

August 2, 2018

A Public Hearing concerning Local Law No. 5 (Intro.) of 2018 entitled "A Local Law to Raise the Legal Age of the Sale of Tobacco Products in Ontario County to 21 Years of Age" was held at the Ontario County Safety Training Facility, 2914 County Road 48 in the Town of Hopewell, it was called to order at 6:30 p.m. with Vice Chairman Green presiding.

A presentation on Tobacco 21 was given by Mary Beer, Director of Ontario County Public Health. She gave a brief personal history of how she began to smoke at a young age and her addiction for twenty years. She explained that Tobacco 21 is a national campaign to raise the minimum legal age for purchasing nicotine products including cigarettes, vaping devices, smokeless tobacco and cigars. Ms. Beer presented information within Ontario County regarding the number of deaths due to smoking, the rate of adults smoking comparable to NYS and the socioeconomics. She reported there is 50% increase in youth that are vaping and believe the younger population is being targeted. She reported that 95% of current adult smokers began before the age of 21 most of which began before the age of 16, explaining that this is a primary reason for raising the age. She stated that the youth are targeted more readily due to the area of the brain that controls judgement is still developing to maturity, noting that the brain is not fully developed until the age of 25. She stated that the tobacco companies know that if they don't capture new users by their early 20's it's unlikely that they ever will. She reported other communities have seen a decrease in young adult smoking with the Tobacco 21. She stated that Tobacco 21 is favored by over 70% of the population. Ms. Beer noted that Governor Cuomo has announced he will recommend legalizing recreational marijuana in 2019, and there is speculation that the legal purchasing age will go hand in hand with the legal purchasing age of smoking.

Randy Ott a teacher from Red Jacket High School in Shortsville read a letter on behalf of a former student, Ian W. Krager. Ian Krager wrote in support of the proposed local law. In Mr. Krager's letter, he explained he was an 18 year old resident of Manchester and a recent graduate of Red Jacket. He noted how Ontario County is a proven leader in the Finger Lakes Region, and to continue to be a leader, Ontario County needs to be sure the community remains safe. He noted the statistics of death in the United States due to smoking and the deaths due to second hand smoke exposure. He noted that 95% of smokers begin smoking before the age of 21. Nicotine is highly addictive and the tobacco companies are known to target kids and teens with advertisements. He believes raising the age will help to keep tobacco out of the hands of high schoolers.

Vern Tenney, Canandaigua resident and Principal of Canandaigua Academy, spoke in support of the proposed local law. He stated that e-cigarettes are not for people to quit other habits. They tempt kids with enticing flavors such as cotton candy, gummy bear, bubble gum, crème brulee and many others. He explained that the less than one inch pod used in the e-cigarettes contain as much nicotine as a whole pack of cigarettes; noting that kids are smoking a pod at a time. The e-cigarette violations in school are highest among any other violation in schools. He was grateful for a survey done recently by Ontario County prompting a question what can we do to prevent the smoking of e-cigarettes. Students are asking why they are available to peers. There are Surgeon General Warnings on cigarettes, but none on the e-cigarettes; however there are chemicals inside and in the hands of kids. He stated the best preventative measure to keep children safe is not to start or allow using them at all.

Doug Galli, Vice President and General Manager of Reid Stores, Inc. doing business as Crosby's Convenient Stores spoke in opposition to the proposed local law. Mr. Galli stated

they operate 84 retail stores throughout NY and PA and are a third generation family owned business founded in 1922 noting their company is a responsible retailer. They work diligently to keep all age restricted products out of the hands of minors. He explained a number of methods they use to enforce this including NYS sanctioned training prior to any associate running the POS systems, having to re-certify every three years. They have five locations in Ontario County and have invested heavily in these locations. The change of age of purchasing tobacco will negatively impact the sales in these locations. Any impact to sales will directly impact the employees at store level and residents of Ontario County. He asked the Board to weigh all the sides of the issue before making a decision that could negatively impact the residents of Ontario County.

Julie Hart, Government Relations Director for the American Cancer Society, spoke in support of the proposed local law. Ms. Hart stated that Tobacco 21 works; she acknowledges that this will not eliminate the use of tobacco in young people but it will significantly reduce tobacco use. She acknowledged that retailers are responsible; the main problem is kids get their tobacco through social sources. She said it is far less likely that a 16 year old would get tobacco from a 21 year old rather than an 18 year old. This would help those kids by reducing the social source and availability. She stated the bottom line is this is a public health measure and this would protect those kids who haven't picked up their first tobacco product. She stated it will help public health and there is a financial benefit as well; costs of smoking in NYS is over \$10 billion in health care costs. \$6.6 billion of that are Medicaid costs.

Matt Frahm, Superintendent of Naples Central School District spoke in support of the proposed local law. Mr. Frahm echoed what Mr. Tenney said; more and more they are dealing with issues of vaping in their schools. They had Patrea Rae from the Partnership for Ontario come to do an in-service with their teachers. She came in with an article from a paper that talked about a vaping company that had come out with a scholarship for kids; in order to win, you had to write an essay on why vaping was better than tobacco. Mr. Frahm stated there are companies that are directly targeting the kids, and the schools have the task of keeping them healthy and not engaging in risky behavior. He encourages thinking about the role as a Board in decision making; he is reminded of Martin Luther King's quote, "the time is always right to do what's right". As we think about passing laws and policies, to make sure they align with our values. We talk about healthy communities and health care and trying to save money. It won't fix the issue, but it would be a step in the right direction. He asks that the Board give the local School Districts and communities support.

Dr. Shaili Saini, a burn plastic surgeon by trade but is now with Preventive Medicine Residency from the University of Rochester in the public health department spoke in support of the proposed local law. She was asked to speak regarding the brain development of teens and adolescents and the introduction of nicotine into their systems. She stated "as humans, we grow until the age of 21, after 21 we don't grow up, we grow out. Between the ages of 12-18 we are the most sensitive and susceptible to the environment around us. Biologically we are all born with nicotinic receptors in our brain. However when nicotine is introduced at such a young age these receptors are happy, fulfilled and multiply at an alarming rate, greatly increasing the chances of nicotine addiction within this age group, making it difficult to quit and making them lifelong smokers. Studies have shown fewer people begin smoking after the age of twenty-one. They are generally not addicted and have higher quit rates. It is because of this biological effect on the 12-18 year old age group is why tobacco companies specifically target teens and adolescents. They spend \$8.9 billion a year on marketing strategies because they want young people to become addicted to their products and continue to be lifelong smokers. This is dollar signs to their companies, their ultimate revenue. As the

uses of traditional cigarettes have gone down among this age group, the use of e-cigarettes, more particularly juul devices have increased. It is the hottest new trend on the market, it is shaped like a USB stick, is activated by a pod that has concentrated nicotine salts and is equivalent to smoking 20 cigarettes at the same time. There is no vapor, order and is easy to conceal.” Dr. Saini stated that the U of R did testing on the flavors such as vanilla and cinnamon; they found the flavorings themselves carry 75 toxic chemicals which are all carcinogenic.

Penny Gugino, with the American Lung Association spoke in support of the proposed local law. Ms. Gugino shared her personal story. She said that over 28,000 New Yorkers die every year as a result of smoking. In 2007 her mother lost her life to tobacco. To her family and to the other 28 thousand families that year, the pain from the senseless loss of life as a result of a heavily marketed legal product is still very much alive. Her mother started smoking at the age of 13 and she started at the age of 12, not realizing it would become a 20 year addiction. It resulted in skipping out of school or smoking on school grounds just to get a fix. This resulted in suspension. This is very similar experience to a young person today with the e-cigarettes. She stated nicotine is addictive, whether a cigarette or cigar or liquid flavor products. There are plenty of studies on the development of adolescent brains from the ages of 10-24. Adolescents are more vulnerable to nicotine, alcohol and drug addiction due to the regions of the brain that is responsible for impulse and motivation not being fully developed yet. Preventing the introduction of nicotine during the adolescent brain development period is imperative to supporting healthy growth and development in the youth.

Jim Calvin, President of the New York Association of Convenience Stores spoke in opposition to the proposed local law. Mr. Calvin asked the Board at a county level, how many times have they had to vote on legislation that would knowingly take business away from the local businesses that are dependently enforcing the law that is being asked to amend. He noted that all discussions that have been mentioned prior are valid points, but he questions “Will it work, is it the right solution?” He stated the problem isn’t that kids are buying from retail stores. The compliance rate with retailers in Ontario County from undercover health department inspections are nearly 100%. The problem is that 15 year olds are clever enough to circumvent the purchase age and get cigarettes from older relatives and friends, many who are 18-20 years old. Yet this proposed solution assumes 18-20 year olds are too senseless to figure out ways to thwart the purchase age themselves so they can’t supply younger kids. Six adjacent counties are at the age of 18. How easy is it to get cheap tax free cigarettes from the reservation in an adjacent county; where there is no health department monitoring? Mr. Calvin noted, more importantly, these young adults can easily develop social sources of their own, giving examples of older relatives and friends who smoke; an uncle, a neighbor, mom’s purse, and so on. Mr. Calvin asked, “Will Tobacco 21 work?” He stated in 2014, New York City went to age 21. Last month, the American Journal of Public Health published a study by a Professor at NYU College of Global Public Health examining the impact. It concluded the NYC youth smoking rate did not drop any farther or any faster than in areas where the purchase age remained at 18. He believes the chain of supply will be unbroken. He stated if it would work, most of their convenient store retailer members would sacrifice whatever tobacco sales they had to 18 to 20 year olds. He believes, regrettably it won’t work. The goal is right and they share the same goal, but the solution is wrong. Mr. Calvin pointed out, that the life and death behavior we all condemn, underage smoking, has not even been outlawed in Ontario County. He said, wouldn’t it be a shame to say to the local retailers who are defending the front lines against youth access to tobacco “Great job guys, but we are going to have to penalize you because we hope, we guess, we assume that a higher purchase age

might somehow, miraculously stop some small percentage of younger teen smokers from getting tobacco from sources other than your local stores.”

