

June 20, 2019

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:34 p.m. at the Ontario County Safety Training Facility, 2914 County Road 48 in the Town of Hopewell, with Chair Marren presiding.

The Pledge of Allegiance was led by Chairman Marren.

Upon roll call, all Members of the Board were present with the exception of Supervisors Lightfoote and Teed who were declared necessarily absent.

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

A Public Hearing regarding the Tentative Budget for Finger Lakes Community College for the fiscal year beginning September 1, 2019 was called to order at 6:36 p.m. with Chairman Marren presiding.

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

REPORTS OF COUNTY OFFICIALS:

Mary Krause announced, with the collaboration of DSS and Ellen Wayne with Catholic Charities, they were able to assist the gentleman that was present at a previous public hearing, who was in need of a handicap shower. She said quotes have been received and the shower will be installed soon.

PRIVILEGE OF THE FLOOR:

Supervisor Vedora requested Privilege of the Floor for Jackie Augustine, a resident of Geneva. Ms. Augustine spoke of the ongoing issue of the smell from the landfill. She believes the smell has not been abated. She made a request that the reports from Committee be shared at the Board of Supervisors meeting. She commented on the "It Stinks" website. She also commented on the complaint hotline.

Supervisor Vedora requested privilege of the floor for Doug Knipple, President of Zero Waste. Mr. Knipple said he no longer lives in Geneva but now resides in Rochester, NY. He remarked the three resolutions being presented are calling for the commitment of staff to facilitate another Casella business venture. He believes it has local, regional, and statewide implications. He said the County has no contractual obligation to do this and objects to using taxpayer resources for this purpose. He is concerned on the impact of the long term plan if Casella were to establish a regional processing facility noting the impact of trucking throughout the region. He discussed the Auburn facility where an anaerobic digester is located. He noted DEC violations with that facility. He provided a copy of a letter to the Clerk which was from the DEC to the facility operator that documents the violations. He suggested the County be circumspect in engaging in future business ventures and refer the matter back to Committee for further vetting and coordination with the DEC's ten year plan.

Supervisor Guard requested privilege of the floor for Eileen Buckley, a resident of Geneva. Ms. Buckley discussed the implications of the three resolutions concerning the Research Development & Depackaging project. She said the votes for these resolutions coincide with the release of the two reports from CEC and SCS. She noted that recommendations were made to Casella through the reports and believes the recommendations need to be addressed first before consideration of another project. She

said organics is the second smelliest waste product next to sludge and this would bring in more organic waste from outside the County. She believes the sorters and depackaging process should be near the locations where the waste is generated. She also suggested a composting possibility such as the one developing in Geneva. She said the County is sending contradictory messages to its citizens, developing a sustainability department yet also expanding into yet another avenue of landfilling. She said, until the Board starts pushing back, the status quo and mediocre compliance will remain.

Supervisor Green requested privilege of the floor for Rachel Gregory, Assistant Director of Safe Harbors of the Finger Lakes. Ms. Gregory gave a brief presentation explaining that Safe Harbors is the local rape crisis, domestic violence not-for-profit. They service Ontario, Seneca, and Yates Counties. They are in need of domestic violence shelters. Out of all the counties in NYS, six do not have domestic violence shelters. Three of those six are Ontario, Seneca, and Yates. In the recent years they have started an imitative to provide a shelter and are looking for support in that initiative. They wanted to make aware of what they are doing in this area. They have a gala at the end of September to raise funds for the shelter. She provided a folder with information and her contact information. Supervisor Marshall asked where the proposed Shelter is located. Ms. Gregory said it is in Seneca County, but services the residents of Ontario County.

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

Copies received of minutes of meetings held as follows:

- a. Governmental Operations & Insurance Committee held on May 22, 2019.
- b. Health & Human Services Committee held on May 20, 2019.
- c. Planning & Environmental Quality Committee held on May 20, 2019.
- d. Public Safety Committee held on May 22, 2019.
- e. Public Works Committee held on May 20, 2019.
- f. Ways & Means Committee held on May 30, 2019.
- g. New York State Fish and Wildlife Management Board held on April 18, 2019
- h. Seneca Watershed Intermunicipal Organization held on April 30, 2019
- i. Ontario County Alternatives to Incarceration Advisory Board held on March 4, 2019
- j. VAVS/Community Council Committee Minutes held on May 8, 2019

A letter regarding the minutes of the Planning and Environmental Quality Committee Meeting held on April 29, 2019 received from Eileen Buckley, Resident of Ward 3 of Geneva, NY.

A thank you note received from Tim Stryker of Canandaigua, NY.

The 2019-20 State Budget Impact Report for Ontario County; received from Charles H. Nesbitte, Jr., NYSAC President.

A letter regarding active shooter training received from Stephen Acquario, Executive Director of NYSAC.

A Notice of Obligational Authority (NOA) updating the funding that is used by our Local Workforce Development Area (LWDA) to support the provision of services.

A list of final State equalization rates for the 2019 assessment rolls received from NYS Dept. of Taxation and Finance.

Resolution No. 99-19 received from Seneca County Board of Supervisors.

Resolution No. 19-258 received from Madison County Board of Supervisors.

Resolution No. 157-19 received from Green County Legislature.

Resolution No. 19-232 received from Wyoming County Board of Supervisors.

Resolution No. 191-19 received from Yates County Legislature.

Act No. 255-2019 received from Cattaraugus County Legislature.

Resolution # IL-037-19 received from Niagara County Legislature.

Resolution No. 210-19 received from Sullivan County Legislature.

Resolution No. 160 received from Essex County Board of Supervisors

Acknowledgment of receipt of Resolution No. 373-2019 received from Brian M. Kolb, State Assembly Minority Leader.

Reports of Audits of Ontario County received from Raymond F. Wager, CPA, P.C., Certified Public Accountants as follows:

- Deferred Compensation Plan and Savings Match Plan for Employees of the County of Ontario for years ended December 31, 2018
 - Communicating Internal Control Related Matters Identified in an Audit
 - Basic Financial Statements
 - Letter of Communication
- County of Ontario for year ended December 31, 2018
 - Communicating Internal Control Related Matters Identified in an Audit
 - Letter of Communication
 - New York State Department of Transportation State Single Audit
 - Single Audit Report
 - Basic Financial Statements

REPORTS OF SPECIAL COMMITTEES:

Supervisor Campbell reported on the Quarterly Alternatives to Incarceration (ATI) meeting and the last Campbell Commission Meeting. He noted that Resolution No. 381-2019 was important to the ATI Board, noting Marty Teller's retirement. He has provided a long service to this County. They were sad to see him go but are happy to welcome Jen Carlson to the ATI Board. He noted the impact the Youth Court has had. There will be 22 new members to Youth Court. They handled 14 cases for youth at the age of 15 and under and 8 cases that would have been through the Raise the Age process. The Campbell Commission spent a lot of time discussing Justice Reform. There will be a task force similar to the Raise the Age. There will be an impact at some point; they are waiting for guidance from the state. He read a summary from the Chief Corrections' Officer on the potential for bail reform. He reported they have collected \$180K from the trust accounts and \$144K has been released. The electronic home monitoring and weekend alternative programs continue to work well.

At the request of Supervisor Baker, unanimous consent was given to waive the provision of Rule No. 23 of the "Rules and Order of Business" of this Board to take addendum item no. 6 and agenda no. 51 out of order so action could be taken on addendum item no. 6 and item no. 51.

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

RESOLUTION NO. 375-2019
ADOPTION OF FINGER LAKES COMMUNITY COLLEGE OPERATING
BUDGET FOR THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2019

WHEREAS, The Tentative Operating Budget for the Finger Lakes Community College, for the fiscal year beginning September 1, 2019, has been duly presented to this Board ; and

WHEREAS, A Public Hearing on the Tentative Operating Budget was duly advertised and, in accordance with the advertisement, was duly held on June 20, 2019; now, therefore, be it

RESOLVED, That said Tentative Operating Budget in the amount of \$46,325,826.00 be, and hereby is, adopted as the Operating Budget of the Finger Lakes Community College for the fiscal year beginning September 1, 2019; and further

RESOLVED, That the appropriation by the County of Ontario in support of the Finger Lakes Community College will be set at \$3,704,228 .00; and further

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

RESOLUTION NO. 376-2019
APPROPRIATION RESOLUTION FOR THE CONDUCT OF
FINGER LAKES COMMUNITY COLLEGE FOR
THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2019

WHEREAS, The Board of Supervisors on June 20, 2019, adopted an Operating Budget for the Finger Lakes Community College for its fiscal year beginning September 1, 2019; and

WHEREAS, Section 6304 of the Education Law provides that after this budget for a community college has been adopted, the Board of Supervisors shall provide for the raising of taxes required by such budget without any decrease in the amounts, in the same manner, and at the same time prescribed by law for the annual levy of taxes by the County; now, therefore, be it

