

October 1, 2020

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:30 p.m. via WebEx on ontariocountyny.webex.com and at 74 Ontario Street, Canandaigua, NY 14424, with Chairman John Marren presiding.

The Pledge of Allegiance was led by Supervisor Kristine Singer.

Upon roll call, all Members of the Board were present.

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

A Public Hearing regarding the implementation of the Real Eats America, Inc. Project that received Community Development Block Grant (CDBG) funding from the New York State Office of Community Renewal (OCR) was called to order at 6:34 pm.

Sage Gerling, City Manager of the City of Geneva thanked the Board of Supervisors and the Office Economic Development Corporation for their support for Real Eats Inc. in the City's Innovation Kitchen at the Geneva Economic Development Center. She reported that Real Eats Inc. is a civic minded company and consistently donate meals to the Center of Concern.

As no one else wished to speak, the Public Hearing was closed at 6:37 pm.

A Public Hearing regarding the proposed Ontario County Fair Housing Plan was called to order at 6:37 pm.

Tom Harvey, Director of Planning, explained the intent of the plan; the plan conforms to the template that was promulgated by the NYS Office of Community Renewal and its intent is to advertise that the county is a fair housing county and obligates them to do some publicity if adopted as well as have an annual meeting about the subject. Adoption of this plan will allow them to be eligible for the types of grants that come through Economic Development.

Supervisor Singer followed up on Mr. Harvey's comments.

As no one else wished to speak, the Public Hearing was closed at 6:40 pm.

Director of Preventive Services, Kate Ott reported to date on COVID-19 cases:

- Five new cases this day
- 471 positive cases since the onset of the epidemic
- Three being hospitalized, but not further deaths
- 25,000 negative tests
- 248 in mandated isolation/quarantine
- The school guidance came out from the NYS Department of Health and are taking a lot of phone calls trying to help them troubleshoot some of the issues they are having
- No new cases at Hobart and William Smith College
- There is a small outbreak at Seneca Lake Terrace

Interim County Administrator Brian Young noted the following:

- The regional numbers continue to be good.
- There is a new app for the phone to help with COVID tracking called COVID Alert NY that can be downloaded from either the Google Play store or the Apple App store.

- He thanked the departments that have been involved in the renovations for 74 Ontario Street and their patience.
- Mr. Young announced Chairman Marren was nominated and unanimously approved the president of NYSAC for another year. On behalf of NYSAC and the Counties, Chairman Marren has done an amazing job.

Chairman Marren recognized Supervisor Jeff Gallahan, Bob Green, and Rich Russell for ten years of service. He recognized Holly Adams, County Attorney for ten years of service.

Brian Young recognized Mike Northrup, Commissioner of Elections for 20 years of service as well as Director of Economic Development Mike Manikowski, and Director of Planning Tom Harvey for 35 years of service.

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

- Health and Human Services Committee held on August 31, 2020.
- Planning and Environmental Quality Committee held on August 31, 2020
- Public Works Committee held on August 31, 2020
- Public Safety Committee held on September 2, 2020
- Governmental Operations and Insurance Committee held on September 2, 2020
- Ways and Means Committee held on September 2, 2020

Acknowledgement of Filing with NYS of County of Ontario, Local Law No. 4 of 2020 entitled, "A Local Law for Ontario County Room Occupancy Tax Law" filed on August 26, 2020 received from State Records and Law Bureau.

A letter of award for \$190,925 under the FY2020 State Homeland Security Program (SHSP) grant received from Patrick A. Murphy, Commissioner, NYS Homeland Security and Emergency Services.

A letter informing the Board that Ontario County Public Health was awarded the designation of national accreditation through Public Health Accreditation Board (PHAB) on September 1, 2020 received from Paul Kuehnert, DNP, RN, FAAN, President and CEO, Public Health Accreditation Board.

Ontario County Office of Sheriff 2019 Annual Report received from Sheriff Kevin Henderson.

Resolution No. 242-20 entitled "Resolution Opposing New York State Assembly Bill A.5630-A & New York State Senate Bill S.3923A Relating to Reforming the Statutory Short Form and Other Powers of Attorney for Purposes of Financial and Estate Planning; and to Repeal Certain Provisions of Such Law Relating to Statutory Gift Riders (Aging)" received from Greene County.

Notice of Obligational Authority updating the funding FY18 CFDA#17.245 TAA Grant that is used by your Local Workforce Development Area (LWDA) to support the provision of services under the Trade Adjustment Assistance Program received from Karen A. Coleman, Deputy Commissioner for Workforce Development and Governor's Office Advisor for Workforce Policy and Innovation.

A Notice pursuant to the Federal Worker Adjustment and Retraining Notification Act of a mass layoff at their operation located at 820 Eastview Mall, Victor, NY received from Ken Bellefeuille, Human Resources Business Partner, P.F. Chang's.

The Office for the Aging's 2019 Annual Report received from Irene Coveny, Director of Office for the Aging of Ontario County.

Proposed Local Law No. 5 (Intro.) 2020 entitled, "Known as the Ontario County Sewer Rents Local Law, As Amended"

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

ARTICLE I

SHORT TITLE AND APPLICABILITY

Section 1.0: Short Title

This local law shall be known as the "Ontario County Sewer Rents Local Law".

Section 1.1: Applicability

This local law shall apply throughout the Canandaigua Lake County Sewer District and extensions thereof, the Laura Lane/Wyffels Road Extension to the Canandaigua Lake County Sewer District, and the Honeoye Lake County Consolidated Sewer District and extensions thereof established by the County of Ontario, except that this local law shall not apply to the Route 332 Extension of the Canandaigua Lake County Sewer District to the extent sewer charges are otherwise provided for. This local law amends Local Laws #8 of 1975, #3 of 1979, #5 of 1981, #2 of 1983, #11 of 1991, #6 of 1995, #4 of 1996, #6 of 2001, #6 of 2002, #4 of 2003, #3 of 2004, #6 of 2005, #3 of 2006, #8 of 2007, #5 of 2008, #6 of 2009, #4 of 2010, #8 of 2011, #6 of 2016, # 9 of 2017, #7 of 2018, and #5 of 2019, as amended.

ARTICLE II

IMPOSITION OF SEWER RENTS

Section 2.0: Sewer Rents Established

Pursuant to Article 14 F of the General Municipal Law of the State of New York, there is hereby established and imposed sewer rents as a means of producing revenue for the County Sewer District or Districts specified herein above.

ARTICLE III

DEFINITIONS

Section 3.0: Definitions

The definitions contained in the Ontario County Sewer Use Local Law are incorporated herein by reference, and unless the context specifically indicates otherwise, the meaning of other terms used herein shall be as follows.

Section 3.1: "Sewer Rents" A scale of unit method of annual charges established and imposed in the District on the basis of equivalent single house units (hereinafter referred to as "units") for the use of the sewage works or any part or parts thereof.

Section 3.2: "Equivalent Single House Units" shall be determined as follows:

A. Dwelling Units. A dwelling unit shall mean a complete self-contained residential unit, with living, sleeping, cooking, and sanitary facilities within the unit, for use by one family or person. Premises occupied or designed to be occupied by two (2) or more separate families or persons, including two family dwellings, multifamily dwellings, apartments, and apartment houses, shall be charged one (1) unit for each apartment or separate living quarters contained in or on such premises.

B. Extended Care Facility. Premises occupied or designed to be occupied as a residential extended care facility shall be charged one half (1/2) unit for each bed.

C. Rooming House. A rooming house is a dwelling other than a motel or motor court, in which occupants are housed or lodged for hire with or without meals. Premises occupied or designed to be occupied as a rooming house shall be charged one third (1/3) unit per bedroom with a minimum charge of one (1) unit per building. A rooming house is herein defined as a building occupied or designed to be occupied as a residence for three (3) or more unrelated people.

D. Fuel Station. A fuel station is defined as a building, structure or land used to dispense, sell or offer automotive fuels or lubricants. Premises occupied or designed to be occupied as a fuel station and not as a repair facility shall be charged one (1) unit.