Caitlin O’Brien, Government Relations Director for the American Heart Association spoke in support of the proposed local law. Ms. O’Brien reminded the Board that the use of tobacco remains the leading preventable cause of heart disease and stroke which are the nation’s number 1 and number 5 causes of mortality. She stated that Tobacco 21 will work; she knows it will be successful. Ninety-six percent of smokers report they started before the age of 21. She said if a person can make it to the age of 21 without starting then the chances of them starting drops to only 2%. She addressed the concern that Tobacco 21 is going to harm business. She believes this is not true. Tobacco sales for the ages of 18-21 roughly accounts for 2 % of sales. She said that the sky is not going to fall, noting that 75% of NYS residents are already covered by the Tobacco 21 Law. Also, stating that when they raised the age of alcohol to 21, the sky did not fall. She said some would argue the military exemption where if you are old enough to fight for your country then you should be old enough to smoke. Her answer to that is smoking is not a right or a privilege; it’s a social burden and a deadly addiction. She said that the military themselves do not support smoking and they know it is bad for military preparedness. Out of all Tobacco 21 Laws, not one includes a military exemption. Ms. O’Brien provided a copy of a memorandum written in 2014 from the Assistant Secretary of Defense (Health Affairs) regarding reducing tobacco use in the Armed Forces and the Department of Defense. She said kids are going to get these cigarettes, but it is one step, one more way to prevent tobacco products from getting into their hands. She stated when you raise the age you can ultimately prevent their addiction.

Dawn Bartholomew, a resident of Canandaigua asked if a question could be asked. Vice Chairman Green replied, normally a question is not to be asked in a public hearing, but would allow it, due to the importance of the issue. Ms. Bartholomew spoke in opposition to the proposed law. Ms. Bartholomew asked who is going to enforce the proposed law if it becomes a law. She stated she came to the Public Hearing because it upset her to see this public hearing in the paper. She went on to explain why; “there are more important fish to fry”. Is cigarette addiction a bad thing? Yes. Do people quite often live to be a ripe old age before it hits? Yes. Are we losing young people by droves to drug addiction? Yes. I don’t want to hear that it is going to be the Police or the Sheriff or anybody that have to become preoccupied chasing kids that light up a cigarette. I want them chasing drug dealers, the ones that are killing the young people before nicotine even has a foothold on them. Kids pick up a cigarette, and they decide, I like it or I don’t like it. They put a needle in there arm, they might not even get the decision, but the one thing they will get is that I want to do it again. That first cigarette you have...coughing, that first drug you have, euphoric high. What’s our biggest threat? It’s drugs. Is nicotine a drug? Yes, but please don’t put our Police Officers in a position where they need to preoccupy their time in correcting something that should be corrected by parents or should be corrected by the schools. She would like to hear from the schools; what’s the punishment if you light up? It can’t be too much or they wouldn’t be doing it over and over again. We don’t come down on our kids hard enough, we don’t teach; we keep saying kids are different today. They’re not different, we’re different. We stop teaching and they can’t learn if we don’t teach.”

Supervisor Willie noted prior to becoming a county legislator and a Town Supervisor, he was in public education for 40 plus years. He worked with students in elementary, middle, high school and also taught graduate school. He said there is no more honorable profession than to be able to interact with kids and the faculty and staff on a daily basis. He stated he is honored to be on the Health and Human Services Committee. When the proposed local law

was brought to committee, there was a complete discussion and debate among the six supervisors that sit on the Health and Human Services Committee. He noted he was the last to speak and tried to provide perspective on the issues brought up. Afterwards, a poll was done and it was six nothing in favor of the proposed law. Then it came to the Board of Supervisors meeting and he spoke more at length reminding the Board that he did trace the history in the State of New York public schools beginning in the late 1950's to the mid 2000's and its evolvement in its thinking and its relevance in terms of providing good information to students developmentally appropriate from kindergarten to graduation. Since the discussion, he has reflected personally and has had discussion with his family explaining his wife also taught K-12 and was a higher education professional, working with returning adults, training them for jobs. One non-curricular, people who were getting a second chance wishing they had someone to tell them or prevent them from smoking that led to multiple problems. He had the opportunity to speak with hundreds of kids through the years to speak informally; they want direction, structure, expectations and reasonableness. Educators come at it differently. He implores his fellow legislators to dig deep, to see this as a pivotal moment when it comes time to vote.

As no one else wished to speak, the Public Hearing was closed at 7:26 p.m.

The regular meeting of the Ontario County Board of Supervisors was called to order at 7:26 p.m. at the Ontario County Safety Training Facility, 2914 County Road 48 in the Town of Hopewell, with Chairman Marren presiding.

The Pledge of Allegiance was led by Supervisor Marshall.

Upon roll call, all Members of the Board were present with the exception of Supervisors Westbrook, Guard, Hicks and Marren who was declared necessarily absent.

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

Supervisor Singer was allowed privilege of the floor to share with the Board that on August 1st, County Administrator Mary Krause, Supervisor Todd Campbell, Supervisor Rich Russell who is on the Board of Trustees and herself participated with FLCC as part of their strategic planning and team building event. She remarked that she was very impressed with the progress and the information from the round table discussions and most importantly with the two trustees most recently appointed. She believes the partnership between the County and FLCC is on a very good path.

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

Copies received of minutes of meetings held as follows:

- a. Health and Human Services Committee held on July 2, 2018
- b. Public Works Committee held on July 2, 2018
- c. The Administrative Board for the Flint Creek Small Watershed Protection District held on July 11, 2018
- d. Public Safety Committee held on July 25, 2018

The Clerk received 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 under the Trade Adjustment Assistance Program (TAA) from Karen A. Coleman, Deputy Commissioner of Workforce Development, NYS Department of Labor.

The Clerk received Resolution No. 57 of 2018 entitled “Request for funding for Implementation of Honeoye Lake HABS Action Plan” from the Town of Canadice.

The Clerk received a Notice of intent to retire from County Attorney Gary Curtiss.

The Clerk received a letter regarding 2nd Quarter-2018 Sales Tax Distribution from Mary M. Burnett, Manager of Audit and Financial Projects, Ontario County Department of Finance.

The Clerk received a letter regarding Manchester Rail Yard Master Site Redevelopment plan from Mike Manikowski, Director of Ontario County Office of Economic Development.

The Clerk received an electronic letter of opposition regarding the proposal to raise the tobacco age of purchase in Ontario County from John J. Boltz, John J. Boltz Consulting.

The Clerk received an electronic letter regarding Tobacco 21 questions from Jim Calvin, President, New York Association of Convenience Stores.

The Clerk received a letter of support to the proposal of a county ordinance that increases the legal minimum age for sale of all tobacco and nicotine products to 21 years of age from Jose Acevedo, President & CEO, Finger Lakes Health.

The Clerk received a notification of upcoming road closures that may affect Ontario County projects from Zachary Cracknell, Deputy Superintendent, Livingston County Highway Department.

The Clerk received the Summer 2018 Lake Report from Canandaigua Lake Watershed Association.

The Clerk received the Benchmark Report for Ontario County, NY MSIP 01/01/2013-12/31/2017 from Midwest Employers Casualty.

The Clerk received the Ontario County Workers Compensation Actuarial Report Estimated Required Reserves as of 12/31/2017 from By the Numbers Actuarial Consulting, Inc.

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

**RESOLUTION NO. 458-2018
MOBILE DEVICE POLICY AND PROCEDURE**

WHEREAS, Pursuant to resolution number (“Res. No.”) 19-2011, this Board of Supervisors established a Cellular Telephone Policy in January of 2011 (RES 19-2011); and

WHEREAS, the policy adopted in 2011 was reviewed and renamed to the Mobile Device Policy and Procedure by Res. No. 111-2013 (the “Mobile Device Policy”); and

WHEREAS, mobile device technology and compliance requirements continue to evolve; and

WHEREAS, the Mobile Device Policy was reviewed in 2018 by the County Attorney, Information Services, and Department of Social Services; and

WHEREAS, it was determined that modifications to the Mobile Device Policy were necessary; and

WHEREAS, the Governmental Operations and Insurance Committee has reviewed the Mobile Device Policy with incorporated modifications (the “Updated Mobile Device Policy”) and recommend its adoption; now, therefore, be it

RESOLVED, upon review and approval by the County Attorney, that this Board does hereby approve the Updated Mobile Device Policy attached hereto and filed with the Clerk of the Board; and further

RESOLVED, that the Updated Mobile Device 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 and to all County department heads.

**RESOLUTION NO. 459-2018
AUTHORIZING ENVIRONMENTAL SAMPLING
AGREEMENT WITH VERIZON WIRELESS
CHESHIRE TOWER SITE**

WHEREAS, The County of Ontario (the “County”) owns real property located at 5480 Cramer Road, Canandaigua, New York (the “Property”); and

WHEREAS, The County also owns a communication tower located on the Property which supports its emergency radio communications system (the “Tower”); and

WHEREAS, The County has previously leased available space on the Tower to third party wireless communication companies; and

WHEREAS, Verizon Wireless has contacted the County regarding their interest in leasing vertical tower space and ground space at the Tower; and

WHEREAS, In order to estimate construction costs and usability of the site, Verizon Wireless would like to enter the Property to conduct non-damaging, non-intrusive, lead sampling due to the Town of Canandaigua’s water tank also being located on the Property; and

WHEREAS, The Governmental Operations and Insurance and Public Safety Committees have reviewed and recommend approval of this resolution; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the County Administrator be, and hereby is, authorized and empowered to sign an Environmental Sampling Agreement indicating the County's consent to site access for the purpose of non-damaging, non-intrusive lead sampling at the Cramer Road Site; and further

RESOLVED, That this resolution shall take effect immediately.