RESOLVED, That the amount of \$3,704,228.00 for the Operating Budget be levied and assessed upon the property of the County liable therefore, in the same manner, and at the same time prescribed by law for the annual levy of taxes by the County for the Finger

Lakes Community College Operating Budget for 2019-20 in the amount of \$46,325,826.00; and further

RESOLVED, That certified copy of this resolution be sent by the Clerk of this Board to the Vice President of Administration & Finance of Finger Lakes Community College.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 377-2019
AUTHORIZING AMENDMENT TO CONTRACT WITH
EMPIRE LONG DISTANCE CORPORATION**

WHEREAS, Pursuant to Resolution No. 507-2006, Ontario County contracted with Finger Lakes Regional Telecommunications Development Corp ("FLRTDC") for use of its fiber optic network; and

WHEREAS, In May of 2018, FLRTDC sold its fiber optic network to Empire Long Distance Corporation; and

WHEREAS, Empire Long Distance Corporation legally assumed all of FLRTDC's contract obligations, including its contract with Ontario County; and

WHEREAS, it has been determined that Ontario County's fiber optic network requirements now differ from those agreed to in the original 2006 contract with FLRTDC; and

WHEREAS, Empire Long Distance Corporation and Ontario County have agreed to the terms of contract amendment that appropriately addresses Ontario County's fiber optic requirements while affording Empire Long Distance more flexibility to market the network; and

WHEREAS, the Chief Information Officer and the Governmental Operations and Insurance Committee recommend amending the contract with Empire Long Distance Corporation; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, this Board hereby approves the contract amendment with Empire Long Distance Corporation, 34 Main Street, Prattsburgh, NY 14873; and be it further

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

RESOLVED, that the County Administrator is hereby authorized to execute the contract amendment with Empire Long Distance Corporation and any other documents necessary to effectuate the purpose of this resolution; and be it further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Empire Long Distance Corporation.

**RESOLUTION NO. 378-2019
CONTRACT FOR TELECOMMUNICATIONS SERVICES WITH FRONTIER
COMMUNICATIONS OF ROCHESTER, INC.**

WHEREAS, Ontario County still requires analog telephone and telecommunications services for faxing and system monitoring; and

WHEREAS, Frontier Communications of Rochester, Inc., is the current provider to the County for analog telephone services; and

WHEREAS, Frontier has proposed a new agreement for analog telecommunications services which maintains the prior contract rate of \$19.99 per month for business lines and \$15.99 per month for Centrex lines inclusive of all local usage fees and surcharges; and

WHEREAS, The Chief Information Officer and the Governmental Operations and Insurance Committee recommend approval of the contract with Frontier Communications; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, this Board hereby approves a contract with Frontier Communications of Rochester, Inc. for a term of thirty-six (36) months beginning May 16, 2019 and ending May 15, 2022 and may be extended in one-year increments if mutually agreeable by both parties; and further

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

RESOLVED, That the County Administrator is hereby authorized to execute the contract with Frontier Communications of Rochester, NY and any other documents necessary to effectuate the purpose of this resolution.

**RESOLUTION NO. 379-2019
AUTHORIZING COMMENCEMENT OF A CIVIL ACTION
AGAINST FORMER THIRD PARTY ADMINISTRATOR
FOR ONTARIO COUNTY MUTUAL SELF-INSURED
WORKERS' COMPENSATION PROGRAM**

WHEREAS, Ontario County entered into certain contracts with First Niagara Risk Management, Inc., also known as Key Insurance & Benefits Services, Inc., and its successor entities, USI Insurance Services, Inc. (also known as USI Insurance Services, LLC) and Omni Underwriting Managers, LLC dba FutureComp (collectively, "the Third Party Administrator"), for the provision of Third Party Administration Services for the Ontario County Mutual Self-Insurance Plan for Workers' Compensation and Mutual Self-Insured Disability Program, including during the time period of January 1, 2011 through December 31, 2018 ("the contracts"); and

WHEREAS, The contracts required the Third Party Administrator to administer workers' compensation claims for Ontario County and the other plan participants, including its obligations to submit necessary forms to the Workers' Compensation Board and Special Funds Conservation Committee in relation to claims for reimbursement from New York State under Workers' Compensation Law ("WCL") §15(8), and to do so within the timeframes required under the WCL; comply with all state laws and regulations in connection with its performance under the contracts; and to indemnify and hold harmless Ontario County from all damage, costs, or loss arising directly or indirectly out of the Third Party Administrator's performance or failure to perform under the contracts; and

WHEREAS, After review of certain claims eligible for State reimbursement under WCL §15(8), it was determined that the Third Party Administrator materially breached the aforementioned contractual obligations by failing to submit timely requests for State reimbursement, and that the County sustained a financial loss as a result of the Third Party Administrator's failure to fulfill its contractual obligations; and

WHEREAS, By correspondence dated April 29, 2019, the County served the Third Party Administrator with a notice of material breach and a demand to cure by remitting payment to Ontario County for its loss of the non-reimbursable amounts the County has expended; and

WHEREAS, The Third Party Administrator has failed to remit such payment; and

WHEREAS, The Governmental Operations and Insurance Committee has reviewed and recommends adoption of this resolution; now, therefore, be it

RESOLVED, That the County Attorney's Office is hereby authorized to commence a civil action on behalf of the County of Ontario against the Third Party Administrator to recover the County's financial losses as described above; and be it further

RESOLVED, That the Clerk shall provide a copy of this resolution to the County Attorney and the Director of Human Resources.

RESOLUTION NO. 380-2019
APPORTIONMENT OF
2020 WORKERS COMPENSATION INSURANCE EXPENSE
ONTARIO COUNTY MUTUAL SELF-INSURANCE PLAN

WHEREAS, The Governmental Operations and Insurance Committee overseeing the Ontario County Mutual Self-Insurance Plan, pursuant to the provisions of Article 5 of the Workers' Compensation Law, has provided the Clerk of this Board an estimated sum of \$2,550,000 to administer the plan from January 1, 2020, to December 31, 2020, inclusive, said sum to be apportioned to each of the participating municipal corporations as hereinafter set forth, and has requested that the amount apportioned to the County shall be included by the Board of Supervisors in the 2020 tax levy; now, therefore, be it

RESOLVED, That the sum of \$975,066 apportioned to Ontario County shall be included in the General Tax Levy and levied against the county, together with other 2020 taxes levied in connection with the general budget; and further

RESOLVED, That the sum apportioned to Ontario County shall be defined as follows: \$15,181 from the Ontario County Soil and Water Conservation District, \$132,196 from the Finger Lakes Community College, and the balance of \$827,689 from the Ontario County departments; and further

RESOLVED, That the amounts set forth in the table below shall be charged to the participating municipal corporations as their apportionment of the 2020 Ontario County Mutual Self-Insurance Plan, to wit:

Participating Municipal Corporations and Apportionment of Expense

Ontario County	\$ 975,066	Richmond, Town	\$ 47,207
Canandaigua, City	\$ 278,764	Seneca, Town	\$ 21,149
Geneva, City	\$ 394,923	South Bristol, Town	\$ 14,349
Bristol, Town	\$ 31,796	Victor, Town	\$ 106,611
Canadice, Town	\$ 17,105	West Bloomfield, Town	\$ 9,070
Canandaigua, Town	\$ 136,413	Bloomfield, Village	\$ 6,214
East Bloomfield, Town	\$ 17,648	Clifton Springs, Village	\$ 16,672
Farmington, Town	\$ 116,817	Manchester, Village	\$ 11,549
Geneva, Town	\$ 27,787	Naples, Village	\$ 4,431
Gorham, Town	\$ 51,921	Phelps, Village	\$ 30,903
Hopewell, Town	\$ 44,592	Rushville, Village	\$ 3,138
Manchester, Town	\$ 104,201	Shortsville, Village	\$ 5,628
Naples, Town	\$ 12,794	Victor, Village	\$ 19,202
Phelps, Town	\$ 26,659	Fishers Fire District	\$ 17,392

TOTAL \$ 2,550,000

and further

RESOLVED, That certified copies of this resolution shall also be sent by the Clerk of this Board to the Department of Finance, the County Treasurer, the District Manager of the Ontario County Soil & Water Conservation District, and to the Director of Human Resources, Finger Lakes Community College; and further

RESOLVED, That the Ontario County Finance Department shall appropriately bill each municipality for their amount due to be paid within 30 days of each municipalities' respective fiscal year; and further

RESOLVED, That by September 1st, the Clerk of this Board shall certify to the participating villages, towns and cities set forth above, the amount due from each said municipality as its apportionment for the 2020 year.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 381-2019
RESOLUTION OF RECOGNITION AND APPRECIATION
JOHN P. PARROTT**

WHEREAS, Ontario County has been continually consulting with John P. Parrott for risk management services since such relationship was authorized by Resolution No. 675-1987; and

WHEREAS, Mr. John P. Parrott has faithfully served Ontario County for three decades to help the County minimize risk, liability exposure, and losses; and

WHEREAS, Mr. John P. Parrott has informed the County of his intent to retire from County service on June 30, 2019; and

WHEREAS, The County Administrator and the Government Operations and Insurance Committee recommend this resolution to the Board of Supervisors; now, therefore, be it

RESOLVED, That this Board does hereby recognize the experience, dedication, and years of exemplary work rendered by Mr. John P. Parrott; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mr. John P. Parrot at 62 Reed Street, P.O. Box 431, Geneva, New York 14456-0059.