E. Repair Facility. Premises occupied or designed to be occupied as a motor vehicle and/or boat marina repair service or repainting facility or garage, shall be charged one (1) unit. An additional unit charge may be imposed by the Commissioner of Public Works if he determines that an additional wastewater charge is justified due to the nature or volume of the discharge into the sewer system.

F. Motel and Motor Courts. A motel or motor court is a building or buildings containing an office and at least four (4) units intended or designed to be used or which are used, rented, or hired out to be occupied by transient guests without stipulated agreement as to the duration of their stay; who are supplied with and charged for lodging, and/or such other services as are incident to the use of such place as a temporary abode. Any unit occupied on a permanent basis by a caretaker or operator shall be considered to be a single dwelling unit and shall be charged accordingly. Premises occupied or designed to be occupied as a motel or motor court shall be charged one third (1/3) unit for each motel unit or motor court unit.

G. Restaurant, Bar/Grill or Cocktail Lounge. Premises occupied as a restaurant, bar/grill or cocktail lounge shall be charged a minimum of three (3) units plus an additional one

(1) unit for each fifty (50) seating capacity or fraction thereof, in excess of one hundred (100) seating capacity.

H. Soda Fountain/Drive In Snack Shop. Premises occupied or designed to be occupied as a food/drink dispersal only, having no indoor seating capacity, shall be charged one and one half (1 1/2) units.

I. Theatres. A theater is a facility devoted primarily to the showing of moving pictures or theatrical productions on a paid admission basis. Premises occupied or designed to be occupied as a theatre shall be charged one (1) unit for each seating capacity of 100.

J. Stores, Office Buildings/Business Agencies, Bank. Stores for retail sales and premises occupied or designed to be occupied as a location of business offices or agencies or bank, for each store, business, office, agency or bank located within, shall be charged one (1) unit for the first eight employees whether full or part time of each business, office, agency or bank, plus one half (1/2) unit for each additional four (4) employees or fraction thereof. An additional unit charge may be imposed by the Commissioner of Public Works if he determines that an additional wastewater charge is justified due to the nature or volume of the discharge into the sewer system.

K. Laundromat. Premises occupied or designed to be occupied as a laundromat, whether self-service or otherwise, shall be charged one half (1/2) unit for each washing machine.

L. Education Facilities. Premises occupied or designed to be occupied as an educational facility shall be charged one (1) unit per twenty-five full time student/faculty/support personnel and full-time equivalent population.

M. Day Care Centers. Premises occupied or designed to be occupied as a Day Care Center, as described by the New York State Department of Social Services, shall be charged one (1) unit per twenty-five full time student/faculty/support personnel and full-time equivalent population.

N. Car Wash. Premises occupied as a car wash, whether self-service or otherwise, shall be charged five (5) units per bay therein. A car wash is hereby defined to be premises on which the business of washing motor vehicles is conducted, without regard to whether the service is performed by the operator of the business or the business merely furnishes the facilities for such washing. A car wash will also contain an operable grit chamber for the removal of greases and foreign materials, etc.

O. Combination Home and Business Dwelling: Accessory Use. Accessory use is defined as being subordinate in area, extent, or purpose to the principal building or principal use served. Some examples are beauty shop, real estate sales or rental office, or travel agency. Where a service business is being conducted as an accessory use from a home by the resident(s) of a home, a total charge of one (1) unit for the home and business will be made. If the business employs other than resident(s) of a home, a charge of one (1) unit for the home and one half (1/2) unit for the business will be made.

P. Church Property. Premises designed or utilized for religious purposes such as periodic worship services, meetings and social or fund-raising events will be charged one (1) unit for each sewered building. Other facilities owned or utilized by churches or other

religious organizations will be charged sewer rents as described by other portions of this local law.

Q. Camps. Premises designed or occupied as a residential or day camp site for recreational or educational purposes will be charged one (1) unit for each sewer building.

R. Camping Ground. Premises designed or utilized for transient, recreational occupancy by travel trailers, campers, tents, recreational vehicles, motor homes, and the motor vehicles propelling or carrying the same, but excluding mobile homes designed for year round occupancy or as a place of residence will be charged one (1) unit per every five (5) camper stands plus three (3) units for every disposal site utilized by the camp ground site to service transient vehicles.

S. Public Park. Premises designed or utilized as a public park operated by a municipal corporation shall be charged one (1) unit for each sewer building.

T. Industrial/Warehouse. Premises designed or occupied as an industrial facility, or warehouse, shall be charged one (1) unit for each fifteen (15) employees or fraction thereof, plus an additional industrial wastewater charge determined by the Commissioner of Public Works.

U. Recreational Facilities.

1. Bowling Alleys. Bowling alleys will be charged one fourth (1/4) unit per lane. If other businesses or services such as a restaurant, bar/grill, cocktail lounge, store, business, or pro shop are operated at the same site, additional units shall be charged as described by other portions of this local law.

2. Tennis Courts and Hand Ball Type Courts. Tennis Courts and Hand Ball Type Courts and all other similar sports facilities will be charged one (1) unit for each restroom, plus one (1) unit for each indoor shower head.

V. Non-Profit Public Services. Premises designed or occupied to be utilized for a nonprofit public service (Firehouse, Ambulance Center, Public Libraries, Museums) will be charged one (1) unit for each sewer building.

W. Performing Arts Center. Premises occupied or designed to be a Performing Arts Center with a seating capacity of over one thousand (1,000) persons shall be charged forty (40) units.

Any premises containing two or more of the uses above shall be charged the sum of the units for each type. All sewer rents are charged without regard as to whether or not the premises are occupied on a seasonal or full year basis.

Any premises not within the above classifications shall be charged the number of units determined by the Commissioner of Public Works. The owner shall have the right to appear and be heard on the imposition of said proposed charge. Such charge shall be final ten (10) days after the Commissioner of Public Works sends by registered mail to the owner a statement of his determination of the unit charge imposed.

Section 3.3 Accessibility: The property owner shall permit access to his property for a county representative to inspect the premises with regard to information necessary in determining the number of units to be charged.

ARTICLE IV.

BILLS, PAYMENT AND PENALTIES

Section 4.0: Sewer Rents shall be due and payable in equal quarterly installments on April 1, July 1, October 1, and January 1 in each year, with the first payment being due when connection to the District sewer line has been made. Sewer rents shall be due and payable for the full quarter in which connection is made. Charges will not be prorated for a portion of the quarter. Sewer rents shall continue to be payable whether or not the premises are occupied.

Section 4.1 Connection: Connection to the sewer must be made in accordance with the Sewer Use Local Law. All applicable permit and inspection fees must be paid prior to installation of sewer. Sewer installation fees shall be payable within 30 days of the billing date.

Section 4.2 Disconnection: The property owner may make written application to the Commissioner of Public Works for permission to discontinue use of the sewers either temporarily or permanently and shall state the reasons therefore in his application. The Commissioner of Public Works may allow such discontinuance. An inspection permit must be obtained, and applicable fees paid and the disconnection inspected by the District, if permission is granted to disconnect.

However, sewer rents shall continue to be payable until the first quarter after the Commissioner of Public Works has consented to the discontinuance, the property owner has dug up and capped its line to the sewer and the District has inspected and approved the capping or other approved means of discontinuing use of the public sewers.

Section 4.3 Reconnection: If subsequent to disconnection, a reconnection to the sewer is requested, an inspection permit must be obtained, and applicable fees paid, and all the applicable Articles of this Local Law and the Sewer Use Local Law will apply.

Section 4.4: The Commissioner of Public Works shall cause a statement to be prepared setting forth the amount of the sewer rents for each of the properties subject thereto in the name of the person in whose name such real property is assessed or to a renter or other entity if the owner so requests in writing. Bills for sewer rental shall be mailed to each such owner/renter/entity quarterly.