**RESOLUTION NO. 460-2018
AUTHORIZATION TO CONTRACT WITH NCA COMP, INC.,
AS THE THIRD PARTY ADMINISTRATOR TO
THE ONTARIO COUNTY MUTUAL SELF-INSURANCE PLAN FOR
WORKERS COMPENSATION - JANUARY 1, 2019 TO DECEMBER 31, 2019**

WHEREAS, Ontario County seeks to retain the professional services of a firm to act as third party administrator for the Ontario County Mutual Self-Insurance Plan for Workers' Compensation; and

WHEREAS, Ontario County issued a Request for Proposals (R18045) for these services in March 2018; and

WHEREAS, Proposals were reviewed and finalist NCA Comp, Inc. was interviewed by the County Administrator, Director of Human Resources, Deputy Director of Human Resources, and Risk Manager; and

WHEREAS, NCA Comp, Inc. has demonstrated the ability to provide services satisfactory to the County; and

WHEREAS, The Government Operations and Insurance Committee recommends that the County enter into an agreement with NCA Comp, Inc. for the aforementioned services now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves contract with NCA Comp, Inc., 14 Lafayette Square, Buffalo, New York 14203 as the third-party administrator to the Ontario County Mutual Self-Insurance Plan for Workers' Compensation for a term of January 1, 2019 – December 31, 2019 (the "Initial Period"), with up to two one-year automatic renewals; and further

RESOLVED, That the cost for the Initial Period shall not exceed \$75,000, plus applicable incidental charges incurred for requested/required services; and further

RESOLVED, That the cost of the first automatic renewal shall not exceed the fees for the Initial Period and the cost of the second automatic renewal shall not exceed a base fee of \$77,250 per year for Workers Compensation plus incidental charges for requested/required services; and further

RESOLVED, That 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 by the Clerk of this Board to NCA Comp. Inc.

**RESOLUTION NO. 461-2018
AUTHORIZATION FOR ASSIGNMENT OF CONTRACT WITH
KEY INSURANCE AND BENEFIT SOLUTIONS, INC. FOR
WORKERS' COMPENSATION AND DISABILITY
THIRD PARTY ADMINISTRATION SERVICES
TO USI INSURANCE SERVICES, INC.**

WHEREAS, Resolution No. 362-2017 authorized a contract with Key Insurance and Benefit Solutions, Inc. as third-party administrator of the Ontario County Mutual Self-Insurance Plan and the Ontario County Self-Insured Disability Program for the term January 1, 2018, through December 31, 2018; and

WHEREAS, Key Insurance and Benefit Solutions, Inc. has requested to assign all of its rights, duties, and obligations under the agreement for third-party administration services as of May 4, 2018 to USI Insurance Services, Inc.; and

WHEREAS, USI Insurance Services, Inc. has agreed to comply with all of Key Insurance and Benefit Solutions, Inc.'s duties and obligations and work cooperatively with Key Insurance and Benefit Solutions Inc. for a seamless transition of information; and

WHEREAS, The Government Operations and Insurance Committee has reviewed and recommends the Board consent to an assignment from Key Insurance and Benefit Solutions, Inc. to USI Insurance Services Inc., subject to the same terms and conditions set forth in the Agreement with Key Insurance and Benefit Solutions, Inc.; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby authorize the Assignment to USI Insurance Services, Inc. to provide the aforementioned services, effective May 4, 2018 and expiring December 31, 2018; and further

RESOLVED, That upon approval of the County Attorney's Office, the County Administrator shall be authorized to sign any documents necessary to effectuate the Assignment.

The foregoing block of four resolutions was adopted.

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

RESOLUTION NO. 462-2018

**AUTHORIZATION TO APPLY FOR AND ACCEPT FUNDS
FOR THE NY CONNECTS PROGRAM 2018 – 2019**

WHEREAS, The Office for the Aging is required by the New York State Office for the Aging to submit an application to continue the NY Connects Expansion and Enhancement Program in the amount of Two Hundred Sixty Seven Thousand Five Hundred Twenty Three dollars (\$267, 523) for the period April 1, 2018 through March 31, 2019; and

WHEREAS, There is no county match required to receive this funding; and

WHEREAS, NY Connects complies with federal statute creating Aging and Disability Resource Centers (ADRCs) as prescribed by the 2006 Reauthorization of the Older Americans Act and is statutorily mandated through the New York State Elder Law §203(8); and

WHEREAS, NY Connects is an essential component of the State's efforts to rebalance the long term services and supports (LTSS) system so that people can live independently and remain living in the community; and

WHEREAS, The Office for the Aging agrees to provide information and assistance and person-centered counseling; 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 approve of the application and acceptance of funds for the NY Connects Expansion and Enhancement Program in the amount of \$267,523 for the period April 1, 2018 through March 31, 2019; and further

RESOLVED, That the County Administrator is hereby authorized and directed to sign said application.

**RESOLUTION NO. 463-2018
AUTHORIZATION TO APPLY FOR AND ACCEPT FUNDS FOR
THE AGING MASTERY PROGRAM
OFFICE FOR THE AGING 2018**

WHEREAS, The Ontario County Office for the Aging has been invited by the New York State Office for the Aging (NYSOFA) to submit an application to implement the Aging Mastery Program (AMP) developed by the National Council on Aging (NCOA) in the amount of \$5,300; and

WHEREAS, The Office for the Aging desires to apply for and implement the program in Ontario County; and

WHEREAS, As part of the Governor's reforms to the state grant process this grant is administered as a purchase order; and

WHEREAS, The County is asked to sign a State of New York Letter of Agreement and a certification attesting to understanding and abiding by all requirements; and

WHEREAS, The Health and Human Services Committee has reviewed this request and has approved 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 approve signing the Agreement with the NYSOFA for the period May 1, 2018 – April 30, 2019, and further

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

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

**RESOLUTION NO. 464-2018
AMENDMENT TO RESOLUTION NO. 289-2018
OFFICE FOR THE AGING AND
HOMEMAKERS OF THE GENESEE, DBA CAREGIVERS**

WHEREAS, on April 1, 2018, the County entered into an agreement pursuant to Resolution Number 289-2018 with Homemakers of the Genesee, DBA Caregivers, having an office at 2465 Sheridan Drive, P.O. 1264, Buffalo, New York 14240 to provide Personal Care Level I and Level II services for the EISEP program; and

WHEREAS, The County desires to expand the services of this contract to include the provision of errands, shopping or transportation that requires the Personal Care Aide to use their own car and gasoline; and

WHEREAS, In consideration of the additional services to be rendered by the Contractor, Contractor shall be paid \$ 0.48 per mile for travel authorized by the Office for the Aging as described in Schedule "A"; and

WHEREAS, The County contracts with multiple providers to meet the needs of EISEP clients and Homemakers of the Genesee is one of those providers. Reimbursement for all EISEP providers will not exceed \$395,000 for the contract year; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize an amendment of the contract with Homemakers of the Genesee, DBA Caregivers to include the reimbursement of travel authorized by the Office for the Aging at \$ 0.48 per mile; 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 the Homemakers of the Genesee, DBA Caregivers.

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 465-2018
AMENDMENT TO RESOLUTION NO. 290-2018
PLANNED PARENTHOOD OF CENTRAL AND WESTERN NEW YORK**

WHEREAS, Resolution 290-2018 authorized an agreement with Planned Parenthood of Western and Central New York for the provision of services for Public Health Department programs for the term of January 1, 2018, through December 31, 2019; and

WHEREAS, It is now necessary to amend the scope of services, adding services for reimbursement to Schedule "A" of the agreement; and

WHEREAS, The Public Health Director and the Health and Human Services Committee recommend approval of the amendment of the agreement with Planned Parenthood of Western and Central New York; 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 amendment with Planned Parenthood of Central and Western New York; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the amendment of this contract.

**RESOLUTION NO. 466-2018
AMENDMENT TO RESOLUTION NO's. 558-2017 and 243-2018
RATE INCREASE FOR PRESCHOOL RELATED SERVICES PROVIDED TO
CHILDREN ENROLLED IN THE ONTARIO COUNTY PUBLIC HEALTH –
CHILDREN WITH SPECIAL NEEDS PROGRAM**

WHEREAS, Resolution No's. 558-2017 and 243-2018 authorized agreements and payments for the period January 1, 2018, through December 31, 2019; and

WHEREAS, It is necessary to increase the related service rates for the below providers:

558-2017	Cochrane, Susan	243-2018	U of R Strong Center for Developmental Disabilities
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and

WHEREAS, The increased rates will be effective as of July 1, 2018 for these existing contracts; and

WHEREAS, The rate of pay is \$35.00/ 30 minutes per group service and \$60.00/ 30 minutes for individual service; and

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves the amended contracts with the providers for a term of July 1, 2018, through December 31, 2019; and further

RESOLVED, That the County Administrator be, and he hereby is, authorized and empowered to execute the amended agreement with the providers.