Adopted.

Supervisor Gallahan stated that John Parrott has been with the County for over thirty years and has saved the County thousands of dollars of the years. More importantly, he said Mr. Parrott has always been a pleasure to work with. He has been exemplary for his services to the County. He will be missed and has been a very important part of the self-insurance program. Supervisor Gallahan and Chair Marren presented a certificate and token of appreciation to Mr. Parrott.

Supervisor Marshall offered the following resolution and moved for its adoption, seconded by Supervisor Campbell:

**RESOLUTION NO. 382-2019
RESOLUTION OF RECOGNITION AND APPRECIATION
MARTIN TELLER**

WHEREAS, The Finger Lakes Area Counseling & Referral Agency (FLACRA) was first established in 1973 and has been a valuable substance abuse treatment provider in Ontario County; and

WHEREAS, Mr. Martin Teller has held the position of Executive Director of FLACRA since 1985; and

WHEREAS, During Mr. Teller's tenure he has worked tirelessly to expand substance abuse services across Ontario, Seneca, Schuyler, Wayne and Yates counties; and

WHEREAS, Mr. Teller has expanded the agency to over 250 employees and multiple programs to include the addictions crisis center, outpatient clinics in many communities, community residences, supportive living, independent housing and veterans services; and

WHEREAS, FLACRA provides services and collaborates with many County Departments and has done so over many years; and

WHEREAS, Mr. Teller has decided to retire on June 30, 2019; and

WHEREAS, The Director of Community Services and the Health and Human Services Committee recommend this resolution to the Board of Supervisors; now, therefore, be it

RESOLVED, That this Board does hereby recognize the experience, dedication, and exemplary work rendered by Mr. Martin Teller; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Mr. Martin Teller, 200 Bittersweet Drive, Farmington New York 14425.

Adopted.

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

RESOLUTION NO. 383-2019
AUTHORIZATION TO ENTER INTO CONSULTANT AGREEMENT WITH
GENEVA CITY SCHOOLS – ATTENDANCE WORKS

WHEREAS, The Ontario County Youth Bureau wishes to enter into an agreement with Geneva City School to provide Attendance Works Services to increase attendance (to include incentives); and

WHEREAS, The County Youth Bureau has access to tools and supports which will aid in the development of attendance works; and

WHEREAS, The Geneva City School District has requested the aid of the County in the development of the “Attendance Works”, which is known to support improved outcomes for students; now, therefore, be it

RESOLVED, That upon recommendation of the Health and Human Services Committee, the Ontario County Board of Supervisors authorizes the Youth Bureau to enter into agreement with the Geneva City School District to provide consultant services regarding the “Attendance Works”, at a cost not to exceed \$25,000.00; and further

RESOLVED, That the Youth Bureau shall provide said services to the Geneva City School District, and said Consultant services shall include such expenses that may be incurred by the county to include; staff travel, printing, purchase of supports and wraparound services, and other goods and services as deemed necessary to support the development of the initiative; and further

RESOLVED, That a total of \$25,000.00 will be paid to Ontario County by the Geneva City School District for said consultant services provided for the period of September 1, 2019 to August 31, 2020; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of the original contract, subject to review and approval by the Office of the County Attorney as to form; and further

RESOLVED, That certified copies of this resolution be sent to the Youth Bureau, and Geneva City Schools.

RESOLUTION NO. 384-2019

AUTHORIZATION TO ENTER INTO CONSULTANT AGREEMENT WITH GENEVA CITY SCHOOLS – YOUTH DEVELOPMENT TRAINING

WHEREAS, The Ontario County Youth Bureau wishes to enter into an agreement with Geneva City Schools to provide consultation on the implementation of an attendance initiative; and

WHEREAS, The Geneva City School District has accepted a “Community Schools” grant naming the Youth Bureau as the consultant for providing positive youth development training for before/after school staff as well as Boys and Girls Club staff; and

WHEREAS, The County Youth Bureau has access to tools and supports which will aid in the development of youth development training; and

WHEREAS, The Geneva City School District has requested the aid of the County in the youth development training, which is known to support improved outcomes for students; now, therefore, be it

RESOLVED, That upon recommendation of the Human Services Committee, the Ontario County Board of Supervisors authorizes the Youth Bureau to enter into agreement

with the Geneva City Schools to provide consultant services regarding the youth development training, at a cost not to exceed \$4,000.00; and further

RESOLVED, That the Youth Bureau shall provide said services to the Geneva City Schools, and said Consultant services shall include such expenses that may be incurred by the county; and further

RESOLVED, That a total of \$4,000.00 will be paid to Ontario County by the Geneva City Schools for said consultant services provided for the period of July 1, 2019 to June 30, 2020; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of the original contract, subject to review and approve by the Office of the County Attorney; and further

RESOLVED, That certified copies of this resolution be sent to the Youth Bureau, and Geneva City School District.

The foregoing block of two resolutions was adopted.

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

RESOLUTION NO. 385-2019
AUTHORIZATION: AMENDMENT TO CONTRACT
FINGER LAKES WORKFORCE INVESTMENT BOARD, INC.
FOR WIOA TITLE I ADULT AND DISLOCATED WORKER PROGRAMS

WHEREAS, Pursuant to Resolution No. 387-2018, this Board approved the contract with the Finger Lakes Workforce Investment Board, Inc. for \$129,294 for the Department of Social Services to operate the Workforce Innovation and Opportunity Act (WIOA) Title I Adult and Dislocated Worker program for the period July 1, 2018 – June 30, 2019; and

WHEREAS, The Department of Social Services is required to pay rent for space utilized at the NYS Department of Labor in Geneva, and the Finger Lakes Workforce Investment Board, Inc. is funding the cost of the rent; and

WHEREAS, The Health and Human Services Committee has reviewed this amendment and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves this amendment to the contract increasing the budget amount by an additional amount of \$3,594.22 making the total amount of the Contract \$132,888.22; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Finger Lakes Workforce Investment Board, Inc.

**RESOLUTION NO. 386-2019
AUTHORIZATION FOR CONTRACT WITH
THE FINGER LAKES WORKFORCE INVESTMENT BOARD, INC.
FOR WIOA TITLE I ADULT, DISLOCATED WORKER
AND YOUTH PROGRAMS**

WHEREAS, The Finger Lakes Workforce Investment Board, Inc. has been awarded funds to provide workforce development activities under the Workforce Innovation and Opportunity Act (WIOA) Program; and

WHEREAS, The Ontario County Department of Social Services is desirous of contracting with the Finger Lakes Workforce Investment Board, Inc. as it has been successful in operating workforce development programs for adults, dislocated workers and youth participants; and

WHEREAS, The Department of Social Services, Workforce Development Unit is a partner of the One Stop Operator Consortium that oversees the Career Centers and provides programs and services for the universal population of adults, dislocated workers, public assistance applicants and recipients and youth; and

WHEREAS, The Health and Human Services Committee has reviewed and approved the contracts; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves these contracts with the Finger Lakes Workforce Investment Board, Inc. and Grant Recipient for the WIOA Title I Adult and Dislocated Worker in the amount of \$138,138, and Youth programs in the amount of \$82,971 for the period of July 1, 2019 – June 30, 2020; and further

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Finger Lakes Workforce Investment Board, Inc.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 387-2019
ENDORSEMENT OF RE-APPOINTMENT TO THE
FINGER LAKES WORKFORCE DEVELOPMENT BOARD
AND FINGER LAKES WORKFORCE INVESTMENT BOARD, INC.
DEBORAH CULETON**

WHEREAS, The Workforce Innovation and Opportunity Act (WIOA) of 2014 is the federal legislation for the public workforce system; and

WHEREAS, The Counties of Ontario, Wayne, Seneca and Yates, through official action of their legislative bodies, and with approval of the Governor of the State of New York, established a Workforce Investment Area in 1999 consisting of the four Counties, and the Finger Lakes Workforce Investment Board in accordance with the Workforce Innovation and Opportunity Act; and

WHEREAS, The members must be endorsed by the respective Boards of Supervisors and/or Legislative Boards; and

WHEREAS, The following private sector member's term expires June 30, 2019 and has accepted re-appointment to the Finger Lakes Workforce Development Board and Finger Lakes Workforce Investment Board; and

WHEREAS, The Governance and Membership Committee and Executive Director of the Finger Lakes Workforce Investment Board has solicited nominations in accordance with the Law, and said nominations being reviewed and approved by the Health and Human Services Committee; now, therefore, be it

RESOLVED, That Deborah Culeton, Manager of Executive Support, IDI Billing Solutions be re-appointed to the Finger Lakes Workforce Development Board and the Finger Lakes Workforce Investment Board, Inc. for the term of July 1, 2019 to June 30, 2022: and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Ms. Culeton, the Finger Lakes Workforce Investment Board, Inc. and the County Clerk.