Section 4.5: Sewer Rents shall be paid by the property owner or his agent to the appropriate Sewer District. Revenues derived from sewer rents, including penalties and interest, shall be credited to a special fund to be known as the "Sewer Rents Fund". Such money shall be used only for the purposes permitted by law.

Section 4.6: All quarterly sewer rents shall be due and payable in full within thirty (30) days of the billing date (April, July, October or January 1st). Mailed payments will not

be considered timely unless postmarked by the 30th day of the billing month. When the 30th day occurs on a weekend or county holiday, the payment date will be extended for one additional business day, without penalties being assessed.

Section 4.7: A late payment penalty of fifteen (15%) percent shall be added to each quarterly sewer rents bill not paid in full within thirty (30) days of the billing date.

Section 4.8: All sewer rents charges not paid in full by November 1st shall be added to the respective property tax and be subject to penalties, charges and interest as set forth in the Real Property Tax Law.

ARTICLE V.

SEWER RENTS RATE

Section 5.0: Sewer rents are hereby established as follows:

Section 5.1: For premises within the Canandaigua Lake County Sewer District; Benefit Zone No. 2 \$373 per equivalent single house unit per year.

Section 5.2: For premises within the Canandaigua Lake County Sewer District and extensions; Benefit Zone No. 1 \$385 per equivalent single house unit per year.

Section 5.3: Premises within the Route 332 Extension of the Canandaigua Lake County Sewer District shall be excluded from this Sewer Rents Local Law to the extent otherwise provided for.

Section 5.4: For premises within the Honeoye Lake County Consolidated Sewer District \$646 per equivalent single house unit per year.

ARTICLE VI.

EFFECTIVE DATE

Section 6.0: This local law shall take effect the first day of the first billing quarter following adoption.

Supervisor Jeffery Gallahan requested privilege of the floor as a representative of the NYS Fish and Wildlife Management Council. He reported for the first month in 2020 compared to 2019, the sale of licenses doubled. In the second month they were up 50% and the third month, they anticipate it being up 50%.

Supervisor Todd Campbell reported on three committees; Alternatives to Incarceration (ATI), the Campbell Commission, and the Police Reinvention Collaboration. For the ATI, they are meeting the metrics from the state as far as guidance to get reimbursement. They learned they did not have to meet quarterly, so are working out a plan for next year. As far as the Campbell Commission, they are splitting their time working on the Police Reinvention Collaboration noting it is a 139-page document that the Governor put out regarding police reform and how to go about doing it. He said they are in a good position from a county perspective. The Sheriff's office will be doing its

own version of the Police Reinvention Collaboration as well as the City of Geneva and Canandaigua doing their own version. Some have started their public listening sessions. They will follow the entire program through to make sure that they are hearing from all the facets of the community that need to be engaged. Their primary facilitator will be Dr. Covington from FLCC. Many of the participants of the Campbell Commission will be involved in the reinvention collaboration.

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

**RESOLUTION NO. 489-2020
REAPPOINTMENT OF MICHAEL J. NORTHRUP
COMMISSIONER OF ELECTIONS**

WHEREAS, The Ontario County Republican Committee has filed a certificate with the Clerk to the Board of Supervisors recommending the reappointment of Michael J. Northrup as the Republican Commissioner of Elections; now, therefore, be it

RESOLVED, That the recommendation of said Committee be accepted and that Mr. Northrup be reappointed Commissioner of Elections for a four-year term commencing January 1, 2021, through December 31, 2024; and further

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

Adopted.

Supervisor Gallahan commended Mike Northrup for the job he has done and endorses his reappointment.

Mike Northrup thanked everyone for their confidence in him and the office. He thanked the Board of Supervisors, the Interim County Administrator and the Departments for stepping up to work directly with the Board of Elections to help them meet all the challenges they are facing.

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

**RESOLUTION NO. 490-2020
AUTHORIZING AGREEMENTS
2021 DOG CONTROL AND RELATED SERVICES
BETWEEN ONTARIO COUNTY AND PARTICIPATING MUNICIPALITIES**

WHEREAS, The County of Ontario (the "County"), by contracting with the Ontario County Humane Society, Inc. ("OCHS"), makes services (the "Services") for County Animal Care Facility occupation, operation and management, dog control officer services

and dog control ordinance enforcement available to participating municipalities in the County; and

WHEREAS, The County wishes to continue contracting with cities and towns within the County who desire OCHS dog control ordinance enforcement services in year 2021; and

WHEREAS, The County is in the third year to distribute dog control services to municipalities based on active and delinquent dog license counts; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors authorizes a contract with municipalities within the County to provide dog control services during calendar year 2021, at the rate of \$15.50 per dog based on methodology approved by the Governmental Operations and Insurance Committee on file with the Clerk of this Board; and further

RESOLVED, That the County Administrator is hereby authorized to execute such agreements, and any other documents necessary to effectuate the purpose of this resolution, with the municipalities for dog control services; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the participating municipalities.

**RESOLUTION NO. 491-2020
AUTHORIZATION FOR USE OF
STATE RECORDS RETENTION AND DISPOSITION**

WHEREAS, The State Commissioner of Education has the authority by law (chapter 737, Article 57-A, Section 57.25 Subsection 2 Laws of 1987) to develop, adopt by regulation, issue and distribute to local governments records retention and disposition schedules establishing minimum legal retention periods; and

WHEREAS, The State Commissioner of Education has issued Local Government General Schedule: LGS-1 to replace and supersede Records and Retention Schedule CO-2 currently used by the county; and

WHEREAS, After August 1, 2020, the consent of the Commissioner of Education to the use of Schedules CO-2 is withdrawn and it may no longer be used to dispose of records; and

RESOLVED, That upon review and approval of the County Attorney as to form, that the Ontario County Board of Supervisors approves the adoption of the new Local

Government General Schedule LGS-1 for use by all officers legally disposing of valueless records listed therein; and further

RESOLVED, That in accordance with Article 57-A;

- (a) Only those records will be disposed of that are described in Local Government General Schedule LGS-1 after they have met the minimum retention period prescribed therein
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

RESOLVED This resolution shall take effect immediately upon adoption.

**RESOLUTION NO. 492-2020
AMENDING THE VIDEO SECURITY SURVEILLANCE POLICY FOR
ONTARIO COUNTY PROPERTY AND PREMISES**

WHEREAS, This Board of Supervisors passed Resolution No. 350-2012 entitled “Establish Video Security Surveillance Policy for Ontario County Property and Premises”; and

WHEREAS, This Board of Supervisors continues to find the responsible use of video surveillance will tend to ensure safety and security of county property, premises and critical public infrastructure, and all persons thereon, and assist in maintaining lawful and safe use of county premises; and

WHEREAS, The Public Safety Committee and the Governmental Operations and Insurance Committee have reviewed and recommend amendments to this Policy; now, therefore, be it

RESOLVED:

Section 1. Scope:

This policy shall apply to all fixed video surveillance systems on county premises with the exception of such systems under the direct supervision of the Sheriff, systems under the direct supervision of the NYS Office of Court Administration, and with the further exception of covert systems employed by any law enforcement agency having jurisdiction.

Section 2. Deployment:

Video surveillance systems may only be deployed in public areas of county-controlled premises.

Section 3. Confidentiality and Privacy:

No video surveillance system shall intentionally monitor private property except as necessary to adequately capture county premises. No recorded video of private property shall be viewed unless it is for system maintenance or is potentially material to a legitimate criminal or other governmental investigation. Recorded video shall not be released except as provided herein, or required by law.

Section 4. Notice:

Reasonable signage shall be appropriately placed in all video surveillance locations, stating that video surveillance is present, and providing appropriate contact information for persons seeking additional information.

Section 5. Use and Monitoring:

Video developed under this policy may be monitored, reviewed or copied by law enforcement personnel, including 9-1-1 Center Personnel, authorized by the Sheriff or District Attorney, by the County Administrator, the Chief Information Officer and by any other persons if authorized by a court of competent jurisdiction. The Chief Information Officer may also review, monitor or copy such video as may be necessary for system maintenance.