**RESOLUTION NO. 467-2018
FINGER LAKES PERFORMING PROVIDER SYSTEM AGREEMENT TO
RECEIVE DELIVERY SYSTEM REFORM INCENTIVE PAYMENT PROGRAM
PROJECTS**

WHEREAS, Finger Lakes Performing Provider System, Inc. (FLPPS), located at 2100 Brighton Henrietta Town Line Rd, Suite 100, Rochester, NY 14623 is a collaboration to improve the availability, accessibility and quality of health services for the Medicaid, Medicaid Managed Care and Uninsured population in the 13-county Finger Lakes Region; and

WHEREAS, FLPPS has the opportunity through state and federal funding opportunities for Delivery System Reform Incentive Payment Program Projects (DSRIP Projects) to pursue critical prioritized improvements for eligible populations and to develop an infrastructure that will improve the health of the Finger Lakes region populations; and

WHEREAS, Ontario County entered into a contract with FLPPS as stated in Resolution No. 218-2016; and

WHEREAS, Additional funding in the amount of \$706 is available through state and federal funding opportunities for performance in 2017 - 2018 is granted to OCMH; and

WHEREAS, The Health and Human Services Committee and the Ways and Means Committee recommend acceptance of these funds on behalf of the Mental Health Department; now, therefore, be it

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

To:	Revenue	Appropriation
A 4310 0400 R 2770	Miscellaneous Revenue	+\$ 706
A 4310 0400 E 4270	Service Contracts	+\$ 706

and further

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

**RESOLUTION NO. 468-2018
AMENDMENT OF PROFESSIONAL CONSULTANT CONTRACT
COUNCIL ON ALCOHOLISM AND ADDICTIONS OF THE FINGER LAKES
MENTAL HEALTH – 2018**

WHEREAS, Pursuant to Resolution No. 643-2017, this Board approved the renewal of an agreement with Council on Alcoholism and Addictions of the Finger Lakes to provide professional services related to the provision of Community Alcoholism and Addictions Services for an amount not to exceed \$331,160; and

WHEREAS, Additional State and Federal aid, designated for 2018, in the amount of \$3,599 has been provided to the County, to be passed on to the Provider; and+

WHEREAS, The Director of Community Mental Health Services, The Health and Human Services and Ways and Means Committees have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves the attached amendment to the Agreement awarding Council on Alcoholism and Addictions of the Finger Lakes an additional amount of \$3,599 making the total not to exceed amount of the Agreement \$334,759; 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 the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution;

A 4310 R 3492	MH State Aid Revenues~ NYS OASAS	+ \$ 3,599
A 4310 E 4530	Agency Contracts	+ \$ 3,599

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Finger Lakes Area Counseling and Recovery Agency, 28 East Main Street, Clifton Springs, NY 14432.

**RESOLUTION NO. 469-2018
AMENDMENT OF PROFESSIONAL CONSULTANT CONTRACT-
FINGER LAKES AREA COUNSELING AND RECOVERY AGENCY
MENTAL HEALTH –2018**

WHEREAS, Pursuant to Resolution No. 645-2017, this Board approved the renewal of an Agreement with Finger Lakes Area Counseling and Recovery Agency to provide professional services related to the provision of Community Alcoholism and Addictions Services for an amount not to exceed \$1,009,284 ; and

WHEREAS, The Board approved Resolution No. 17-2018, as an amendment to said agreement for an amount not to exceed \$1,165,459 due to additional State and Federal aid in the amount of \$156,175; and

WHEREAS, Additional State and Federal aid, designated for 2018, in the amount of \$22,637 has been provided to the County, to be passed on to the Provider; and

WHEREAS, The Director of Community Mental Health Services, The Health and Human Services and Ways and Means Committees have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves this amendment to the Agreement awarding FLACRA an additional \$22,637 making the total not to exceed amount of the Agreement \$1,188,096; 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 the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution;

A 4310 R 3492	MH State Aid Revenues~ NYS OASAS	+ \$ 22,637
A 4310 E 4530	Agency Contracts	+ \$ 22,637

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Finger Lakes Area Counseling and Recovery Agency, 28 East Main Street, Clifton Springs, NY 14432.

RESOLUTION NO. 470-2018
AMENDMENT OF PROFESSIONAL CONSULTANT CONTRACT
PARTNERSHIP FOR ONTARIO COUNTY
MENTAL HEALTH – 2018

WHEREAS, Pursuant to Resolution No. 704-2017, this Board approved the renewal of an agreement with Partnership for Ontario County, Inc. to provide professional services related to the provision of Coordination and Delivery of Clubhouse Services to Adolescents Ages 12-17 and Young Adults Ages 18-21 Who Have or Are at Risk of a Substance Use Disorder for an amount not to exceed \$250,000; and

WHEREAS, Additional State and Federal aid, designated for 2018, in the amount of \$3,611 has been provided to the County, to be passed on to the Provider; and

WHEREAS, The Director of Community Mental Health Services, The Health and Human Services and Ways and Means Committees have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves the attached amendment to the Agreement awarding Partnership for Ontario County, Inc. an additional amount of \$3,611 making the total not to exceed amount of the Agreement \$253,611; 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 the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution;

A 4310 R 3492	MH State Aid Revenues~ NYS OASAS	+ \$ 3,611
A 4310 E 4530	Agency Contracts	+ \$ 3,611

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Finger Lakes Area Counseling and Recovery Agency, 28 East Main Street, Clifton Springs, NY 14432.

The foregoing block of six resolutions was adopted.

Supervisor Marshall moved to adopt Local Law No. 5 (Intro.) of 2018. Supervisor Russell seconded the motion. Supervisor Marshall remarked that they had listened to good information from the public, noting it was a very important discussion.

Due to the absence of four Board members, on motion of Supervisor Marshall, Local Law 5 (Intro.) of 2018 was laid over under the rules.

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

RESOLUTION NO. 471-2018
RESOLUTION OF RECOGNITION AND APPRECIATION
LOUIS PERRYMAN

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

WHEREAS, Mr. Louis Perryman has served faithfully for three years as a member of the Ontario County Planning Board; and

WHEREAS, Mr. Perryman has been a member of the Town of Hopewell Zoning Board of Appeals for four years; and

WHEREAS, Mr. Perryman has informed the County of his resignation from said board effective July 4, 2018; and

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

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

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

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Planning Board, the Town of Hopewell, and Mr. Louis Perryman, 240 Crabapple Drive, Canandaigua, NY 14424.

Adopted.

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

**RESOLUTION NO. 472-2018
AUTHORIZING 2018 CONTRIBUTION
TO SENECA WATERSHED INTERMUNICIPAL ORGANIZATION
TOWARD IMPLEMENTATION OF SENECA LAKE WATERSHED
MANAGEMENT PLAN**

WHEREAS, Resolution No. 205-2018 authorized a contract with Oswego County Soil and Water Conservation District for transfer of SFY 2017-18 state grant funding from the Water Resources Board Reserve Fund to Ontario County in the amount of Eighty Eight Thousand Three Hundred Sixty Dollars (\$88,360.00); and

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

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

WHEREAS, The Chairman of SWIO has provided a description of multiple program goals and work tasks including

- establishing a watershed steward position for Seneca Lake;
- implementing projects identified in the Seneca Lake watershed plan adopted in 2015;
- conducting computer modeling to meet the requirements of a “Nine Element Watershed Plan” as defined by US Environmental Protection Agency to enhance eligibility for certain competitive state and federal grant opportunities;
- continuing inter-municipal engagement and public outreach across the Seneca Lake watershed; and

WHEREAS, The Planning and Environmental Quality Committee recommends approval of this annual contribution to SWIO; now, therefore, be it

RESOLVED, That the Director of Planning is hereby authorized to make payment of \$2,000 from Consultation and Professional budget line A 8020 0806 E 4260 to the Finger Lakes Institute as Treasurer for SWIO, to serve as Ontario County's 2018 contribution; and further

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

RESOLUTION NO. 473-2018
AUTHORIZING CONTRACT WITH
ONTARIO COUNTY SOIL AND WATER CONSERVATION DISTRICT
INSTALLATION OF WATER RETENTION BASIN
TO REDUCE AGRICULTURAL NONPOINT SOURCE POLLUTION,
TOWN OF GENEVA

WHEREAS, Resolution No. 205-2018 authorized a contract with Oswego County Soil and Water Conservation District for transfer of SFY 2017-18 state grant funding from the Water Resources Board Reserve Fund to Ontario County in the amount of Eighty Eight Thousand Three Hundred Sixty Dollars (\$88,360.00); and

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

WHEREAS, said Work Plan and Budget included \$15,000.00 for priority agricultural best management practices to be directed by the Ontario County Soil and Water Conservation District to reduce erosion and sedimentation to Ontario County waters; and

WHEREAS, The Ontario County Soil and Water Conservation District (SWCD) has submitted a proposal and budget for the DeFelice Water Retention Basin Project on County Road 6 in the Town of Geneva, NY, on file with the Clerk of the Board; and

WHEREAS, Said Project will reduce storm water runoff and associated pollutants from agricultural land in the Seneca Lake watershed, an action consistent with the Seneca Lake Watershed Management Plan adopted in 2015; and

WHEREAS, SWCD has requested Nine Thousand One Hundred and Thirty Eight Dollars (\$9,138.00) in SFY2017-18 FLOWPA grant funding for partial support of said Project with a total proposed cost, including local match and in-kind contributions, of Fourteen Thousand Four Hundred and Eighteen Dollars (\$14,418.00); and

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

RESOLVED, That the June 28, 2018 proposal of the Ontario County Soil and Water Conservation District for the DeFelice Water Retention Basin Project in Geneva, NY is hereby accepted for a cost not to exceed Nine Thousand One Hundred Thirty Eight Dollars (\$9,138.00) ; 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 Ontario County Soil and Water Conservation District for said project and said amount; and further

RESOLVED, That the cost of said contract shall be paid from said SFY 2017-2018 FLOWPA funding in line A 8020 0806 E 4530 in the Planning Department operating budget; and further

RESOLVED, That the term of said contract shall commence on August 3, 2018 and terminate on August 3, 2019; and further