RESOLUTION NO. 388-2019
ENDORSEMENT OF APPOINTMENT TO THE
FINGER LAKES WORKFORCE DEVELOPMENT BOARD
AND FINGER LAKES WORKFORCE INVESTMENT BOARD, INC.
ZACHARY BROOKS

WHEREAS, The Workforce Innovation and Opportunity Act (WIOA) is the federal legislation for the public workforce system; and

WHEREAS, The Counties of Ontario, Wayne, Seneca and Yates, through official action of their legislative bodies, and with approval of the Governor of the State of New York, established a Workforce Investment Area in 1999 consisting of the four Counties, and the Finger Lakes Workforce Investment Board in accordance with the Workforce Investment Act and agree to the same designated area under the Workforce Innovation and Opportunity Act; and

WHEREAS, The members must be endorsed by the respective Boards of Supervisors and/or Legislative Boards; and

WHEREAS, The Governance and Membership Committee and Executive Director of the Finger Lakes Workforce Investment Board has solicited nominations in accordance with the Law, and said nominations being reviewed and approved by the Health and Human Services Committee; now, therefore, be it

RESOLVED, That the following private sector individual be appointed to the Finger Lakes Workforce Development Board and Finger Lakes Workforce Investment Board, Inc. for the term of July 1, 2019 to June 30, 2022:

Zachary E. Brooks
Talent Acquisition Manager
G.W. Lisk Company, Inc.
2 South Street
Clifton Springs, NY 14432

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Mr. Brooks, the Finger Lakes Workforce Investment Board, Inc., and the County Clerk.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 389-2019
RE-APPOINTMENT OF GLEN WILKES
TO THE ONTARIO COUNTY PLANNING BOARD**

WHEREAS, The Town of Phelps Town Board has recommended the re-appointment of Glen Wilkes as the Town of Phelps representative to the Ontario County Planning Board; and

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

RESOLVED, That as of June 20, 2019, the following individual is re-appointed as a member of the Ontario County Planning Board:

Name and Address	Representing	Term Expires
Glen Wilkes 658 Maryland Street Phelps, NY 14532	Town of Phelps	June 19, 2024

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Clerk, the Town of Phelps Town Board, and Glen Wilkes.

**RESOLUTION NO. 390-2019
APPOINTMENT OF JOE CRANE
TO THE ONTARIO COUNTY PLANNING BOARD**

WHEREAS, The Bristol Town Board recommended the appointment of Joe Crane as the town’s representative to the Ontario County Planning Board; and

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

RESOLVED, That as of June 20, 2019, the following individual is appointed as a member of the Ontario County Planning Board:

Name and Address	Representing	Term Expires
Joe Crane 3711 Silvernail Road Bloomfield NY 14480	Town of Bristol	June 19, 2024

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Clerk, Bristol Town Board, and Joe Crane.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 391-2019
ACCEPTANCE OF CONTRACT
JOHN F. FINN INSTITUTE FOR PUBLIC SAFETY, INC.
ONTARIO COUNTY PUBLIC DEFENDER’S OFFICE**

WHEREAS, Ontario County has been awarded a competitive grant from the Substance Abuse and Mental Health Services Administration (“SAMHSA”) to improve, enhance, and expand Ontario County’s Drug Treatment Court; and

WHEREAS, Part of the grant awarded to Ontario County includes funding to retain John F. Finn Institute for Public Safety, Inc. (“Finn Institute”), located at 421 New Karner Road, Suite 12, Albany, NY 12205 to provide data collection evaluation; program process and performance evaluation, and quality improvement facilitation services for the SAMHSA-funded Finger Lakes Drug Treatment Court Enhancement Project; and

WHEREAS, The Finn Institute has agreed to provide such services for an amount not to exceed \$30,000 in any grant contract year, or \$ 60,000 annually, including personnel costs and all related costs; and

WHEREAS, The Public Safety Committee has approved a contract period commencing January 1, 2019, and terminating December 31, 2019; 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 Finn Institute to provide data collection evaluation; program process and performance evaluation, and quality improvement facilitation services for the SAMHSA-funded Finger Lakes Drug Treatment Court Enhancement Project at a cost not to exceed \$30,000 in any grant contract year, or \$ 60,000 annually; and further

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

RESOLVED, That the contract period shall commence January 1, 2019, and terminate December 31, 2019; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the John F. Finn Institute for Public Safety, Inc., located at 421 New Karner Road, Suite 12, Albany, NY 12205.

RESOLUTION NO. 392-2019
AUTHORIZATION: 2019 ATI ADVISORY BOARD APPOINTMENT
MORRIS LEW

WHEREAS, The Alternative To Incarceration Advisory Board is mandated to have a Local Town Magistrate as a Board member; and

WHEREAS, Morris Lew desires to be the Local Town Magistrate on the Board; and

WHEREAS, There was an error in the filing of his original oath of office card; and

WHEREAS, The Public Safety Committee has reviewed and approved this nomination; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby approves the appointment of Morris Lew, Farmington Town Justice to the ATI Advisory Board; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Justice Morris Lew and the County Clerk.

RESOLUTION NO. 393-2019
AUTHORIZATION: 2019 ATI ADVISORY BOARD APPOINTMENT
JENNIFER CARLSON

WHEREAS, The Alternative To Incarceration Advisory Board is mandated to have a NYS Certified Alcohol and/or Substance Abuse Provider as a Board member; and

WHEREAS, Martin Teller, Executive Director for FLACRA, has filled this role for many years but is retiring in June of this year; and

WHEREAS, FLACRA has named Jennifer Carlson to replace Mr. Teller as Executive Director; and

WHEREAS, The Public Safety Committee has reviewed and approved this nomination; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby approves the appointment of Ms. Jennifer Carlson, incoming FLACRA Executive Director to the ATI Advisory Board; and further

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

RESOLUTION NO. 394-2019
AWARD OF BID (B18021)
PURCHASE OF INMATE SUNDRIES
FOR ONTARIO COUNTY JAIL

WHEREAS, The Purchasing Department advertised for and received, per tabulation sheets on file with the clerk of this Board, sealed bids for the purchase of inmate sundries for the Ontario County Jail (B18021); and

WHEREAS, The County spends approximately \$8,000 annually for inmate sundries; and

WHEREAS, The overall low responsive bid was received from Bob Barker Company, Inc., 7925 Purfoy Road, Fuquay-Varina, North Carolina 27526; and

WHEREAS, The Public Safety Committee recommends award of this bid for inmate sundries for a one year period effective April 24, 2019 through April 23, 2020, with the option of one (1) twelve (12) month renewal; now, therefore, be it

RESOLVED, That Inmate Sundries for the Ontario County Jail be awarded to Bob Barker Company, Inc., for the period beginning April 24, 2019 through April 23, 2020; and further

RESOLVED, That the Clerk of the Board shall provide a certified copy of this resolution to Bob Barker Company, Inc.

The foregoing block of four resolutions was adopted.