This policy excludes video created through the use of the intercom system and through the access control system. Such video shall not be viewed, duplicated, re-recorded or used for any other purpose except in accordance with this policy.

No duplicate recording of any video shall be made through external means.

Section 6. Retention:

Video developed under this policy shall be destroyed or erased no less than 30 days after the date of recording, unless the Sheriff, District Attorney or County Administrator determines that specified video may be material and relevant to law enforcement or administrative investigation, or to potential litigation. In these cases, the imagery shall be destroyed or erased as soon as practicable, but no less than three years following the date of recording.

Section 7. NY State Systems:

The NY State Office of Court Administration may install and operate, in cooperation with the County, such video surveillance systems as it deems appropriate to enhance the safety and security of the Ontario County Courthouse. The administration of these systems shall be in accordance with the rules of the administrators and justices of the courts.

Section 8. System Responsibilities:

The Chief Information Officer shall be responsible for the operation and maintenance of the video surveillance systems covered by this policy, and for the implementation of the policy.

The Chief Information Officer may issue rules not inconsistent with this policy for the operation and maintenance of the system, and may, with the approval of the County Administrator and within the limits of the appropriation expand, modify or contract any video surveillance system covered by this policy, and may recommend to the Public Safety Committee and the Governmental Operations and Insurance Committee any modifications to the policy.

Section 9. Retention of Authority:

Nothing herein shall be construed as abolishing, transferring or curtailing any power of the Board of Supervisors; and further

RESOLVED, That this resolution shall take effect immediately.

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 493-2020
AUTHORITY TO ESTABLISH CHARGES FOR FLU SHOTS
PUBLIC HEALTH 2020-2021**

WHEREAS, The Ontario County Public Health Department provides flu shots to community residents annually; and

WHEREAS, The costs for the vaccine and administration of these shots is reimbursable from certain insurance companies; and

WHEREAS, The Public Health Department is desirous of seeking reimbursement from insurance companies where possible; and

WHEREAS, It is necessary to establish a yearly departmental charge for the administration of these shots in order to bill for these services; and

WHEREAS, The Public Health Director and the Health and Human Services Committee recommend establishing these charges; now, therefore, be it

RESOLVED, That the following fees be established for the administration of the flu vaccine for the 2020-2021 flu season:

<i>Vaccine</i>	<i>Service</i>	<i>Cost</i>
Flu	Vaccine Administration	\$20.00
	Cost of Vaccine	\$20.00

and

RESOLVED, That individuals without insurance will pay forty dollars, \$40.00, per table above.

**RESOLUTION NO. 494-2020
AUTHORIZATION FOR SERVICES – LEAH TALBOT AND
ONTARIO COUNTY CHILDREN WITH SPECIAL NEEDS PROGRAM**

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

<i>Contractor</i>	<i>Professional Services</i>	<i>Rate</i>
Leah Talbot 443 West Avenue Newark, NY 14513	Children with Special Needs Program – Physical Therapy Services	Per State Rate “Schedule A”

and

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

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves the contract with Leah Talbot for a term of September 1, 2020 through December 31, 2021 and at a rate not to exceed the specified rate in the “Schedule A” on file with the Clerk to the Board; and further

RESOLVED, That the County Administrator be, and is hereby, authorized and empowered to execute the Agreement with Leah Talbot, 443 West Avenue, Newark, NY 14513 and all other documents necessary to effectuate the purposes of this resolution.

**RESOLUTION NO. 495-2020
AUTHORIZATION FOR AMENDMENT
ANDREA FAULKNER, MD - MENTAL HEALTH – 2020**

WHEREAS, The Ontario County Board of Supervisors approved resolution number 803-2019 a contract with Andrea Faulkner, MD for the provision of psychiatric services related to court ordered treatment; and

WHEREAS, There is an increased need for clinical psychiatric services; and

WHEREAS, Andrea Faulkner, MD is willing to provide the needed services at an additional cost of \$40,000; and

WHEREAS, Sufficient funds exist within the 2020 budget; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves the amended agreement with Andrea Faulkner, MD; and further

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

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 496-2020
REAPPOINTMENT OF MARSHA E. FOOTE
DIRECTOR OF ONTARIO COUNTY YOUTH BUREAU**

WHEREAS, Ms. Marsha E. Foote's appointment as Director of Ontario County Youth Bureau is to expire on November 11, 2020; and

WHEREAS, The Interim County Administrator has completed the performance process for the Director of Ontario County Youth Bureau and recommends reappointment; and

WHEREAS, The Health and Human Services Committee supports the Interim County Administrator's recommendation and recommends reappointment of Ms. Marsha

E. Foote to the Board of Supervisors effective November 12, 2020 through November 11, 2022; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby reappoints Ms. Marsha E. Foote to the position of Director of Ontario County Youth Bureau for a term of two years to commence November 12, 2020; and further

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

Adopted.

Supervisor Fred Wille said he wholeheartedly endorse Marsha Foote’s reappointment and commended her on the work she has done and her leadership.

Commissioner Eileen Tiberio spoke on behalf of Ms. Foote expressing Ms. Foote’s appreciation to the Board of Supervisors for their ongoing commitment to the youth and young people of this County.

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

**RESOLUTION NO. 497-2020
REAPPOINTMENTS TO THE ONTARIO COUNTY FOUR SEASONS
LOCAL DEVELOPMENT CORPORATION
FRIEND, HUTCHINGS, ROEDER, BENNETT**

BE IT RESOLVED, that the following individuals are hereby reappointed as members of the Ontario County Four Seasons Local Development Corporation for three-year terms expiring September 30, 2023:

Lenore Friend Finger Lakes Community College 3325 Marvin Sands Drive Canandaigua, NY 14424	David Hutchings Sonnenberg Gardens & Mansion 151 Charlotte Street Canandaigua, NY 14424
Mike Roeder Ravenwood Golf Club 929 Lynaugh Road Victor, NY 14564	Robert Bennett Homewood Suites by Hilton 575 Fishers Station Road Victor, NY 14564

and further

RESOLVED, That certified copies of this resolution be sent to the Ontario County Four Seasons Local Development Corporation, the County Clerk, and the appointees.

**RESOLUTION NO. 498-2020
ONTARIO COUNTY AGRICULTURAL ENHANCEMENT BOARD**

APPOINTMENT OF JARED L. MARTIN

WHEREAS, Resolution No. 183-1993 created the Agricultural and Farmland Protection Board and appointed members thereto; and

WHEREAS, The four-year term previously held by Benjamin Lowe for a member who is an active farmer is vacant; and

WHEREAS, Jared Martin, is the owner and operator of a three-hundred-acre dairy farm in the Town of Gorham and is willing to serve the balance of the vacant term that ends December 31, 2022; and

WHEREAS, The Ontario County Agricultural Enhancement Board (Board) by unanimous vote at its August 25, 2020 meeting recommended the appointment of Mr. Martin to the Board for to serve the balance of said term; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed and recommends appointment based on the understanding that failure to submit an Oath of Office within the required 30 day period would necessitate reconsidering this nomination; now, therefore, be it

RESOLVED, That the following individual be appointed to the Ontario County Agriculture Enhancement Board:

	LENGTH OF TERM	TERM EXPIRES
Jared L. Martin 4152 Yautzy Rd. Canandaigua, NY 14424	4 Years	December 31, 2022

and further

RESOLVED, That copies of this resolution be sent to the appointee and the County Clerk.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 499-2020
ACCEPTANCE OF GRANT FROM
EMERGENCY MANAGEMENT PREPAREDNESS GRANT PROGRAM
(EMPG FY20 ~ CFDA # 97.042)
ONTARIO COUNTY EMERGENCY MANAGEMENT OFFICE**