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 Ms. Megan Webster, Ontario County SWCD, 480 North Main Street, Canandaigua, New York 14424.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 474-2018
AWARD OF CONTRACT TO
FINGER LAKES COMMUNICATION CO., INC. FOR
SERVICE AND REPAIR OF COUNTY EMERGENCY RADIO
COMMUNICATION SYSTEM**

WHEREAS, There is a need to provide daily alarm monitoring, preventive maintenance for the 700 MHz system, UHF system, and microwave equipment, including ongoing system support on an annual basis; and

WHEREAS, The Purchasing Department identified Harris Communications as a vendor under the New York State Contract Award PT67542 for the service and repair of the County Emergency Radio Communications System; and

WHEREAS, Harris Communications has authorized Finger Lakes Communication Co., Inc. to be a provider and installer of their system equipment; and

WHEREAS, Finger Lakes Communication Co., Inc. has provided the County with a quote to provide the necessary monitoring, maintenance and repair for a five (5) year term commencing on January 1, 2019 and terminating on December 31, 2023, for an annual cost not to exceed Five Hundred Thousand Dollars (\$500,000.00), for a total contract value of Two Million Five Hundred Thousand Dollars (\$2,500,000.00); and

WHEREAS, Finger Lakes Communication Co., Inc. has agreed to pay for the purchase and installation of the SR10A.3 Harris system upgrade including all equipment and labor necessary to deploy a distributed control point in the north and south cells as part of the five year maintenance agreement; and

WHEREAS, There is sufficient funding within the Public Safety Communication System budget; and

WHEREAS, The Public Safety Committee has reviewed and recommends approval of this resolution; 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 Finger Lakes Communication Co., Inc. (based on NYS Contract PT67542) for a term expiring December 31, 2023, at an annual cost of Five Hundred Thousand Dollars (\$500,000.00) and a total contract value of Two Million Five Hundred Thousand Dollars (\$2,500,000.00); and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a Contract with Finger Lakes Communication Co. in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00); and further

RESOLVED, That the Clerk of this Board shall forward a certified copy of this resolution to Mr. Jeff Willis, Finger Lakes Communication Co., Inc., 305 Clark Street, Auburn, NY 13021.

**RESOLUTION NO. 475-2018
CAPITAL PROJECT NO. 2-2018
INITIATING SEQR PROCESS
74 ONTARIO STREET 700 MHz DEPLOYMENT CAPITAL PROJECT**

WHEREAS, Resolution No. 250-2018 created Capital Project No. 2 of 2018 as the 74 Ontario Street 700 MHz Capital Project; and

WHEREAS, Said Capital Project is fully funded by a grant from the New York State Division of Homeland Security and Emergency Services; and

WHEREAS, The grant funding will be used for the build out of the existing 74 Ontario Street site to deploy 700 MHz equipment as recommended by the 2017 - 700 MHz City of Canandaigua coverage analysis study; and

WHEREAS, Due to the location of the 74 Ontario Street building within a Historic District, an environmental review of the project pursuant to the New York State

Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as SEQR) is necessary; and

WHEREAS, The County Planning Department has drafted a Full Environmental Assessment Form, Part 1 for the 74 Ontario Street 700 MHz Deployment, a copy of which is on file with the Clerk of this Board; and

WHEREAS, It appears that based upon the information contained in the EAF and the project materials that the Action is a Type I action under SEQR, mandating coordinated review; and

WHEREAS, The Board of Supervisors desires to solicit comments from the public concerning the exemption from zoning and deployment of the 74 Ontario Street 700 MHz equipment prior to its determination of significance pursuant to SEQR; now, therefore, be it

RESOLVED, That this Board hereby establishes its desire to conduct a coordinated review and act as lead agency pursuant to SEQR for the environmental review of the construction of the 74 Ontario Street 700 MHz Deployment; and further

RESOLVED, That the Clerk of this Board is hereby authorized and empowered to circulate to all interested and involved agencies the draft EAF with a letter stating this Board's desire to serve as lead agency pursuant to SEQR for the environmental review of the construction of the 74 Ontario Street 700 MHz Deployment and soliciting any comments relevant to a determination of significance or objection to this Board serving as lead agency by August 23, 2018; and further

RESOLVED, That a Public Hearing before this Board of Supervisors is hereby scheduled to be held at 6:30 PM local time on August 23, 2018 at the Ontario County Safety Training Facility, 2914 County Road 48, Canandaigua, NY 14424 to hear any and all comments from the public concerning the environmental review of the construction of the 74 Ontario Street 700 MHz Deployment and any comments concerning this Board's deliberation on exempting the project from zoning; and further

RESOLVED, That the Clerk of this Board is hereby authorized and empowered to advertise said public hearing in the official newspapers of the County of Ontario, and to notify all interested and involved agencies of said public hearing; and further

RESOLVED, That the Clerk of this Board is hereby authorized and empowered to circulate to all interested and involved agencies the draft EAF with a letter stating this Board's desire to serve as lead agency pursuant to SEQR for the environmental review of said project and soliciting any comments relevant to a determination of significance or objection to this Board serving as lead agency by August 23, 2018; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the City of Canandaigua, the New York State Historic Preservation Office within the Office of Parks, Recreation and Historic Preservation, and the New York State Department of Environmental Conservation.

**RESOLUTION NO. 476-2018
ACCEPTANCE OF QUOTE
FOR SCUBA GEAR ANNUAL MAINTENANCE**

WHEREAS, The Purchasing Department received, on file with the Clerk of this Board, quotes for scuba gear annual maintenance per tabulations on file with the Clerk of this Board; and

WHEREAS, The County requires these maintenance services annually; and

WHEREAS, The Purchasing Department and the Office of Sheriff have reviewed the quote responses and recommend award to the following vendors:

Items 1, 2, 5, 6	React Supply Service LLC 1330 Azalea Garden Road Norfolk, VA 23507
Items 3 and 4	Aquatic Center of Rochester 2725 East Henrietta Road Henrietta, NY 14467

and

WHEREAS, The Public Safety Committee has reviewed the quote results and recommends this award for scuba gear maintenance for one year effective upon adoption of this resolution, with the option of two renewals; now, therefore, be it

RESOLVED, That quote (Q18061) for annual scuba gear maintenance be awarded for twelve months, with the option of two renewals, with the aforementioned vendors; and further

RESOLVED, That the Clerk of the Board shall send certified copies of this resolution to the React Supply Service LLC and Aquatic Center of Rochester.

**RESOLUTION NO. 477-2018
AUTHORIZATION TO ACCEPT LEGISLATIVE GRANT FROM
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

WHEREAS, The New York State Division of Criminal Justice Services has notified Ontario County of a \$ 10,000 award from the FY2018-2019 Legislative Grant Program (Contract T103148, GMS Project LG18-1187-D00); and

WHEREAS, This grant funding may support the purchase of automated external defibrillator (AED) equipment for the Ontario County Office of Sheriff; and

WHEREAS, There is no guarantee of ongoing funding beyond this project; and

WHEREAS, It is advantageous for Ontario County to accept these funds, which currently there is no county match requirement; and

WHEREAS, The Public Safety and Ways and Means Committees have reviewed this request and recommend the Office of Sheriff authorization to accept this funding; now, therefore, be it

RESOLVED, That the following budget revenue and appropriation is hereby approved, with the unused portions flowing into future years;

TO:		Revenue	Appropriation
A 3110 0330 R 3389	Other Public Safety	+ \$ 10,000	
A 3110 0330 E 4900	Law Enforcement Supplies		+ \$ 10,000

and further

RESOLVED, That this grant is to purchase AED equipment at a cost not to exceed \$10,000; 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 the County Board of Supervisors authorizes and directs the Office of Sheriff to accept this grant from the FY2018-2019 Legislative Grant Program; and further

RESOLVED, That the County Administrator be authorized to electronically sign and execute contract documents with the New York State Division of Criminal Justice Services; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Office of Sheriff, and the New York State Division of Criminal Justice Services.

**RESOLUTION NO. 478-2018
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF
TO CONTRACT WITH PHELPS-CLIFTON SPRINGS CENTRAL SCHOOL
DISTRICT TO CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM**

WHEREAS, The Phelps-Clifton Springs Central School District (the “School”) located at 1490 State Route 488, Clifton Springs, NY 14432 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, the County of Ontario (the “County”), through its Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and the County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,733 hours for a School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the hours worked by the School Resource Officers for ten (10) months of service estimated at \$108,639; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate, and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the attached agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the County Sheriff's Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2018, through June 30, 2019, at an hourly billing rate of \$62.69 and an overtime rate of \$ 94.03 in providing the School Resource Officer; 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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board to the Phelps-Clifton Springs Central School District.

RESOLUTION NO. 479-2018
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF
TO CONTRACT WITH VICTOR CENTRAL SCHOOL DISTRICT TO
CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM

WHEREAS, The Victor Central School District (the "School") located at 953 High Street, Victor, NY 14564 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, the County of Ontario (the “County”), through its Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and the County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,733 hours for a School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the hours worked by the School Resource Officers for ten (10) months of service estimated at \$108,639; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate, and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the attached agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the County Sheriff’s Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2018, through June 30, 2019, at an hourly billing rate of \$62.69 and an overtime rate of \$94.03 in providing the School Resource Officer; 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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board to the Victor Central School District.

RESOLUTION NO. 480-2018
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF
TO CONTRACT WITH NAPLES CENTRAL SCHOOL DISTRICT TO
CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM

WHEREAS, The Naples Central School District (the “School”) located at 136 North Main Street, Naples, NY 14512 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, the County of Ontario (the “County”), through its Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and the County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,040 hours for a Part time School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officers for ten (10) months of service estimated at \$38,515; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate, and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the attached agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the County Sheriff’s Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2018, through June 30, 2019, at an hourly billing rate of \$37.03 and an overtime rate of \$55.55 in providing the Part time School Resource Officer; 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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board to the Naples Central School District.