Supervisor Ingalsbe offered the following block of nine resolutions and moved for its adoption, seconded by Supervisor Bateman:

**RESOLUTION NO. 395-2019
CAPITAL PROJECT NO. 02-2015
HOPEWELL COMPLEX IMPROVEMENTS
BUDGET AMENDMENT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 576-2015 created Capital Project No. 2-2015, Hopewell Complex Improvements, and awarded a contract to McFarland Johnson for planning and preliminary design services for the Hopewell County Complex access road rehabilitation; and

WHEREAS, The 2019 Capital Improvement Plan includes \$400,000 of funding for this project (\$100,000 of tax levy and \$300,000 of CRARM Reserve); and

WHEREAS, County Engineering staff has designed Phase 1 of this project which includes road and drainage improvements from the entrance of Hopewell Complex Drive to Building 3019; and

WHEREAS, Ontario County Highway Department will be completing much of this work with materials being purchased from the Material Bids; and

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

RESOLVED, That the budget of Capital Project No. 02-2015 be, and hereby is amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HCA 1647 E 4491	General Construction	\$200,000.0 0	+\$50,000. 00	\$250,000. 00
HCA 1647 E 4495	Architectural & Engineering	\$65,910.00		\$65,910.0 0
HCA 1647 E 4865	Administration	\$2,000.00		\$2,000.00
HCA 1647 E 4731	Contingency	\$382,090.0 0	- \$50,000.0 0	\$332,090. 00
Revenue:				
HCA 1647 R 5036	Interfund Transfer - A Fund	\$185,000.0 0		\$185,000. 00
HCA 1647 R 5048	Interfund Transfer - Capital Reserve	\$465,000.0 0		\$465,000. 00

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 \$650,000.00; and further

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

**RESOLUTION NO. 396-2019
CAPITAL PROJECT NO. 13-2015
MULTIPLE CULVERT REPLACEMENT
COUNTY ROAD 36 CULVERT #4 & COUNTY ROAD 37 CULVERT # 41
AUTHORIZATION OF NO-COST TIME EXTENSION
RAMSEY CONSTRUCTORS, INC.
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 919-2015 created Capital Project No. 13-2015, Multiple Culvert Replacement; and

WHEREAS, Resolution No. 352-2018 awarded a construction contract to Ramsey Constructors, Inc.; and

WHEREAS, Resolution No. 782-2018 awarded a no-cost time extension to Ramsey Constructors, Inc. to May 31, 2019; and

WHEREAS, Additional time is required to complete the work; and

WHEREAS, The Public Works Committee has reviewed the progress of said work and recommends that Ramsey Constructors, Inc. be granted an extension to July 31, 2019, with no additional increase to the contract amount; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves a no-cost time extension with Ramsey Constructors, Inc., for the replacement of County Road 36 Culvert #4 & County Road 37 Culvert #41 to July 31, 2019; and further

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Ramsey Constructors, Inc., 5711 Gateway Park, Lakeville, NY 14480 and the Department of Finance.

**RESOLUTION NO. 397-2019
CAPITAL PROJECT NO. 01-2018
COUNTY ROAD 28 AT SHORTSVILLE ROAD INTERSECTION
IMPROVEMENT
AWARD OF AMENDMENT AGREEMENT FOR**

**BERGMANN ASSOCIATES – DESIGN SERVICES
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, A project for County Road 28 & Shortsville Road Intersection Improvement, P.I.N. 4ON0.03 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such projects to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 183-2018 created Capital Project No. 1-2018, County Road 28 at Shortsville Road Intersection Improvement; and

WHEREAS, Resolution No. 183-2018 authorized the implementation and funding in the first instance 100% of the Federal-Aid costs of the Project; and

WHEREAS, Resolution No. 183-2018 authorized the acceptance of the New York State revenue contract for Scoping, Preliminary Engineering, and Right-of-Way Incidentals for the Project; and

WHEREAS, Resolution No. 354-2018 authorized the execution of a contract with Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, for preliminary engineering and right-of-way incidental services related to the Project for a cost not to exceed \$189,900; and

WHEREAS, County and NYSDOT approved the design report for the Project, and the County will proceed with the detailed design, right-of-way acquisition, and bid phase services to maintain the project schedule; and

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

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

WHEREAS, A budget of \$24,000 will be established for the purchase of additional right-of-way based on an estimate prepared by Bergmann Associates; and

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

WHEREAS, The 2019 Capital Improvement Plan includes \$130,900 of funding for the detailed design, right-of-way acquisition, and bid phase services phase of this project; and

WHEREAS, A TIP amendment for an additional \$40,000 for this phase has been approved; and

WHEREAS, The County contribution for this phase is \$17,090; and

WHEREAS, \$3,273 is included in the 2019 CIP budget; and

WHEREAS, There are sufficient funds available in the D Fund CIP budget (D5110 9999 E 4490) to fund the remaining \$13,817 needed; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby authorizes an amendment agreement with Bergmann Associates for detailed design, right -of-way acquisition, and bid phase services for a cost not to exceed \$153,200, for a total amended price not to exceed \$343,100; and further

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

RESOLVED, That said amendment agreement will expire on September 30, 2020; and further

RESOLVED, That the following budget transfer is hereby approved:

D 5110 9999 E 4490	Construction Contracts	-\$13,817.00
D 9950 9999 E 9041	Interfund Transfer – Capital Projects	+\$13,817.00

and further

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

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HDA 5165 E 4495	Engineering	\$204,000. 00	+\$146,900. 00	\$350,900. 00
HDA 5165 E 4820	Land Acquisition	\$0.00	+\$24,000.0 0	\$24,000.0 0
HDA 5165 E 4865	Administration	\$1,000.00		\$1,000.00
Revenue:				
HDA 5165 R 4591	Federal Aid	\$184,500. 00	+\$153,810. 00	\$338,310. 00
HDA 5165 R 5041	Interfund Transfer - D Fund	\$20,500.0 0	+\$17,090.0 0	\$37,590.0 0

and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this Resolution for a total project budget of Three Hundred Seventy Five Thousand Nine Hundred Dollars and Zero Cents (\$375,900); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance, Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, and the NYSDOT, Regional Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, New York 14623.

RESOLUTION NO. 398-2018
CAPITAL PROJECT NO. 05-2018
REPLACEMENT OF MAIN STREET FISHERS BRIDGE
OVER IRONDEQUOIT CREEK
AWARD OF CONTRACT AMENDMENT
FISHER ASSOCIATES – ENGINEERING SERVICES
DEPARTMENT OF PUBLIC WORKS

WHEREAS, A project for the Replacement of Main Street Fishers Bridge over Irondequoit Creek (BIN 3318560), Town of Victor, Ontario County, P.I.N. 4755.03 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such projects to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, Resolution No.785-2018 created Capital Project No. 05-2018, Replacement of Main Street Fishers Bridge Over Irondequoit Creek, and awarded a contract to Fisher Associates for additional engineering services related to environmental tasks as well as final plan and specification review for a cost not to exceed \$28,000; and

WHEREAS, The Department of Public Works and The New York State Department of Transportation wish to complete construction of this project in 2020; and

WHEREAS, Fisher Associates has begun the additional engineering for the final plans and determined that the bridge design from 2013 cannot be built to meet current NYSDOT specifications. The NYSDOT specifications have been revised since 2013 and require an increase in the bridge’s live load capacity. The bridge design must now be modified beyond the scope of the initial agreement to meet these more stringent specifications; and

WHEREAS, Fisher Associates has provided a contract amendment in the amount of \$12,000 to modify the bridge design to meet the current specifications; and

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

RESOLVED, That upon the review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract amendment with Fisher Associates in the amount of \$12,000 for additional engineering services for a total amended contract amount not to exceed \$40,000; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to sign the amendment agreement with Fisher Associates 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 certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance, the New York State Department of Transportation, and Fisher Associates, 180 Charlotte Street, Rochester, NY 14607.

**RESOLUTION NO. 399-2019
RESOLUTION TO ENTER INTO AGREEMENT WITH
WINDSTREAM NEW YORK, LLC TO
OCCUPY PUBLIC LANDS FOR UTILITY ACCESS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Windstream New York, LLC, has applied to extend utility service across the railroad right-of-way currently owned by Ontario County; and

WHEREAS, Windstream New York, LLC has applied for a construction permit to Finger Lakes Railroad to extend this service under the tracks at the County Road 28 crossing in the Town of Farmington; and

WHEREAS, Working with the Finger Lakes Railroad, the construction permit conditions were met and the processing of the County's license agreement, highway work permit, and Railroad permit can commence; and

WHEREAS, Windstream New York, LLC and Ontario County have outlined the terms of this occupancy in a revocable License Agreement to be signed by both parties; now, therefore, be it

RESOLVED, The upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves an agreement with Windstream New York, LLC, 4001 N. Rodney Parham Road, Little Rock, AR 72212 for the occupancy, construction, and maintenance of a utility crossing across (underground) this County-owned corridor under terms of the License Agreement; and further

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

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

**RESOLUTION NO. 400-2019
COUNTY ROAD 41 - HATHAWAY'S CORNERS SUBDIVISION
RIGHT-OF-WAY CONVEYANCE**

DEPARTMENT OF PUBLIC WORKS - BUREAU OF HIGHWAYS

WHEREAS, Hathaway Corner, LLC, is the owner of real property located at 5969 County Road 41, Farmington New York, also known as Hathaway's Corners Subdivision; and

WHEREAS, Improvements are necessary at the intersection of NY 332 and County Road 41 to mitigate traffic impacts from said subdivision; and

WHEREAS, Hathaway Corner, LLC, has submitted a County highway work permit application associated with the intersection improvements that include, but are not limited to, a right-turn lane on the eastbound approach to the intersection; and

WHEREAS, The proposed alignment of the right turn lane will be outside of the existing County Road 41 right-of-way; and

WHEREAS, A condition of the County highway work permit, Hathaway Corner, LLC, will need to convey a portion of real property, at no costs to the County, as right-of-way for the proposed right turn lane, as shown on the County Conveyance Plan and Description, attached hereto ("The right of way"); and

WHEREAS, The Public Works Committee, having reviewed all pertinent information, recommends moving forward with the acceptance of the right-of-way; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors, hereby approves the acceptance of the right-of-way; and further

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes of the right-of-way conveyance; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Commissioner of Public Works, and the County Attorney.