WHEREAS, Ontario County has been awarded a grant of \$ 44,733.00 from the New York State Division of Homeland Security and Emergency Services (DHSES) through

the FY20 Emergency Management Preparedness Grant Program (EMPG) (DHSES Project # EM20-1044-D00, Contract # T836005; MUNIS# 20026; CFDA Number 97.042) for the purpose of purchasing Personal Protective Equipment related to the 2020-2021 flu season and the continuing COVID-19 pandemic for use by first responders; and

WHEREAS, This grant requires a County match equal to the grant allotment which is met with the utilization of funding provided for two full time positions that currently exist within the department; and

WHEREAS, It is advantageous for Ontario County to accept these funds; and

WHEREAS, The contract period extends from October 1, 2019 through September 30, 2022; and

WHEREAS, The Public Safety and Ways and Means Committees recommend acceptance of this grant; 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 the New York State Division of Homeland Security and Emergency Services (DHSES), Harriman Office Campus, 1220 Washington Avenue, Building 7A Room 610, Albany, NY 12242, for a term of October 1, 2019 through September 30, 2022 for the purpose of purchasing Personal Protective Equipment related to the 2020-2021 flu season and the continuing COVID-19 pandemic for use by first responders at a cost not to exceed \$ 89,466; \$44,733 of which is to be met with the utilization of funding provided for two full time positions that currently exist within the department; and further

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

RESOLVED, that the County Administrator is authorized to sign the FY20 Emergency Management Preparedness Grant (EMPG) agreement with the New York State Division of Homeland Security and Emergency Services, and all other documents necessary to effectuate the purposes of this resolution; and further

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

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

TO:		Revenue	Appropriation
AA3645PL-44389	Homeland Security Grant Revenue	+ \$ 44,733	
AA3645PL-54610	Supplies - Operations		+ \$ 44,733
TOTAL:		+ \$ 44,733	+ \$ 44,733

and further

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

**RESOLUTION NO. 500-2020
AUTHORIZATION TO AMEND CONTRACT WITH
PHELPS-CLIFTON SPRINGS (MIDLAKES) CENTRAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER SERVICES**

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, Pursuant to Resolution No. 400-2020, The Ontario County Sheriff has contracted with the School to provide School Resource Officer Services for the period of September 1, 2020 through June 30, 2021, for an estimated \$40,175; and

WHEREAS, The School has requested that the anticipated costs in Schedule A of the agreement for 1040 hours be reduced to \$30,990; and

WHEREAS, The Public Safety Committee has reviewed this proposal and approves of amending said contract for the reduction in anticipated costs; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Sheriff’s Office is authorized and empowered to amend the contract with the School for the provision of a School Resource Officer from September 1, 2020 through June 30, 2021, at an hourly billing rate of \$29.80 and an overtime rate of \$44.70 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 further

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 a certified copy of this resolution be sent by the Clerk of the Board to the Phelps-Clifton Springs Central School District.

The foregoing block of two resolutions was adopted.

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

RESOLUTION NO. 501-2020
RECOGNITION OF SHERIFFS' WEEK SEPTEMBER 20 – 26, 2020

WHEREAS, The Office of Sheriff has been an integral part of the criminal justice system in New York State and in Ontario County throughout our history, having been established in the State's first constitution in 1777 and having been continued in every succeeding constitution, and having been one of the original constitutional offices of our County; and

WHEREAS, Despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguished heritage, and continued to be an essential component of our criminal justice community since 1789; and

WHEREAS, The Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field; and

WHEREAS, The Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace," and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts; and

WHEREAS, As a constitutionally empowered entity directly responsible to the People, the Office of Sheriff remains responsive and accountable to the public it serves; and

WHEREAS, It is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that Sheriffs play in our modern criminal justice system; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby proclaim September 20- 26, 2020 as Sheriff's Week in Ontario County; and further

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

Adopted.

Supervisor Green said during this time it is important to recognize the duties and the honorable way the Sheriff's Department serves the people of this county. Supervisor Green asked if Sheriff Henderson would speak.

Sheriff Henderson echoed what Supervisor Green had said, noting the Office of Sheriff has been in existence since 1789. He said they couldn't do it without the Boards support and thanked them on behalf of all the members of the Sheriff's Office.

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

**RESOLUTION NO. 502-2020
CAPITAL PROJECT NO. H057-19
CONTRACT AMENDMENT WITH SJB SERVICES, INC.
2019 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 360-2019 established Capital Project No. 4-2019 as the 2019 FLCC Maintenance Capital Project, now identified as Capital Project No. H057-19, in the amount of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); and

WHEREAS, Said project includes funding for design and installation of a fire truck access roadway in front of the existing greenhouse building on the main campus at Finger Lakes Community College (FLCC); and

WHEREAS, Resolution 759-2019 approved a contract with SJB Services, Inc. (SJB) for core boring and sampling in the proposed location of said fire truck access roadway at FLCC in the amount of Two Thousand Six Hundred Fifty Dollars (\$2,650.00); and

WHEREAS, Upon completion of the work, SJB discovered an error in their original quote; and

WHEREAS, SJB has submitted an updated proposal dated September 9, 2020, a copy of which is on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exist in the 2019 FLCC Maintenance Capital Project to fund this additional work; and

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

RESOLVED, That the budget of Capital Project H057-19 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HH H057 19 52550	Signal & Communication	\$246,638.9 7	\$0.00	\$246,638. 97
HH H057 19 54053	Construction Inspections	\$2,650.00	+\$450. 00	\$3,100.00
HH H057 19 54101	Minor Equipment	\$76,961.03	\$0.00	\$76,961.0 3
HH H057 19 54260	Consultation & Professional	\$185,000.0 0	\$0.00	\$185,000. 00
HH H057 19 54491	General Construction	\$377,350.0 0	- \$450.0 0	\$376,900. 00
HH H057 19 54493	Electric	\$300,000.0 0	\$0.00	\$300,000. 00
HH H057 19 54494	Plumbing	\$12,000.00	\$0.00	\$12,000.0 0
HH H057 19 54521	HVAC	\$12,000.00	\$0.00	\$12,000.0 0
HH H057 19 54602	Equipment Computer Minor	\$26,400.00	\$0.00	\$26,400.0 0
HH H057 19 54743	Change Order Contingency	\$35,000.00	\$0.00	\$35,000.0 0
HH H057 19 54865	Administration	\$5,000.00	\$0.00	\$5,000.00
Revenues:				
HH H057 19 42397	FLCC Revenue - Other	\$50,000.00	\$0.00	\$50,000.0 0
HH H057 19 43297	State Aid	\$639,500.0 0	\$0.00	\$639,500. 00
HH H057 19 45031	A - Interfund Transfer	\$589,500.0 0	\$0.00	\$589,500. 00

and further

RESOLVED, Upon review and approval by the County Attorney, as to form, the Ontario County Board of Supervisors hereby accepts the September 9, 2020 proposal from SJB Services, Inc. to provide core boring and sampling services associated with the design of a fire truck access roadway in front of the existing greenhouse building at FLCC, representing an increase in cost of Four Hundred Fifty Dollars (\$450.00), bringing the contract total to Three Thousand One Hundred Dollars (\$3,100.00); and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a contract amendment with said firm to replace Schedule "A" in the existing contract with a new Schedule "A" with the correct total contract price of Three Thousand One Hundred Dollars (\$3,100.00); and further

RESOLVED, That the cost of said contract shall be paid from line HH H057 19 54053 – Construction Inspections of Capital Project H057-19; 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 One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Finance Department, the Vice President for Administration and Finance of Finger Lakes Community College, and SJB Services, Inc., 5167 South Park Avenue, Hamburg, New York, 14075.

