the Grant Coordinator position, will continue to research potential funding sources for new, expanding and existing programs and equipment purchases. Any programs or positions funded through grants will be flagged for review upon the completion of the grant.
9. The General Fund Contingency Budget will be no more than .25% of total budgeted appropriations.
10. 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 and underfunded mandates and the permanent 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. 319-2020  
ADOPTING LOCAL LAW NO. 2 (INTRO.) 2020  
AFTER PUBLIC HEARING**

WHEREAS, A public hearing having been held on May 28, 2020 during the meeting of this Board, for public input on a proposed local law entitled "A Local Law Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2021"; and

WHEREAS, No public objection having been made, although Ontario County residents were duly notified by publication in print and via the Internet; now, therefore, be it

RESOLVED, That Local Law No. 2 (Intro) of 2020, Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2021, is hereby adopted.

The foregoing block of eight resolutions was adopted.

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

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

**RESOLUTION NO. 320-2021  
CAPITAL PROJECT NO. H015-13  
APPROVE CONTRACT WITH IK SYSTEMS, INC.  
TO PROVIDE SECURITY CAMERAS AND RELATED EQUIPMENT  
74 ONTARIO STREET RENOVATION – PHASE II**

WHEREAS, Resolution No. 297-2013 established 74 Ontario Street Renovation – Phase II, now known as Capital Project No. H015-13, for purposes of renovating County facilities, including certain departments of the Office of the Sheriff (hereinafter Project); and

WHEREAS, Resolutions No. 218-2017, 615-2017, 444-2018 and 52-2019 authorized a contract with QPK Design, LLP (hereinafter Architect), 450 South Salina Street, Syracuse, NY 13201 to provide all phases of design, bidding and construction administration services required to complete said Project; and

WHEREAS, Resolution No. 52-2019 awarded bids for the construction of said Project; and

WHEREAS, Architect's design includes security camera and access control systems for said County facilities to meet program requirements; and

WHEREAS, IK Systems, Inc., 7625 Main Street Fishers, Victor, New York, 14564, has provided Proposal #EM499000420-01 dated May 27, 2020 to provide and test computer equipment and cameras required for said security systems at 74 Ontario Street in the amount of Sixty-Eight Thousand Four Hundred Sixty Nine Dollars and Forty Five Cents (\$68,469.45) per New York State Office of General Services Contract PT68808-SB pricing; and

WHEREAS, There is sufficient funding in the Capital Project No. H015-13 budget to fund said contract; and

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

RESOLVED, That the IK Systems, Inc. Proposal to provide and test computer equipment and security cameras is accepted at a cost not to exceed Sixty-Eight Thousand

Four Hundred Sixty-Nine Dollars and Forty-Five Cents (\$68,469.45) as detailed in said Proposal; and further

RESOLVED, Upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves and empowers the County Administrator to execute a contract with IK Systems, Inc. for said amount; and further

RESOLVED, That the term of said contract shall commence on May 29, 2020 and terminate on May 30, 2021; and further

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

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to the Department of Finance, and Mr. Eli Martinez, IK Systems, Inc., 7625 Main Street Fishers, Victor, New York, 14564.

Adopted.

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

**RESOLUTION NO. 321-2020**  
**RESOLUTION IN OPPOSITION OF SENATE BILL NO. S-8138-B AND**  
**ASSEMBLY BILL A-10252 REGARDING PROPERTY TAX DEFERRAL**

WHEREAS, On May 27, 2020, the New York State Senate passed Bill S-8138-B to provide for a property tax deferral for village and central school taxes resulting in another 120 days added to the collection period thereby extending the collection of such taxes to January 2021; and

WHEREAS, New York State Assembly Bill A.10252-A requesting the same relief is pending; and

WHEREAS, Re-levy of unpaid taxes must be done in late November or early December 2020 to allow for the transmittal of 2021 county/town tax bills; and

WHEREAS, Said timelines created by such legislation would prohibit counties from the re-levy of unpaid taxes for central schools and villages thereby preventing the collection of unpaid taxes for said districts; and

WHEREAS, Said legislation would be a significant burden on staff and resources at the local government level, requiring additional hours for extra work created by this legislation which could cause a strain on cash flow; now, therefore be it

RESOLVED, That the Ontario County Board of Supervisors hereby opposes Senate Bill S-8138-B and Assembly Bill A.10252-A and urges Governor Cuomo to veto any bill providing for any tax deferral; and further

RESOLVED, That a certified copy of this Resolution be sent by email and regular mail by the Clerk of this Board to Assemblyman Kolb, Senator Helming, Senator Funke, the New York State Association of Counties, the New York State County Treasurers' and Finance Officers' Association and any other parties deemed necessary.

Mr. Gary Baxter, County Treasurer explained the reason for the resolution and believed there were a lot of discrepancies in the proposed bill. He went on to give examples on how it would affect the timing of re-levy and cash flow in the county.

Chairman John Marren asked Mr. Baxter what the intent of the bill is. Mr. Baxter replied it is allegedly to give the taxpayers a break during this hard time. However, Mr. Baxter noted the way it is set up, it does not do that for the taxpayers. Mr. Baxter gave an example about the STAR program.

Supervisor David Baker summarized the issue is the state is looking to provide relief to property taxpayers by giving them a three-month window, 120 days. The difficulty for the county is the timing and the ability to re-levy the taxes. If the taxes don't get paid to the municipality, the county then has to re-levy those and we would be unable to levy those on the bill that goes out in 2021.

Mr. Baxter noted that what is not covered in the bill is that the Cities of Geneva and Canandaigua, they collect the county in the city tax. This would delay receiving the counties portion of the taxes.

Supervisor Catherine Menikotz said after reviewing she is still not understanding the downside.

Mr. Baxter believes there are a lot of holes in the bill. Supervisor Menikotz asked if there needs to be a decision tonight. Supervisor Dominick Vedora agreed with Supervisor Menikotz. Supervisor Peter Ingalsbe noted he did not have a problem with a layover.

On motion of Supervisor Dominick Vedora, Resolution No. 321-2020 was laid over under the rules.

On motion of Supervisor Daniel Marshall, seconded by Supervisor Kristine Singer, the meeting was adjourned at 7:31PM.