RESOLUTION NO. 401-2019
AWARD OF CONTRACT FOR DESIGN SERVICES AND CONSTRUCTION
DOCUMENTS FOR REPAIR AND RECONSTRUCTION TO PORTIONS OF
212 SALTONSTALL TO SWBR ARCHITECTURE, ENGINEERS, AND
LANDSCAPE ARCHITECTURE, AND APPROPRIATE RESERVES
DEPARTMENT OF PUBLIC WORKS

WHEREAS, The County has identified the need to repair and reconstruct portions of the 212 Saltonstall Building; and

WHEREAS, SWBR has previously completed a building envelope assessment of the roof and wall conditions in accordance with Resolution No. 670-2016 and has

demonstrated a thorough understanding of the requested services necessary for the wall repair and wall reconstruction work required at the 212 Saltonstall buildings; and

WHEREAS, The Commissioner of Public Works solicited a proposal from SWBR for design services and construction documents for the wall repair and wall reconstruction work required at the Original Saltonstall Garage Structure, the 1964 Addition, and the Sheriff's Metal Storage Building; and

WHEREAS, SWBR has provided a proposal for these services for a cost not to exceed \$16,300; and

WHEREAS, The total cost is estimated to be \$17,930 which includes a 10% contingency of \$1,630; and

WHEREAS, The 2019 Capital Improvement Plan includes a budget of \$12,000 (B11-19) for design services for repair and reconstruction work at 212 Saltonstall; and

WHEREAS, There is sufficient funding in the 2019 Buildings and Grounds Capital Improvement Plan budget (A1620 9999 E 4031) to cover the shortfall of \$5,930; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with SWBR at a cost not to exceed \$16,300; and further

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

RESOLVED, That the contract shall commence on June 21, 2019 and will expire on December 27, 2019; and further

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

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

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

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

**RESOLUTION NO. 402-2019
AUTHORIZATION TO REJECT BID FOR
HVAC AIR FILTERS (B19048)
DEPARTMENT OF PUBLIC WORKS – BUILDINGS & GROUNDS**

WHEREAS, The Ontario County Purchasing Department issued bid B19048 for the purchase of HVAC Air Filters; and

WHEREAS, Only one bid was received for these items, Public Works believes it is the best interest of the county to reject this bid and revise the specifications and issue a new bid; now, therefore, be it

RESOLVED, That bid B19048 for HVAC Air Filters from American Environmental Systems, 420 South Riverside Avenue, Box 200, Croton on Hudson, New York 10520 be rejected; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to American Environmental Systems.

**RESOLUTION NO. 403-2019
RESOLUTION TO APPROVE SPECIAL USE APPLICATION FOR
FACILITY USE AT ONTARIO COUNTY GANNETT HILL PARK BY
SCOTT MAGEE FOR TWISTED BRANCH TRAIL RUN ULTRA MARATHON
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Scott Magee, Race Director, has made a Special Use Application to start the “Twisted Branch Trail Run Ultra Marathon” at Ontario County Gannett Hill Park on August 17th, 2019; and

WHEREAS, Under Section twenty eight (B) of the Park Law, the Commissioner of Public Works proposed regulations to issue Special Use Permits for certain activities that involve commercial type activities, like the one proposed by Scott Magee; and

WHEREAS, These regulations were reviewed by the Public Works and Government Operations Committee and approved by the Board of Supervisors by Resolution 556-2017; and

WHEREAS, A Special Use Application by Scott Magee was received and reviewed by the Commissioner of Public Works and is recommended to the Public Works Committee and Board of Supervisors that its permit be approved; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the application by Scott Magee, 1460 W. Bloomfield Rd., Honeoye Falls 14472 to hold the “Twisted Branch Trail Run Ultra Marathon” event at Ontario County Gannett Hill Park upon final review and approval by the County Attorney’s Office; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Scott Magee and Commissioner of Public Works.

The foregoing block of nine resolutions was adopted.

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

**RESOLUTION NO. 404-2019
TRANSFER OF FUNDS – ATI – 2019 COUNTY BUDGET**

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

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

RESOLVED, That the following transfers be made:

<u>2019 Budget</u>	FROM	TO	NET DIFFERENCE
Probation - Alternatives to Appropriated Reserve	A 5011 B 7180		+
Agency Contracts		A 3147 E 4530	+ 24,000.00 24,000.00

and further, be it

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.

**RESOLUTION NO. 405-2019
SALARY ADJUSTMENT – LESLEY A. DICK
OFFICE OF THE SHERIFF**

WHEREAS, Sheriff Kevin M. Henderson has requested a step adjustment for Ms. Lesley A. Dick, a Registered Professional Nurse from SP2, Step 1 (\$25.92/hr.) to Grade SP2, Step 4 (\$27.91/hr.) based on her years of experience in accordance with the Salary Guidelines for Nursing Post Licensure; and

WHEREAS, The Management Compensation Committee and the Ways and Means Committee has reviewed and recommends a step adjustment to Grade SP2, Step 4 (\$27.91/hr.) for Ms. Lesley A. Dick, effective upon her appointment; and

WHEREAS, Sufficient funds exist within the Office of Sheriff’s Budget to fund this step adjustment; now, therefore, be it

RESOLVED, That the salary for Ms. Lesley A. Dick, Registered Professional Nurse, be set at Grade SP2, Step 4 (\$27.91/hr.) effective upon her date of hire; and further

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

**RESOLUTION NO. 406-2019
RECLASSIFICATION OF POSITION
PHOTOCOPY MACHINE OPERATOR TO
PHOTOCOPY MACHINE OPERATOR II
FINGER LAKES COMMUNITY COLLEGE**

WHEREAS, Ms. Grace Loomis, Director of Human Resources, FLCC, has filed the necessary paperwork with the Department of Human Resources to reclassify a position of Photocopy Machine Operator currently held by Ms. Rachel Fairman to Photocopy Machine Operator II; and

WHEREAS, The Director of Human Resources has reclassified the position of Photocopy Machine Operator to Photocopy Machine Operator II by Personnel Officer Classification Certification No. 48-2019; and

WHEREAS, The Finger Lakes Community College has sufficient funds within their Budget to cover the cost of this reclassification; and

WHEREAS, The Management Compensation and Ways and Means Committee recommends the reclassification of a Photocopy Machine Operator position to a Photocopy Machine Operator II position; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby reclassify the position of Photocopy Machine Operator to Photocopy Machine Operator II; at the Finger Lakes Community College, effective upon adoption; and further

RESOLVED, That a certified copy of this resolution shall be sent by the Clerk of this Board to the Director of Human Resources at the Finger Lakes Community College.

**RESOLUTION NO. 407-2019
RECLASSIFYING AN ACCOUNT CLERK-TYPIST POSITION
TO A SENIOR ACCOUNT CLERK-TYPIST POSITION
FINGER LAKES COMMUNITY COLLEGE**

WHEREAS, Ms. Grace Loomis, Director of Human Resources, FLCC, has filed the necessary paperwork with the Department of Human Resources to reclassify a position of Account Clerk-Typist to Senior Account Clerk-Typist; and

WHEREAS, The Director of Human Resources has reclassified the position of Account Clerk-Typist to Senior Account Clerk-Typist by Personnel Officer Classification Certification No. 47-2019; and

WHEREAS, The Finger Lakes Community College has sufficient funds within their Budget to cover the cost of this reclassification; and

WHEREAS, The Management Compensation and the Ways and Means Committee recommends the reclassification of an Account Clerk-Typist position to a Senior Account Clerk-Typist position; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby reclassify the position of Account Clerk-Typist to Senior Account Clerk-Typist at the Finger Lakes Community College, effective upon adoption; and further

RESOLVED, That a certified copy of this resolution shall be sent by the Clerk of this Board to the Director of Human Resources at the Finger Lakes Community College.