RESOLUTION NO. 503-2020
CAPITAL PROJECT NO. H061-19
AUTHORIZATION TO TRANSFER FUNDS AND AWARD CONTRACT
AMENDMENT FOR LIMITED CONSTRUCTION PHASE SERVICES TO
TY LIN INTERNATIONAL PC
CMAC RESTROOM FACILITY RENOVATION
2019 FLCC-CMAC IMPROVEMENTS CAPITAL PROJECT

WHEREAS, Resolution No. 589-2019 created Capital Project No. H061-19 as the 2019 FLCC-CMAC Improvements Capital Project; and

WHEREAS, The project budget includes funding for Consultation & Professional services related to the renovation of the restrooms at Constellation Brands / Marvin Sands Performing Arts Center (CMAC) on the FLCC campus; and

WHEREAS, TY Lin International PC (TYLI) has previously completed construction documents for the lighting and exhaust system upgrades per Resolution No. 760-2019 and has demonstrated a thorough understanding of the requested services necessary to provide limited construction and post-construction phase services at the restroom building; and

WHEREAS, The Commissioner of Public Works solicited a proposal from TYLI for professional services related to limited construction phase and post-construction phase services; and

WHEREAS, TYLI has provided a proposal for professional services for a cost not to exceed \$11,900.00; and

WHEREAS, The Consultation & Professional services line of the Capital Project No. H061-19 budget (Line HHH06119 54260) contains \$7,245.00; and

WHEREAS, The proposed cost of the professional services exceeds the remaining budget by \$4,655.00; and

WHEREAS, Sufficient funding exists in the General Construction Line of the budget (Line HHH06119 54491) to cover the difference between the budgeted amount and the proposed cost of the services; and

WHEREAS, The County desires to transfer funds from the General Construction Line of the budget (Line HHH06119 54491) to the Consultation & Professional Line of the budget (Line HHH06119 54260) to cover the difference between the budgeted amount and proposed cost of the services; and

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

RESOLVED, That the following budget transfer for Capital Project No. H061-19 be, and hereby is approved:

Line	Description	Current Budget	Change	Revised Budget
HHH06119 54491	General Construction	\$150,267. 23	- \$4,655.0 0	\$145,612. 23
HHH06119 54260	Consultation & Professional	\$45,000.0 0	+\$4,655. 00	\$49,655.0 0

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract amendment with TY Lin International PC, 255 East Avenue, Rochester, NY 14604 for limited construction and post-construction phase services at a cost not to exceed \$11,900.00, for a total amended contract not to exceed \$49,655; and further

RESOLVED, That the contract shall commence on October 2, 2020 and will expire on May 14, 2021; and further

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

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with TY Lin International PC; and further

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

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

RESOLUTION NO. 504-2020
CAPITAL PROJECT NO. H044-17
BRIDGE PREVENTIVE MAINTENANCE PROJECT (GROUP 2) – 2020
ACCEPT SUPPLEMENTAL AGREEMENT #3
TO NEW YORK STATE REVENUE CONTRACT
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 398-2017 created Capital Project No. 09-2017, Bridge Preventive Maintenance Project (Group 2) – 2020, now known as Capital Project No. H044-17, and accepted the New York State Revenue contract for said project; and

WHEREAS, This project for preventive maintenance on various bridges; Dryer Road over Great Brook, Marletown Road over Canandaigua Outlet, Mill Street over Flint Creek, and County Road 4 over Flint Creek in the Towns of Victor, Phelps, Seneca and the Village of Phelps (BIN 3318090, 3318180, 3318190, and 3318670) P.I.N. 4ON0.01 (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. 682-2018 accepted Supplemental Agreement #1 which provided additional funding for the design engineering phase of the project; and

WHEREAS, Resolution No. 408-2020 accepted Supplemental Agreement #2 which provided funding for the construction phase of the project; and

WHEREAS, Resolution No. 374-2020 authorized the acceptance of Change Order #1 in the amount of \$63,900 and authorized the use of D Fund Reserve for Roads and Bridges to fund said Change Order; and

WHEREAS, Supplemental Agreement #3 which increases the funding for the construction phase to cover the cost of Change Order #1 has been received from NYSDOT; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby accepts the Supplemental Agreement #3 for Capital Project No. H044-17, Bridge Preventive Maintenance Projects (Group 2) – 2020, P.I.N. 4ON0.01; and further

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

Appropriations		Budget	Change	Revised Budget
HHH04417 54731	Contingency	\$25,439.35	- \$12,084.00	\$13,355.35
Revenue				
HHH04417 44597	Federal Aid	\$741,224.0 0	+ \$51,816.00	\$793,040.00
HHH04417 45031	Interfund Transfers	\$243,720.0 0	- \$63,900.00	\$179,820.00

and further

RESOLVED, That funding in the amount of \$63,900 be returned to the D Fund Reserve for Roads and Bridges; 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 costs of the Project or portions thereof; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this Resolution for a total project budget of \$982,280; 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 and State-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 and/or Marchiselli 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. 505-2020
CAPITAL PROJECT NO. H049-18
COUNTY ROAD 46 AND SMITH ROAD
INTERSECTION IMPROVEMENT
PAYMENT FOR PURCHASE OF EASEMENT**

WHEREAS, A project for County Road 46 & Smith Road Intersection Improvement, P.I.N. 4ON0.04 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such projects to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, Resolution No. 784-2018 created Capital Project No. 4-2018, County Road 46 at Smith Road Intersection Improvement, now identified as Capital Project No. H049-18; and

WHEREAS, Resolution No. 784-2018 authorized the implementation and funding in the first instance 100% of the Federal-Aid costs of the Project; and

WHEREAS, Resolution No. 784-2018 authorized the acceptance of the New York State revenue contract for Preliminary Engineering, Detailed Design, and Right-of-Way Incidentals for the Project; and

WHEREAS, Resolution No. 682-2019 authorized the acceptance of the New York State Supplemental Agreement #1 that provided Marchiselli funding for the Project; and

WHEREAS, Resolution No. 200-2019 authorized the execution of a contract with Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, for preliminary engineering and right-of-way incidental services related to the Project for a cost not to exceed \$190,000; and

WHEREAS, Resolution No. 225-2020 authorized the execution of an amended agreement with Bergmann Associates, for professional services in connection with

detailed design, right-of-way acquisition, and bid phase services related to project at a cost not to exceed \$153,600 for a total amended contract price not to exceed \$343,600; and

WHEREAS, Resolution No. 225-2020 established an initial budget of \$22,000 for the purchase of additional right-of-way; and

WHEREAS, Initial right-of-way acquisition budget was based on assessed valuations of properties without any provisions for true market valuation and costs associated with loss of useable lawn, trees, and other items affecting the property value; and

WHEREAS, Bergmann Associates has completed the design and right-of-way incidental services; and

WHEREAS, Acquisition of easement is necessary for the continuation of said project; and

WHEREAS, Just compensation to property owners is established through formal property appraisals to arrive at the initial offer amounts; and

WHEREAS, The Public Works Committee recommends the purchase of the following easements:

Map & Parcel No.	Est. Easement Cost
Map 1-2020 – TE01	\$300
Map 2-2020 – PE02	\$1,400
Map 3-2020 – PE03	\$2,300
Map 4-2020 & 5-2020 – PE04 & TE05	\$1,100

and

WHEREAS, Estimated easement cost for said project is \$5,100; and

WHEREAS, During final negotiations with property owners it may be necessary to compensate for unforeseen conditions and administrative remedies thus requiring a easement purchase contingency; and

WHEREAS, Estimated budget for said property acquisition is \$22,000 which includes a contingency of \$16,900; and

WHEREAS, Sufficient monies exist within Land Acquisition line of Capital Project No. H049-18, HHH04918 54820, for said expenditures; and

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

RESOLVED, The Ontario County Board of Supervisors hereby approves the purchase of said easements for a total cost not to exceed \$22,000; and further

RESOLVED, That the Department of Finance is hereby authorized and directed to make any and all budgetary and accounting entries to effect the intent of the Resolution; and further

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

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

**RESOLUTION NO. 506-2020
CAPITAL PROJECT NO. H060-19
LAKESHORE DRIVE & NY ROUTE 364
SIDEWALK IMPROVEMENT PROJECT
ACCEPT SUPPLEMENTAL AGREEMENT #1
TO NEW YORK STATE REVENUE CONTRACT**

WHEREAS, Resolution No. 593-2019 created Capital Project No. H060-19, Lakeshore Drive & NY Route 364 Sidewalk Improvement Project and accepted the New York State Revenue contract for said project; and

WHEREAS, Said project, P.I.N. 4761.23, is eligible for funding under the TAP and Title 23 U.S. Code, as amended, that calls for apportionment of the costs of such TAP projects to be borne at 80% Federal funds and 20% non-Federal funds; and

WHEREAS, Supplemental Agreement #1 which provides funding for the right-of-way acquisition phase has been received from NYSDOT; 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 hereby accepts the Supplemental Agreement #1 for Capital Project No. H060-19, Lakeshore Drive & NY Route 364 Sidewalk Improvement Project, P.I.N. 4761.23; 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 costs of the Project or portions thereof; 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 and State-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 and/or Marchiselli 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.