RESOLUTION NO. 481-2018
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF
TO CONTRACT WITH MARCUS WHITMAN CENTRAL SCHOOL DISTRICT
TO CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM

WHEREAS, The Marcus Whitman Central School District (the “School”) located at 4100 Baldwin Road, Rushville, NY 14544 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, the County of Ontario (the "County"), through its Sheriff's Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and the County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,040 hours for a Part time School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officers for ten (10) months of service estimated at \$38,515; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate, and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the attached agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the County Sheriff's Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2018, through June 30, 2019, at an hourly billing rate of \$37.03 and an overtime rate of \$55.55 in providing the Part time School Resource Officer; 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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board to the Marcus Whitman Central School District.

RESOLUTION NO. 482-2018
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF
TO CONTRACT WITH MANCHESTER-SHORTSVILLE CENTRAL SCHOOL
DISTRICT TO CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM

WHEREAS, The Manchester-Shortsville Central School District (the "School") located at 1506 Route 21, Shortsville, NY 14548 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, the County of Ontario (the "County"), through its Sheriff's Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and the County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,040 hours for a Part time School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the actual hours worked by the School Resource Officers for ten (10) months of service estimated at \$38,515; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate, and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the attached agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the County Sheriff's Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2018, through June 30, 2019, at an hourly billing rate of \$37.03 and an overtime rate of \$55.55 in providing the Part time School Resource Officer; 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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board to the Manchester-Shortsville Central School District.

RESOLUTION NO. 483-2018
AUTHORIZATION FOR THE ONTARIO COUNTY SHERIFF
TO CONTRACT WITH BLOOMFIELD CENTRAL SCHOOL DISTRICT TO
CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM

WHEREAS, The Bloomfield Central School District (the "School") located at 45 Maple Avenue, Bloomfield, NY 14469 desires the services of a School Resource Officer in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, the County of Ontario (the “County”), through its Sheriff’s Office, desires to provide a School Resource Officer to the School; and

WHEREAS, The School and the County recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of the School; and

WHEREAS, The School has requested to contract for 1,733 hours for a School Resource Officer; and

WHEREAS, The County has determined an hourly billing rate to charge the School for the hours worked by the School Resource Officers for ten (10) months of service estimated at \$108,639; and

WHEREAS, Overtime incurred by the School Resource Officer for School related activities will be charged to the School over and above the hourly billing rate; and

WHEREAS, The School agrees that it will pay the hourly billing rate, and applicable overtime to the County for the School Resource Officer; and

WHEREAS, The Public Safety Committee has reviewed and recommends to the Board of Supervisors approval of the attached agreement to provide the School with a School Resource Officer; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Ontario County Sheriff’s Office is authorized and empowered to enter into a contract with the School for the provision of a School Resource Officer from September 1, 2018, through June 30, 2019, at an hourly billing rate of \$62.69 and an overtime rate of \$94.03 in providing the School Resource Officer; 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

RESOLVED, That the Board of Supervisors hereby authorizes and empowers the Sheriff and the County Administrator to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of the Board to the Bloomfield Central School District.

The foregoing block of ten resolutions was adopted.

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

**RESOLUTION NO. 484-2018
CAPITAL PROJECT NO. 3- 2013
AUTHORIZATION TO ENTER INTO
AMENDMENT AGREEMENT WITH RGRTA AND CATS**

74 ONTARIO STREET RENOVATION – PHASE II

WHEREAS, Ontario County elected to become a participating member of the Rochester-Genesee Regional Transportation District by adoption of Resolution No. 235-2014; and

WHEREAS, The Rochester-Genesee Regional Transportation Authority (RGRTA), as the governing body of the Rochester-Genesee Regional Transportation District operates the County Area Transportation System (CATS) that does business as RTS-Ontario that operates the public mass transportation bus system in Ontario County; and

WHEREAS, Resolution 444-2014 approved a joint service agreement wherein RGRTA and RTS-Ontario was granted the right to operate and use certain portions of the County Transportation Center building (CTC) and site located on County property at 2930 County Road 48 in the Town of Hopewell; and

WHEREAS, During the demolition and renovation work at 74 Ontario Street contemplated as part of this Capital project, it would be advantageous to move the offices of the County Board of Elections out of 74 Ontario Street; and

WHEREAS, Pursuant to said joint service agreement, along with other spaces and areas RGRTA and RTS-Ontario currently have sole use of rooms 109, 110, and 111 at the CTC, that were designed as office space and are solely for occasional staff training and meetings; and

WHEREAS, RGRTA and RTS-Ontario are willing to allow the County exclusive use of rooms 109, 110, and 111 at the CTC for the expected duration of the demolition and renovation work at 74 Ontario St. in exchange for reducing the percent of the utility costs charged to RGRTA and RTS-Ontario from 50% to 47% and providing RGRTA and RTS-Ontario and providing RGRTA and RTS-Ontario occasional use of the meeting rooms at the Ontario County Safety Training Facility for staff training and meetings; and

WHEREAS, A draft Amendment Agreement modifying said joint service agreement between the County, RGRTA and RTS-Ontario in accordance with this resolution is on file with the Clerk of this Board; and

WHEREAS, Rooms 109, 110, and 111 at the CTC were constructed using Federal Transit Authority and State funding intended to support public transit, meaning permission to use said rooms for anything other than for public transit use requires the approval of the New York State Department of Transportation; and

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

RESOLVED, That subject to the approval of the County Attorney as to form and subject to receipt of a letter of approval from the New York State Department of Transportation to allow the temporary use of rooms 109, 110, and 111 at the CTC for non-public transit use, the amendment agreement between the County and the RGRTA and CATS d/b/a RTS-Ontario concerning the County's use of said rooms at the CTC to

temporarily house the offices of the Ontario County Board of Elections during the demolition and renovations of 74 Ontario Street commencing on August 1, 2018 and terminating no later than August 1, 2020 is hereby approved; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute said amendment agreement with Rochester-Genesee Regional Transportation District operates the County Area Transportation System, doing business as RTS-Ontario; and further

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

**RESOLUTION NO. 485-2018
CAPITAL PROJECT NO. 3-2013
AUTHORIZING BUDGET TRANSFER AND CONTRACT AMENDMENT
WITH THE PIKE COMPANY, INC. FOR
PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES
74 ONTARIO STREET RENOVATION – PHASE II**

WHEREAS, Resolution No. 297-2013 established Capital Project No. 3-2013, 74 Ontario Street Renovation – Phase II for the purposes of completing architectural and engineering design, interior renovations, and core mechanicals replacement for sections of the 74 Ontario Street building (hereinafter Project); and

WHEREAS, Resolution Nos. 218-2017, 572-2017 and 615-2017 authorized the execution of a contract and contract amendments with QPK Design, LLP (hereinafter Architect), 450 South Salina Street, Syracuse, NY 13201 to provide professional design services required to complete design, construction and bid documents and bidding for said Project; and

WHEREAS, Resolution No. 444-2018 authorized a third contract amendment with the Architect to provide additional services needed for an early demolition bid package, allowing the project to begin up to three months earlier while renovation documents are completed; and

WHEREAS, Ontario County desires to retain the services of a professional construction manager for the duration of said Project; and

WHEREAS, Resolutions Nos. 294-2017 and 614-2017 authorized a contract and contract amendment, respectively, with The Pike Company, One Circle Street, Rochester, NY 14607 for professional construction management services related to said Project, including constructability analysis, cost estimating, bidding and bid award; and

WHEREAS, At the County’s request, The Pike Company has submitted a proposal dated July 11, 2018, attached hereto as Schedule A and on file with the Clerk of this Board, for additional professional construction management services required during

early demolition, construction, and post-occupancy phases in the amount of Four Hundred Ninety Three Thousand, Four Hundred Fifty Four Dollars (\$493,454.00); and

WHEREAS, County Planning and Public Works staff have reviewed said proposal and recommend amending aforementioned Agreement with The Pike Company to include said additional services at the proposed cost; and

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

RESOLVED, That the budget for Capital Project No. 3-2013, 74 Ontario Street Renovation – Phase II be amended as follows:

Line Item	Description	Existing Budget	Change	New Budget
HBR1646 E2100	Furniture & Furnishings	\$650,000.0 0		\$650,000.0 0
HBR1646 E2300	Data Processing Equipment	\$0.00		\$0.00
HBR1646 E4038	Moving Expenses	\$40,000.00		\$40,000.00
HBR1646 E4260	Consultation & Professional	\$161,498.3 0	+\$493,454. 00	\$654,952.3 0
HBR1646 E4491	General Construction	\$7,100,000. 00		\$7,100,000. 00
HBR1646 E4495	Architectural/Engineering	\$1,008,634. 00		\$1,008,634. 00
HBR1646 E4498	Asbestos & Related Testing	\$10,000.00		\$10,000.00
TO:				
HBR1646 E4739	Lease of Temporary Office Space	\$3,000.00		\$3,000.00
HBR1646 E4743	Change Order Contingency	\$350,000.0 0		\$350,000.0 0
HBR1646 E4865	Administrative Expenses	\$5,500.00		\$5,500.00
FROM:				
HBR1646 E4731	Contingent	\$1,071,367. 70	\$493,454.0 0	\$577,913.7 0
HBR1646 R4385	Homeland Security Grant	\$200,000.0 0		\$200,000.0 0
HBR1646 R5036	Interfund Transfer - A Fund	\$2,850,000. 00		\$2,850,000. 00
HBR1646 R5048	Interfund Transfer - A Fund Reserve	\$2,150,000. 00		\$2,150,000. 00
HBR1646 R5710	Serial Bonds	\$5,200,000. 00		\$5,200,000. 00

and further

RESOLVED, That the proposal of The Pike Company, Inc. to provide the professional construction management services required to complete demolition, construction and post-occupancy project phases for renovation of 74 Ontario Street is

accepted at a cost not to exceed Four Hundred Ninety Three Thousand Four Hundred fifty four Dollars (\$493,454.00); 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 amendment with The Pike Company, Inc. for an amount not to exceed Four Hundred Ninety Three Thousand Four Hundred Fifty Four Dollars (\$493,454.00) for an overall total contract amount of Six Hundred Four Thousand Nine Hundred Fifty Two Dollars and Thirty Cents (\$604,952.30); and further

RESOLVED, That the term of said contract shall be extended to April 1, 2020; 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 for a total project budget of Ten Million Four Hundred Thousand Dollars (\$10,400,000.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to the Department of Finance, and Mr. Mark Bolin, Project Director, The Pike Company, One Circle Street, Rochester, NY 14607.