**RESOLUTION NO. 408-2019
CREATION OF PARALEGAL SPECIALIST AND
ABOLISHMENT OF PARALEGAL SPECIALIST
OFFICE OF COUNTY ATTORNEY**

WHEREAS, Ms. Holly Adams, County Attorney, has filed a New Position Duties Statement with the Director of Human Resources for a position she would like to create; and

WHEREAS, The Director of Human Resources has classified a position of Paralegal Specialist by Personnel Officer Classification Certification No. 49-2019; and

WHEREAS, The Management Compensation Committee and the Ways and Means Committee has reviewed and recommends the creation of an Paralegal Specialist (SNE Band 11) and the abolishment of a Paralegal Specialist (SNE Band 11) position when the incumbent in such position retires in order to allow sufficient training; and

WHEREAS, Sufficient funding may not exist within the County Attorney's Budget to fund this position change and monies may need to be transferred as deemed appropriate by Finance; now, therefore, be it

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

- a. Creation of Paralegal Specialist (01305/#7) classified by POCC #49-2019, effective upon adoption;
- b. Abolishment of a position of Paralegal Specialist (01305/#4) originally created by POCC #192-86, upon the retirement of the incumbent; and
- c. Transfer of funds as deemed appropriate by Finance to the County Attorney's budget to accomplish the intent of this resolution; and further

**RESOLUTION NO. 409-2019
CREATION OF POSITIONS
CORRECTION OFFICER (DBL)
ONTARIO COUNTY OFFICE OF SHERIFF**

WHEREAS, Sheriff Kevin M. Henderson, has filed a New Position Duties Statement with the Director of Human Resources for two positions he would like to create temporarily during the disability of two Correction Officers in the Office of Sheriff; and

WHEREAS, Said positions have been classified as Correction Officer (DBL) by Personnel Officer Certification No. 51-2019; and

WHEREAS, The County Administrator and the Ways and Means Committee recommend the creation of these two positions; now, therefore, be it

RESOLVED, That two temporary, full-time positions of Correction Officer (DBL) (01261/#112 & 113) be created effective upon adoption for a period not to exceed 90 days; and further

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

**RESOLUTION NO. 410-2019
DISTRIBUTION TO 401a SAVINGS MATCH ACCOUNT
FOR SPECIFIC DESIGNATED EMPLOYEES**

WHEREAS, Ontario County has maintained the County of Ontario Savings Match Plan ("Plan") since 1-1-2006 for the benefit of eligible employees; and

WHEREAS, The Plan provides eligible employees with a match of their deferred compensation up to two percent of their gross earnings in a 401a savings account; and

WHEREAS, a recent internal audit exposed that two eligible employees that were hired at the time that the Plan was being offered to certain employees in the Sheriff's Office did not have an appropriate 401a account established in 2008; and

WHEREAS, The Finance Department has calculated the amount, which should have been deposited in the appropriate 401a accounts from the date of eligibility in 2008 through January 11, 2019 as approximately \$34,516.29; and

WHEREAS, The Sheriff's Office budget has sufficient funding to cover this expenditure; and

WHEREAS, The County, the Ontario County Sheriff, the Ontario County Police Benevolent Association, and the two affected employees have agreed upon the terms of Settlement Agreements and Releases concerning this matter, pending approval by the Board of Supervisors; and

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

RESOLVED, That the County Administrator is hereby authorized and directed to execute the Settlement Agreements and Releases for the two affected employees; and further

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the deposit of the 2% savings match into a 401a account for employee, Bart Castle, from the date of his eligibility in 2008 until the date that his 401a account was established on January 11, 2019, plus 3% compounded interest reflecting the declared interest rate of the General Account, for a total of \$17,151.69; and further

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the deposit of the 2% savings match into a 401a account for employee, Rebecca Edington, from the date of her eligibility in 2008 until the date that her 401a account was established on January 11, 2019, plus 3% compounded interest reflecting the declared interest rate of the General Account, for a total of \$17,364.60; and further

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

The foregoing block of seven resolutions was adopted.

UNFINISHED BUSINESS:

Supervisor Singer made the motion to call up Resolution No. 339-2019, entitled, "Application for a Research Development and Demonstration Permit to Operate and Organics Depackaging Operation at the Ontario County Landfill Establishing SEQR Lead Agency", Resolution No. 340-2019, entitled, "Application for a Research Development and Demonstration Permit to Operate an Organics Depackaging Operation at the Ontario County Landfill SEQR Negative Determination of Significance" and Resolution No. 341-2019, entitled, "Authorizing Casella Application to the NYSDEC for a Research Development and Demonstration Permit to Operate and Organics Depackaging Operation at the Ontario County Landfill"

RESOLUTION NO. 339-2019 APPLICATION FOR A RESEARCH DEVELOPMENT AND DEMONSTRATION PERMIT TO OPERATE AN ORGANICS DEPACKAGING OPERATION AT THE ONTARIO COUNTY LANDFILL ESTABLISHING SEQR LEAD AGENCY

WHEREAS, The County of Ontario (the County) owns a duly permitted Sanitary Landfill located in the Town of Seneca; and

WHEREAS, Resolution No. 464 – 2003 approved a contract with New England Waste Services of N.Y., Inc. (Casella Waste Management Systems, Inc.), hereinafter referred to as "Casella" to operate such landfill; and

WHEREAS, Casella requested authorization from Ontario County to make application to the NYSDEC for a permit to establish and operate, in an existing building at the landfill, a 12-month pilot project that will separate packaged food, beverages, and

other organic material from their packaging and send the separated material to offsite anaerobic digesters as described in a draft application dated January 25, 2019 (the Project); and

WHEREAS, The Project will provide information needed for consideration of a possible larger scale operation in the future, and

WHEREAS, Resolution No. 281-19 established the County's intent to serve as Lead Agency for environmental review of the Project pursuant to the implementing regulations of the NYS Environmental Quality Review Act (SEQR), and

WHEREAS, The only other involved agency (NYSDEC) has affirmed that they do not object to the County serving as Lead Agency, and

WHEREAS, The Planning and Environmental Quality Committee recommends approval of this resolution by the Board of Supervisors, and now, therefore, be it

RESOLVED, The County is hereby established as Lead Agency for SEQR review of the Project; and further

RESOLVED, Staff are hereby empowered and directed to complete all additional administrative actions necessary to effect the intent of this resolution.

RESOLUTION NO. 340-2019
APPLICATION FOR A RESEARCH DEVELOPMENT AND DEMONSTRATION
PERMIT TO OPERATE AN ORGANICS DEPACKAGING OPERATION
AT THE ONTARIO COUNTY LANDFILL
SEQR NEGATIVE DETERMINATION OF SIGNIFICANCE

WHEREAS, The County of Ontario (the County) owns a duly permitted Sanitary Landfill located in the Town of Seneca; and

WHEREAS, Resolution No. 464 – 2003 approved a contract with New England Waste Services of N.Y., Inc. (Casella Waste Management Systems, Inc.), hereinafter referred to as "Casella" to operate such landfill; and

WHEREAS, Casella requested authorization from Ontario County to make application to the NYSDEC for a permit to establish and operate, in an existing building at the landfill, a 12 month pilot project that will separate packaged food, beverages, and other organic material from their packaging and send the separated material to offsite anaerobic digesters as described in a draft application dated 1/25/19 (the Project);

WHEREAS, The Project will provide information needed for consideration of a possible larger scale operation in the future, and

WHEREAS The County has established itself as Lead Agency for environmental review of the Project pursuant to the implementing regulations of the NYS Environmental Quality Review Act (SEQR), and,

WHEREAS, A public hearing was duly advertised and held on May 30, 2019 to solicit input from the public on the Project, and

WHEREAS, County staff have completed a draft Parts 2 and 3 of the Environmental Assessment Form (EAF), and

WHEREAS, the Planning and Environmental Quality Committee has reviewed the draft EAF and recommends approval of this resolution by the Board of Supervisors, and now, therefore, be it

RESOLVED, The County as Lead Agency, has determined that the Project will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared, and further

RESOLVED, Staff are hereby empowered and directed to complete all additional administrative actions necessary to effect the intent of this resolution.

**RESOLUTION NO. 341-2019
AUTHORIZING CASELLA APPLICATION TO THE NYSDEC
FOR A RESEARCH DEVELOPMENT AND DEMONSTRATION PERMIT
TO OPERATE AN ORGANICS DEPACKAGING OPERATION
AT THE ONTARIO COUNTY LANDFILL**

WHEREAS, The County of Ontario (the County) owns a duly permitted Sanitary Landfill located in the Town of Seneca; and

WHEREAS, Resolution No. 464 – 2003 approved a contract with New England Waste Services of N.Y., Inc. (Casella Waste Management Systems, Inc.), hereinafter referred to as “Casella” to operate such landfill; and

WHEREAS, Casella is requesting authorization from Ontario County to make application to the NYSDEC for a permit to establish and operate, in an existing building at the landfill, a 12 month pilot project that will separate packaged food, beverages, and other organic material from their packaging and send the separated material to offsite anaerobic digesters as described in a draft application dated 1/25/19 (the Project);

WHEREAS, Recyclable packaging will be sent to the Material Recovery Facility onsite, and all other material not suitable for digestion or recycling will be placed in the landfill as solid waste, and

WHEREAS, On 2/15/19 the County authorized such application to the NYSDEC for a project permit (Resolution No. 85-2019), and

WHEREAS, At that time, the Project was treated as a Type II action and consequently, review pursuant to the implementing regulations of the NYS Environmental Quality Review Act (SEQR) was not completed,

WHEREAS, After their review of the submitted application, the NYSDEC requested that the action be treated as an Unlisted Action and that a coordinated SEQR review be completed, and

WHEREAS, After completion of SEQR review, re-authorization of the application to the DEC is needed, and

WHEREAS, The County has completed SEQR review and determined that the Project will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared, and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this resolution and recommends it be approved by the Board of Supervisors; now, therefore, be it

RESOLVED, Casella is hereby authorized to make application to the NYSDEC for consideration and possible approval of the Project, and further

RESOLVED, That County staff is hereby authorized to work with Casella to complete all additional administrative actions necessary to effect the intent of this resolution.