The foregoing block of five resolutions was adopted.

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

**RESOLUTION NO. 507-2020
SETTING OF CONTRACT PROVISIONS FOR
REMOVAL OF SNOW AND ICE FROM
COUNTY ROADWAYS WITHIN CERTAIN ONTARIO COUNTY TOWNS**

WHEREAS, Resolution No. 503-2019 established contract provisions with various towns for removing snow and ice from county roads for the 2019/2020 season; and

WHEREAS, The County has proposed new contract terms for the 2020/2021 season for the 15 towns offering to provide snow/ice services which will extend the 2019/2020 rate in the base contract rate at \$5,800 per mile; and

WHEREAS, The County has worked with the town supervisors and town highway superintendents to develop and evaluate a formula that can be applied to each town's

snow and ice removal costs from 2014 through 2018 (five years) to provide a cost per mile based on town expenditures; and

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

RESOLVED, That upon review and approval of the County Attorney, as to form, the Ontario County Board of Supervisors hereby authorizes a contract with each town providing snow and ice control services on County roadways within their town boundaries at a rate of \$5,800 per mile; and further

RESOLVED, That the County Administrator is hereby authorized and directed to sign these contracts; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Towns having agreements.

**RESOLUTION NO. 508-2020
SETTING OF CONTRACT PROVISIONS WITH
THE TOWN OF SOUTH BRISTOL
FOR REMOVAL OF SNOW AND ICE FROM
COUNTY ROADWAYS IN THE TOWN OF NAPLES
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Pursuant to Highway Law Section 135, the County Superintendent of Highways, may contract with a Town/County and a Town/County Superintendent for the removal of snow from County of Ontario (“County”) Roads; and

WHEREAS, The County has proposed to enter into a supplemental contract (“Supplemental Contract”) with the Town of South Bristol (“South Bristol”) for removal of snow and ice from an 8.75 mile section of County Road (“CR”) 33, CR 12 and CR 21 which are in the Town of Naples; and

WHEREAS, The term of the Supplemental Contract is from October 1, 2020 to September 30, 2021; and

WHEREAS, The rate to be paid to South Bristol for snow and ice removal under the Supplemental Contract is \$6,600.00 per centerline mile, \$5,800.00 per centerline mile for the base contract and \$800.00 per mile in consideration of snow/ice control work on roads outside the town boundaries; and

WHEREAS, South Bristol shall also be paid \$2,962.70/mile for each of the 8.9 miles of travel through the Naples Village from South Bristol Town Barns to CR 21; and

WHEREAS, The Supplemental Contract is similar to South Bristol's existing snow and ice agreement for work on County roads within the Town of South Bristol borders, except in this case, the County has agreed to provide back-up service for snow and ice control to South Bristol if equipment problems or extreme weather conditions slows response; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends approval of the Supplemental Contract; now, therefore, be it

RESOLVED, That the rate to be paid to South Bristol for snow and ice removal under the Supplemental Contract is:

- \$6,600.00 per centerline mile for removal of snow and ice from an 8.75-mile section of County Road ("CR") 33, CR 12 and CR 21 which are in the Town of Naples, and
- \$2,962.70/mile for each of the 8.9 miles of travel through the Naples Village from South Bristol Town Barns to CR 21; and further

RESOLVED, That upon the review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby authorizes the Supplemental Contract; and further

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

RESOLVED, This resolution shall take effect immediately; and further

RESOLVED, That a certified copies of this resolution be sent by the Clerk of this Board to the Town of South Bristol, 6500 Gannett Hill Road West, Naples, New York 14512.

**RESOLUTION NO. 509-2020
SETTING OF CONTRACT PROVISIONS WITH THE TOWN OF CANADICE
FOR REMOVAL OF SNOW AND ICE FROM COUNTY
ROADWAYS IN THE TOWN OF NAPLES**

WHEREAS, Pursuant to Highway Law Section 135, the County Superintendent of Highways, may contract with a Town/County and a Town/County Superintendent for the removal of snow from County of Ontario ("County") Roads; and

WHEREAS, The County has proposed to enter into a supplemental contract (“Supplemental Contract”) with the Town of Canadice (“Canadice”) for removal of snow and ice from a 6.11-mile section of County Road 36 which is in the Town of Naples; and

WHEREAS, The term of the Supplemental Contract is from October 1, 2020 to September 30, 2021; and

WHEREAS, The rate to be paid to Canadice for snow and ice removal under the Supplemental Contract is \$6,600 per centerline mile, \$5,800.00 per centerline mile for the base contract and \$800.00 per mile in consideration of snow/ice control work on roads outside the town boundaries; and

WHEREAS, The Supplemental Contract is similar to Canadice’s existing snow and ice agreement for work on County roads within the Town of Canadice borders, except in this case, the County has agreed to provide back-up service for snow and ice control to Canadice if equipment problems or extreme weather conditions slows response; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends approval of the Supplemental Contract; now therefore be it

RESOLVED, That the rate to be paid to Canadice for snow and ice removal under the Supplemental Contract is \$6,600 per centerline mile for a 6.11-mile section of County Road 36 which is in the Town of Naples; and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby authorizes the Supplemental Contract; and further

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

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

RESOLVED, That a certified copies of this resolution be sent by the Clerk of this Board to the Town of Canadice, 5949 CR 37, Springwater, New York 14560.

RESOLUTION NO. 510-2020
SETTING OF CONTRACT PROVISIONS FOR REMOVAL OF SNOW AND
ICE FROM COUNTY ROADWAYS WITHIN LIVINGSTON COUNTY

WHEREAS, Pursuant to Highway Law Section 135, the County Superintendent of Highways, may contract with a Town/County and a Town/County Superintendent for the removal of snow from County Roads; and

WHEREAS, The County has proposed to enter into a contract with Livingston County for removal of snow and ice from 0.44 miles section of County Road 36 which is in Livingston County; and

WHEREAS, The Public Works Committee has reviewed the contract provisions and recommends the annual flat rate per centerline mile payable to Ontario County be as follows:

October 15, 2020 to October 14, 2021 \$5,800.00 per mile; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors hereby approves the contract with Livingston County; and further

RESOLVED, That the rate to be paid to Ontario County for snow and ice removal is \$5,800 per centerline mile for a .44-mile section of County Road 36 which is in Livingston County; and further

RESOLVED, That the County Administrator is authorized to sign the contract and any other documents necessary to effectuate the purpose of this resolution; 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; and further

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

**RESOLUTION NO. 511-2020
AUTHORIZATION TO RENEW BID B18088
FOR ON-DEMAND HVAC AND PLUMBING SERVICES
AT VARIOUS COUNTY BUILDINGS**

WHEREAS, Resolution No. 690-2018 awarded bid (B18088) to Amering and Johnston for On- Demand HVAC and Plumbing Services; and

WHEREAS, Resolution No. 536-2019 renewed said bid for the period November 18, 2019 through November 17, 2020; and

WHEREAS, Amering & Johnston has agreed to a 12-month renewal at the current price structure; and

WHEREAS, The Purchasing Department recommends the bid renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of bid B18088 with Amering & Johnston, 5121 Route 96, Shortsville, New York 14548, for On-Demand HVAC and Plumbing Services per the tabulation sheets for a 1-year period starting November 18, 2020 through November 17, 2021; and further

RESOLVED, That a certified copies of this resolution be sent by the Clerk of this Board to Amering and Johnston.