RESOLUTION NO. 486-2018
CAPITAL PROJECT NO. 1-2017
AUTHORIZATION OF AGREEMENT WITH DIEHLUX LLC
2017 FLCC MAINTENANCE CAPITAL PROJECT

WHEREAS, Resolution No. 780-2016 approved the 2017-2022 Ontario County Capital Improvement Plan (CIP); and

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); and

WHEREAS, Resolution No. 256-2018 transferred Three Hundred Twenty Thousand Six Hundred Ninety Seven Dollars (\$320,697.00) to Capital Project No. 6-2017, FLCC Athletic Fields Upgrade Capital Project, leaving an unencumbered balance in line HCQ 2498 E 4260, Consultation and Professional, of \$25,000.00; and

WHEREAS, Wetland delineation and related state and federal permits need to be prepared in order to continue to develop long term sustainable solutions to managing storm water from the FLCC Campus; and

WHEREAS, The Planning Department has been working with the Canandaigua Lake Watershed Manager and have solicited quotes for performing the necessary wetland delineation and related state and federal permits, and recommend accepting the proposal of Diehlux, LLC to perform said work for a fee not to exceed Ten Thousand Dollars (\$10,000.00); and

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

RESOLVED, Upon review and approval by the County Attorney, as to form of contract, the Ontario County Board of Supervisors hereby accepts the proposal and from Diehlux, LLC., 2434 County Road 39, Bloomfield, NY 14469 to perform wetland delineation and related permit application work for a fee not to exceed Ten Thousand Dollars (\$10,000.00); and

RESOLVED, That the County Administrator be and hereby is, authorized and empowered to execute a contract with said firm for said amount; and further

RESOLVED, That the term of said contract shall commence on August 3, 2018 and terminate on December 31, 2019; and further

RESOLVED, That the cost of said contract shall be paid from line HCQ 2498 E 4260, Consultation & Professional, of Capital Project No. 1-2017; and further

RESOLVED, That the Director of Planning shall be administratively responsible for said contract with Diehlux, LLC; and further

RESOLVED, That the Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget for Capital Project No. 1-2017 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, the Senior Vice President of Administration and Finance of Finger Lakes Community College, and Diehlux, LLC., 2434 County Road 39, Bloomfield, NY 14469.

RESOLUTION NO. 487-2018
CAPITAL PROJECT NO. 04-2017
COUNTY ROAD 23 AT MCIVOR ROAD & FORT HILL ROAD
INTERSECTION IMPROVEMENTS
ACCEPTANCE OF SUPPLEMENTAL AGREEMENT #1
TO NEW YORK STATE REVENUE CONTRACT
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 271-2017 created Capital Project No. 04-2017, County Road 23 at McIvor Road and Fort Hill Road Intersection Improvements; and

WHEREAS, Said project, P.I.N. 4ON0.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such safety project to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 271-2017 authorized the acceptance of a New York State Revenue Contract for the design and right-of-way incidentals phase of Capital Project No. 04-2017; and

WHEREAS, Supplemental Agreement #1 has been received and provides Federal funding for the detailed design and right-of-way acquisition phase; and

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

RESOLVED, That the Ontario County Board of Supervisors accepts Supplemental Agreement #1 to the New York State Revenue Contract Capital Project No. 04- 2017; and further

RESOLVED, That the Finance Department is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Three Hundred Fifty Thousand Two Hundred Dollars and Zero Cents (\$350,200.00); and further

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

RESOLVED, That the Department of Finance be, and hereby is, authorized to advance funds as necessary from the County Road "D" Fund to pay for any costs incurred before the receipt of Federal or non-Federal Aid; and further

RESOLVED, That in the event the full Federal and non-Federal share costs of the Project exceed the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount upon notification by the New York State Department of Transportation; and further

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

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized to execute any reimbursement requests for Federal Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with this Project; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance and the New York State Department

of Transportation, Local Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

**RESOLUTION NO. 488-2018
CAPITAL PROJECT NO. 07-2015
COUNTY ROAD 42 PREVENTIVE MAINTENANCE
ACCEPTANCE OF SUPPLEMENTAL AGREEMENT #5
TO NEW YORK STATE REVENUE CONTRACT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 461-2015 created Capital Project No. 07-2015, County Road 42 Preventive Maintenance; and

WHEREAS, Said project, P.I.N. 4760.54, (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. 461-2015 authorized the acceptance of a New York State Revenue Contract for the design phase of Capital Project No. 07-2015, County Road 42 Preventive Maintenance; and

WHEREAS, Resolution Nos. 572-2016, 122-2017, 450-2017, and 71-2018 authorized the acceptance of Supplemental Agreements #1 - #4; and

WHEREAS, Supplemental Agreement #5 provides additional Marchiselli funding for the construction phase; and

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

RESOLVED, That the Capital Project budget be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HCF 5154 E4489	Construction Insp & Testing	\$18,000.00		\$18,000.00
HCF 5154 E4491	General Construction	\$1,125,589. 70		\$1,125,589. 70
HCF 5154 E4495	Architectural & Engineering	\$136,050.0 0		\$136,050.0 0
HCF 5154 E4865	Administration	\$ 1,000.00		\$ 1,000.00
HCF 5154 E4731	Contingency	\$ 1,425.30	+\$11,000. 00	\$ 12,425.30
Revenue:				
HCF 5154 R3089	State Aid	\$180,050.0 0	+\$11,000. 00	\$191,050.0 0

HCF 5154 R4591	Federal Aid	\$1,035,871. 00		\$1,035,871. 00
HCF 5154 R5035	Interfund Transfer - D Fund Reserve	\$0.00		\$0.00
HCF 5154 R5041	Interfund Transfer - D Fund	\$66,144.00		\$66,144.00

and further

RESOLVED, That the Finance Department is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Million Two Hundred Ninety Three Thousand Sixty Five Dollars and Zero Cents (\$1,293,065.00); and further

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

RESOLVED, That the Department of Finance be, and hereby is, authorized to advance funds as necessary from the County Road "D" Fund to pay for any costs incurred before the receipt of Federal or non-Federal Aid; and further

RESOLVED, That the Ontario County Board of Supervisors accepts the Supplemental Agreement #5 to the New York State Revenue Contract for Capital Project No. 07- 2015, County Road 42 Preventive Maintenance; and further

RESOLVED, That in the event the full Federal and non-Federal share costs of the Project exceed the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount upon notification by the New York State Department of Transportation; and further

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

RESOLVED, That the Commissioner of Public Works be, and hereby is, authorized to execute any reimbursement requests for Federal Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with this Project; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Department of Finance and the New York State Department of Transportation, Local Project Liaison, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

RESOLUTION NO. 489-2018
APPROVAL OF SUBMISSION OF
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
TRANSPORTATION ALTERNATIVES PROGRAM (TAP)
APPLICATION FOR LAKESHORE DRIVE AND
NY STATE ROUTE 364 SIDEWALK IMPROVEMENT PROJECT
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Ontario County Department of Public Works, wishes to submit an application for funding to the New York State Department of Transportation (NYSDOT) through the Transportation Alternatives Program (TAP); and

WHEREAS, A project for sidewalk improvements at Lakeshore Drive and New York State Route 364 in the Towns of Canandaigua & Hopewell and the City of Canandaigua, Ontario County, has been identified as needed and is eligible for funding under said Federal aid program, that calls for the apportionment of the costs of such sidewalk improvement projects to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, Ontario County completed a transportation study in 2013, through UPWP (Unified Planning Work Program of FHWA) for the *Routes 5/20 & Route 364 Multi-Modal Safety & Access Improvement Study*; and

WHEREAS, Said study recommended the proposed sidewalk improvements; and

WHEREAS, The Ontario County Board of Supervisors approved by Resolution No. 338-2014 the submission of a TAP grant application for the first phase of said improvements known as “The Lakeshore Drive and Moran Road Sidewalk Improvement Project”; and

WHEREAS, Said grant was received and said project was completed; and

WHEREAS, The Ontario County Department of Public Works has prepared a TAP grant application for the second phase of said improvements known as “The Lakeshore Drive and New York State Route 364 Sidewalk Improvement Project”; and

WHEREAS, The total project costs are estimated to be \$2,260,500; and

WHEREAS, The non-Federal share of the project cost are estimated to be \$452,100; and

WHEREAS, County would serve in the capacity of Applicant for the project; and

WHEREAS, If application is successful, County would advance the project by making a commitment of funding 100% of the non-Federal share of the project costs; and

WHEREAS, County would use existing inter-municipal agreements with Applicants for maintenance of the constructed facilities; and

WHEREAS, Should the project proceed, sufficient funds would be made available in the County Capital Improvement Plan to advance the non-Federal share necessary for this project; and

WHEREAS, The Public Works Committee has reviewed the proposal and recommends approval to submit said TAP application; now, therefore, be it

RESOLVED, That County Public Works Department shall submit said TAP application prior to the upcoming August 16, 2018 deadline; and further

RESOLVED, That County shall serve in the capacity of Applicant for said TAP application; 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 aforesaid TAP application, subject to review and approval by the Office of the County Attorney; and further

RESOLVED, If application is successful, County would advance the project by making a commitment of funding 100% of the non-Federal share of the project costs; and further

RESOLVED, That County would use existing inter-municipal agreements with the Towns of Canandaigua & Hopewell, and the City of Canandaigua for maintenance of the constructed facilities; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to the Towns of Canandaigua & Hopewell, City of Canandaigua, and the New York State Department of Transportation – Regional TAP Coordinator, Region 4 Office, 1530 Jefferson Road, Rochester, NY 14623.