Supervisor Vedora made the motion to table Resolution No. 339-2019, Resolution No. 340-2019, and Resolution 341-2019, seconded by Supervisor Venuti.

Supervisor Singer noted the information she emailed to the Board members the previous day. She addressed the comments made during privilege of the floor and noted there were significant inaccuracies in some of the information that had been conveyed. She then allowed Carla Jordan to address some of the issues and answer questions that the Board members may have. Jim Snyder, Casella Recycling Plant Manager was also available to answer questions. Ms. Jordan explained the project under the resolutions, noting it is a 10,000 ton, 12 month project. She noted if there is any desire to do anything after the 12 month project, it will require an entirely separate permitting, application, and SEQR review process outside of what is being voted on today. She addressed the comments about the Cayuga digester and the articles in the Finger Lakes Times that have been inaccurate. Ms. Jordan clarified that the facility is not owned by Casella, they have no ownership in that facility, and they do not operate that facility. The violations that were specifically referenced earlier about the facility do not pertain to any fault by Casella. She confirmed with the DEC that Casella was not cited for any of those violations mentioned during earlier discussion.

Ms. Jordan went on to say the goal of the project is to keep organics out of the landfill. This is in line with the County's Local Solid Waste Management plan which outlines numerous objectives including keeping organics out of the landfill and managing organics in a different way. The project will take the material, some of which is coming to the landfill now and some of which is not, and separate the organic food waste component from the packaging. It will allow for the recovery of the plastic or metal. The organics would be collected in a slurry form and be sent offsite for processing. When the project initially came before the committee, there were some concerns relative to odor

and noise. She said the department staff went and saw the specific unit in action to observe whether there was odor and noise.

Supervisor Menikotz inquired on the smell that was observed during the staff's visit to the facility that uses the unit. Ms. Jordan said the unit was contained within a building, noting that when a container is broken open, there is an odor standing right next to it. No odor or noise was observed outside the building.

Supervisor Gallahan inquired what the anticipated increase of truck traffic would be and if the agreement passes, is there an out if the project is not working. Ms. Jordan replied the increase in truck traffic would be approximately 3-4 vehicles per day. They anticipate 2 in and 1-2 leaving with the organic slurry per day. As far as getting out of an agreement, she would need to speak with the DEC. She said that as long as they are in compliance with the conditions of the permit they are operating under, she does not know that they would have to stop. The option would be to ask them to stop if the County had an issue with it. They will be regulated under the DEC through the permit.

Supervisor Guard asked if she had a sense of the impact on odors with the trucking the slurry. Ms. Jordan deferred to Mr. Snyder with him replying the slurry is in tanker trucks that are fully enclosed so there would be not odor with the trucks.

Supervisor Wille inquired if the services were just Ontario County. Mr. Snyder said it would be Ontario County and the surrounding counties. Supervisor Wille then asked what percentage would be Ontario County. Mr. Snyder replied with an estimation of 30-45%, much of the remaining percentage is already coming to the landfill. He said there is a radius set up with the DEC.

Supervisor Russell asked where the material goes once gone through the digester. Mr. Snyder replied the organics is processed into energy.

Supervisor Menikotz confirmed with Mr. Snyder that the material that is recyclable goes to the recycling center and whatever residual packaging material is left does go into the landfill.

Supervisor Wickham asked what percentage of the 10K tons permitted is organic material and what percentage is recyclable material. Mr. Snyder replied it depends on the type of product inside the container. Some containers could have 70% organics and 30% recyclables or a turnaround of 30% organics and 70% recyclables.

Supervisor Vedora noted that the landfill can take up to 2,999 tons per day of waste and there would be an additional 10K tons added. His concern is that the residents do not want other people's trash from other areas. Ms. Jordan clarified that the 10K tons per day is inclusive of the 2,999 tons per day which is the landfills permitted capacity. She said the organics will be shipped off site to digesters; the recycling will be processed as much as possible. Whatever the residual is that cannot be recovered as organic or recyclable will go to the landfill. If it goes to the landfill, it will count against the 2,999 tons per day. It will not allow Casella to take any more than what they are already permitted to take. She said that all this permit allows them to do is to separate organics from recyclables inside the recycling building.

Supervisor Russell asked if the material accepted would be packaged food or fresh food as well. Mr. Snyder said everything would be packaged material. Mr. Snyder gave a brief explanation on how the machine works.

Supervisor Campbell asked if a long term project were to result from the short term research and development project, would there be terms that could be set. Ms. Jordan stated that if the project proved successful, then if it is a concern it can be addressed with the Board at that point in time.

Supervisor Vedora said this is a new revenue stream and questioned "where is our cut?" Supervisor Singer replied that if it becomes an ongoing thing then negotiations and

a contract would have to be set up if it were to continue; this is just research and development to see if it works and how it works. She said that everyone generates waste and it has to go somewhere. This is something that will reduce a lot of that “smelly” stuff that when it decomposes in the landfill causes the odor. It will not get that opportunity to do that. It will be taken out of the landfill and will produce energy; another thing they are trying to do, to produce green energy and get away from fossil fuels. This is creating a circle of reusing everything out of the packaged organics. If people are opposing, then she would like to hear their suggestions.

Supervisor Bendzlowicz commented that this process is as close to getting to zero waste as you can get. He requested that Ms. Jordan, in the interest of transparency, if possible, address the inaccuracies on the Board of Supervisor’s website or in an article in the future.

Supervisor Guard asked what the status of the odor was and what month we are in regarding Casella’s commitments to reducing the sludge intake.

Supervisor Singer made the motion, seconded by Supervisor Baker, to put to question.

Chair Marren called for a roll call vote on the motion to put to question.

A two-thirds majority roll call vote resulted as follows:

Ayes: 3053	Supervisors Green, Singer, Menikotz, Russell, Wille, Ingalsbe, Bendzlowicz, Bateman, Gallahan, Wickham, Marshall, Marren, and Campbell
Noes: 978	Supervisors Baker, Venuti, Vedora, Guard, Hicks, and Sauer
Absent: 465	Supervisors Lightfoote and Teed

The motion to put to question passed with more than the required 2,998 weighted votes necessary.

Chair Marren called for a roll call vote on the motion to table Resolution No. 339-2019, Resolution No. 340-2019, and Resolution No. 341-2019.

A simple majority roll call vote resulted as follows:

Ayes: 801	Supervisors Guard, Hicks, Venuti, Wille, and Vedora
Noes: 3216	Supervisors Singer, Bateman, Wickham, Marshall, Marren, Campbell, Green, Menikotz, Baker, Russell, Ingalsbe, Bendzlowicz, Gallahan, and Sauer
Absent: 479	Supervisors Lightfoote and Teed

The motion to table Resolution No’s 339-2019, 340-2019, and 341-2019 was defeated as there were not the required 2,249 weighted votes necessary.

Supervisor Singer offered the block of Resolution No’s 339-2019, 340-2019, and 341-2019.

Supervisor Venuti objected to blocking Resolution No. 341-2019.

Supervisor Singer offered Resolution Nos. 339-2019 and 340-2019 as a block.

Supervisor Baker requested the answer to the question posed; what the status of the odor was and what month we are in regarding Casella's commitments to reducing the sludge intake.

Ms. Jordan said they are three months into the commitment they have made. Additional discussion ensued.

Motion carried, with Supervisor Guard, Wille and Vedora voting no.

Supervisor Singer offered Resolution No. 341-2019.

Supervisor Venuti said he was voting no on Resolution No. 341-2019. He noted the odor report and the list of items that need to be done. He said the landfill is not being operated properly. When it first came to the committee he voted to pass it, but has recently changed his mind. He looks at this as an unnecessary diversion to Casella.

Supervisor Singer clarified that the depackaging staff would be run by the recycling staff and not by the landfill operations staff.

Additional discussion ensued by Supervisor Menikotz, Supervisor Venuti, Supervisor Vedora, and Ms. Jordan.

Motion carried with Supervisor Guard, Wille, Vedora, and Venuti voting no.

On motion of Supervisor Singer, seconded by Supervisor Wickham, the meeting was adjourned at 7:56 PM.