**RESOLUTION NO. 490-2018
ACCEPTANCE OF QUOTE – REPAIR OF FORD VEHICLES
DEPARTMENT OF PUBLIC WORKS – FLEET MANAGEMENT**

WHEREAS, The Purchasing Department advertised for, and received tabulation sheets on file with the Clerk of this Board, Quote (Q18085) for the repair of Ford vehicles; and

WHEREAS, The Purchasing Department has deemed it to be in the County’s best interest to award this quote to the low quoter; and

WHEREAS, Genesee Valley Ford is the overall low responsive/responsible quoter; at \$ 69.95 per hour labor and cost plus 10% for OEM parts; and

WHEREAS, The Public Works Committee has reviewed and recommends the acceptance of this quote; now, therefore, be it

RESOLVED, That the award of this quote be made to Genesee Valley Ford, 1675 Interstate Drive, Avon, New York 14414; and further

RESOLVED, That said award shall be effective starting on September 16, 2018 and ending on September 15, 2019; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Genesee Valley Ford.

**RESOLUTION NO. 491-2018
RENEWAL OF BID FOR ON-DEMAND AS-NEEDED ROOF REPAIR WORK
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 573-2016 awarded bid (B16074) to various vendors for repairs made to the roofs of County buildings on an as-needed basis; and

WHEREAS, The following vendors have agreed to renew their bids at the current price structure:

Primary Vendor	Harvey Strassner Contracting	3035 Ridgeway Avenue, Rochester, NY 14606
Secondary Vendor	Grove Roofing Services	131 Reading Street, Buffalo, New York 14220
Tertiary Vendor	Elmer W. Davis	1217 Clifford Avenue, Rochester, New York 14621

and

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

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the renewal of bid (B16074) for roof repair per the tabulation sheet on file with the Clerk of the Board for a period effective September 26, 2018 through September 25, 2019; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Harvey Strassner Contracting, Grove Roofing Services and Elmer W. Davis.

**RESOLUTION NO. 492-2018
ACCEPTANCE OF MATERIALS AND SERVICES BIDS
DEPARTMENT OF PUBLIC WORKS
BUREAU OF HIGHWAYS**

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

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

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

B18072	
GEOSYNTHETICS AND RELATED PRODUCTS	Chemung Supply Corp.
	PO Box 527
	Elmira, New York 14902
	Expanded Supply Product, Inc.
	3330 Route 9
	Cold Spring, New York 10516
	E.J. Prescott, Inc.
	200 Lake Avenue
	Blasdell, New York 14219

and further

RESOLVED, That the Ontario County Board of Supervisors hereby accepts said bids and authorizes contracts for the period beginning August 3, 2018, through May 14, 2019; and further

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

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

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

**RESOLUTION NO. 493-2018
RESOLUTION TO APPROVE SPECIAL USE APPLICATION
ONTARIO COUNTY GANNETT HILL PARK
HONEOYE RECREATION SOFTBALL
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 556-2017 authorized the implementation of a special use application for certain activities to be held at Gannett Hill Park; and

WHEREAS, Sharon Lis has submitted a Special Use Application on behalf of Honeoye Recreation Softball for a Softball Tournament event at Ontario County Gannett Hill Park on the weekend of August 18, 2018; and

WHEREAS, The Commissioner of Public Works has reviewed the Special Use Application submitted by Sharon Lis on behalf of Honeoye Recreation Softball and recommends its approval; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends 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 approves the special use application submitted by Sharon Lis, 5384 County Road 36, Honeoye, NY 14471, on behalf of Honeoye Recreation Softball, to hold a Softball Tournament event at Ontario County Gannett Hill Park; and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Sharon Lis.

The foregoing block of ten resolutions was adopted.

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

RESOLUTION NO. 494-2018
AUTHORIZATION TO COMMENCE PROCEEDINGS TO TERMINATE
UNECONOMICAL TRUSTS ADMINISTERED BY ONTARIO COUNTY

WHEREAS, The Ontario County Department of Finance is the trustee of three testamentary trusts established for charitable purposes from the estates of George Codding (est. 1896 with deposit of \$8,467.17), Sarahette Richardson (est. 1919 with deposit of \$300.00), and Alma Perkins Hamann (est. 1974 with deposit of \$500.00) (collectively “the trusts”); and

WHEREAS, The funds for the trusts were deposited with Ontario County upon the death of each testator; and

WHEREAS, Ontario County was directed to administer and distribute the annual income generated from the trusts to named charitable beneficiaries; and

WHEREAS, The expense and time to administer the trusts exceeds the amount of income the trusts generate annually; and

WHEREAS, It is necessary to authorize the County Attorney’s Office to commence proceedings under the Estates, Powers, and Trusts Law to terminate the trusts as it is uneconomical to administer the trusts relative to the income; and

WHEREAS, The Governmental Operations and Insurance Committee and the Ways and Means Committee recommend adoption of this resolution; now, therefore be it

RESOLVED, The Ontario County Attorney's Office is hereby authorized to commence proceedings to terminate the trusts pursuant to Article 8 of the Estates, Powers, and Trusts Law; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Ontario County Attorney's Office.

**RESOLUTION NO. 495-2018
CREATION OF A SPECIALIST, SERVICES FOR THE AGING POSITION
ABOLISHMENT OF A HUMAN SERVICES WORKER POSITION
OFFICE FOR THE AGING**

WHEREAS, Ms. Irene Coveny, Director, Office for the Aging, has filed a New Position Duties Statement for a position she would like to create; and

WHEREAS, Said position has been classified as Specialist, Services for the Aging by Personnel Officer Classification Certification No. 61-2018; and

WHEREAS, Ms. Coveny would like to create a position of Specialist, Services for the Aging (Grade AP01), and abolish a vacant position of Human Services Worker (Grade A08); and

WHEREAS, Sufficient funding exists within the Office for the Aging Budget for these position changes; and

WHEREAS, The County Administrator and the Ways and Means Committee recommend the creation of a Specialist, Services for the Aging position and the abolishment of a vacant Human Services Worker position when it is no longer protected for the previous incumbent; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the creation of a Specialist, Services for the Aging (01282/#6) position, effective August 3, 2018; and further

RESOLVED, That a vacant position of Human Services Worker (01220/#3) be abolished when it is no longer protected for the previous incumbent.

**RESOLUTION NO. 496-2018
CREATION OF AN OFFICE SPECIALIST I POSITION
ABOLISHMENT OF A SENIOR CLERK POSITION
CONFLICT DEFENDER**

WHEREAS, Ms. Andrea Schoeneman, Conflict Defender, has filed a New Position Duties Statement for a position she would like to create; and

WHEREAS, Said position has been classified as Office Specialist I by Personnel Officer Classification Certification No. 59-2018; and

WHEREAS, Ms. Schoeneman would like to create a position of Office Specialist I (Grade A03), and abolish a vacant position of Senior Clerk (Grade A07); and

WHEREAS, Sufficient funding exists within the Conflict Defender's Department Budget for these position changes; and

WHEREAS, The County Administrator and the Ways and Means Committee recommend the creation of an Office Specialist I position and the abolishment of a vacant Senior Clerk position; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the creation of an Office Specialist I (01533/#49) position, effective August 3, 2018; and further

RESOLVED, That a vacant position of Senior Clerk (01002/#17) be abolished.

RESOLUTION NO. 497-2018
SALARY ADJUSTMENT – HEATHER DERUYTER
COMMUNITY PUBLIC HEALTH SERVICES

WHEREAS, Ms. Mary Beer, Director of Community Public Health Services, has recommended a step adjustment for Heather DeRuyter, Registered Professional Nurse, Part-Time (Grade AP2), from Step 1 (\$25.29/hr.) to Step 3 (\$26.57/hr.); based on her years of experience in accordance with the Salary Guidelines for Nursing Post Licensure; and

WHEREAS, The Ways and Means Committee has reviewed and approved the step adjustment for Ms. DeRuyter, effective upon her date of appointment; and

WHEREAS, Sufficient funding exists within the Community Public Health Services' budget for this step adjustment; now, therefore, be it

RESOLVED, That the rate of pay for Heather DeRuyter, Registered Professional Nurse, Part-Time, be set at Grade AP2, Step 3 (\$26.57/hr.); effective upon her date of appointment; and further

RESOLVED, That the Department of Finance shall be authorized to make the necessary budgetary and accounting entries to meet the intent of this resolution.

The foregoing block of four resolutions was adopted.

Vice Chairman Green reflected during the Public Safety Committee meeting, they had the authorization for the contracts for the school districts. Public Safety in cooperation with the Sheriff and with all the school superintendents, for the first time in a

long time will have a School Resource Officer (SRO) in the BOCES system. Every school district in this County will have an SRO. He thanked all the organizations that had a piece in it.

On motion of Supervisor Marshall, seconded by Supervisor Wickham, the meeting was adjourned at 7:38 p.m.

DRAFT