**RESOLUTION NO. 512-2020
AUTHORIZATION TO RENEW QUOTE Q18094
PEST CONTROL SERVICES – HIGH QUALITY PEST CONTROL, INC.**

WHEREAS, Resolution No. 688-2018 accepted quote (Q18094) for pest control services from High Quality Pest Control Inc.; and

WHEREAS, Resolution No. 499-2019 renewed said quote for the period October 19, 2019 to October 18, 2020; and

WHEREAS, High Quality Pest Control Inc. has agreed to a 12-month renewal at the current price structure; and

WHEREAS, The Purchasing Department recommends the bid renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of quote Q18094 with High Quality Pest Control, Inc., P.O. Box 271, Canandaigua, NY 14424, for pest control services per the tabulation sheets for a 1-year period starting October 19, 2020 through October 18, 2021; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to High Quality Pest Control.

**RESOLUTION NO. 513-2020
AUTHORIZATION TO RENEW BID B18093
MAINTENANCE AND REPAIR OF ENERGY MANAGEMENT SYSTEM
SIEMENS INDUSTRY INC.**

WHEREAS, Resolution No. 626-2018 awarded bid (B18093) for maintenance and repair of energy management system to Siemens Industry Inc.; and

WHEREAS, Resolution No. 500-2019 renewed said bid with a 1.6% CPI price increase for the period October 28, 2019 through October 27, 2020; and

WHEREAS, Siemens Industry Inc. has agreed to a 12-month renewal with a .8% increase which is the maximum allowed under the CPI limits in the bid terms; and

WHEREAS, The Purchasing Department recommends the bid renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of bid B18093 with Siemens Industry Inc., 50 Methodist Hill Drive, Suite 1500, Rochester, NY 14623 for maintenance and repair of energy management system per the tabulation sheets for a 1-year period starting October 28, 2020 through October 27, 2021 with a .8% CPI increase; and further

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

**RESOLUTION NO. 514-2020
AUTHORIZATION TO AWARD BID B20048
PURCHASE HEAT PUMPS**

WHEREAS, The Department of Public Works periodically has the need to replace heat pumps; and

WHEREAS, The Purchasing Department has solicited and received bids (B20048) for the Purchase of Heat Pumps; and

WHEREAS, Modular Comfort Systems and Guckian Energy Systems are the low responsive, responsible bidders; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes an award of Bid B20048 to Modular Comfort Systems, 5860 Belle Isle Road, Syracuse, New York 13209 and Guckian Energy Systems, 596 Fishers Station Dr. Suite #8, Victor, NY 14564, per the tabulation sheet filed with the Clerk of the Board for the purchase of Heat Pumps; and further

RESOLVED, Said bid shall commence on October 6, 2020 and will expire on October 5, 2021; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board of Supervisors to Modular Comfort Systems and Guckian Energy Systems.

**RESOLUTION NO. 515-2020
AUTHORIZATION TO AWARD CONTRACT
FOR PURCHASE OF NATURAL GAS
EMPIRE NATURAL GAS CORPORATION**

WHEREAS, Ontario County has a need for natural gas for various purposes; and
WHEREAS, Ontario County contracts with Wayne Finger Lakes BOCES for the Brokerage of natural gas: and

WHEREAS, Wayne Finger Lakes BOCES recommends purchasing the natural gas from Empire Natural Gas Corporation, 173 Airport Road, Greene, New York 13778, for a 12 -month period; now, therefore, be it

RESOLVED, That on the recommendation of the Public Works Committee, the Ontario County Board of Supervisors hereby authorizes the award of contract to Empire Natural Gas Corporation, starting on October 1, 2020, and ending on September 30, 2021 pursuant to the schedule on file with Clerk of the Board; and further

RESOLVED, That upon review and approval by the County Attorney, as to form, that the County Administrator be, and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof; and further

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

**RESOLUTION NO. 516-2020
AUTHORIZATION TO RENEW BID B19066
FOR VEHICLE FILTERS – OIL FILTER SERVICE, INC.**

WHEREAS, Resolution No. 597-2019 awarded bid (B19066) for vehicle filters to Oil Filter Service, Inc.; and

WHEREAS, Oil Filter Service, Inc. has agreed to a 12-month renewal at the current price structure; and

WHEREAS, The Purchasing Department recommends the bid renewal; and

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

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the renewal of bid B19066 with Oil Filter Service, Inc., 75 Saginaw Drive, Rochester, NY 14623, for vehicle filters per the tabulation sheets for a 1-year period starting October 9, 2020 through October 8, 2021; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Oil Filter Service, Inc.

**RESOLUTION NO. 517-2020
AWARD OF CONTRACT (B20041) TO MULTIPLE VENDORS
FOR THE PROVISION OF TRUCK
AND EQUIPMENT PARTS AND SERVICE**

WHEREAS, The Department of Public Works requires service and parts for various types of equipment and operating systems; and

WHEREAS, This equipment includes mechanical and electric service; and

WHEREAS, The array of equipment and systems used by the department requires services and parts from multiple vendors; and

WHEREAS, The Purchasing Department advertised and received per tabulation sheets on file with the Clerk of the Board (B20041) for Truck and Equipment Parts and Service; and

WHEREAS, The Public Works Committee accepts the bid from all vendors as shown on the bid tabulation; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisor hereby authorizes the acceptance of the bid from the following contractors for a period of 12 months from date of award with up to two (2) twelve-month renewals upon agreement of all parties;

Contractor	Address
5 Star Equipment	60 Paul Road, Rochester, NY 14624
Commercial Maintenance Supply Inc.	6021 Tarbell Road, Syracuse, NY 13206
Conway Beam Truck Group	2654 W. Henrietta Road, Rochester, NY 14623
Colony Hardware DBA Cook Iron Store	PO Box 21216, New York, NY 10087-1216
Cummins-Wager-Siewert LLC DBA: Siewert Equipment	175 Akron Street, Rochester, NY 14609
Cylinder Services Inc.	900 Maple Street, Rochester, NY 14611
Cyncon Equipment Inc.	PO Box 30, Rush, NY 14543
D.J.M. Equipment Inc.	7216 Palmyra Road, Fairport, NY 14450

D&W Diesel, Inc.	1503 Clark Street Road, Auburn, NY 13021
EYW Companies LLC	274 Bridgewood Drive, Rochester, NY 14612
Filtrec Corporation	5440 Lockwood Road, Auburn, NY 13021
Fleet Pride	1437 Scottsville Road, Rochester, NY 14624
Freightliner & Western Star of Batavia, LLC	8190 State Street Rd., Batavia, NY 14020
Joe Johnson Equipment LLC	62 LaGrange Avenue, Rochester, NY 14613
Kaman Automation	1000 University Avenue, Rochester, NY 14607
Kenworth Northeast Rochester	25 Airline Drive, Rochester, NY 14624
Kimball Midwest	4800 Roberts Road, Columbus, OH 43228
Montage Enterprises Inc.	PO Box 631, Blairstown, New Jersey 07825
Northstar Auto Electric Inc.	PO Box 867, Macedon, NY 14502
Northern Supply Inc.	PO Box 69, 2959 Ashman Road, Bloomfield, NY 14469
Ray Sands Glass DBA Burns Glass Service LTD	3315 Chili Avenue, Rochester, NY 14624
Regional International	1007 Lehigh Station Road, Henrietta, NY 14467
Saxby Implement Corporation	PO Box 333, Mendon, NY 14506-0333
Thruway Spring	1609 Mt. Read Blvd., Rochester, NY 14606
Tracey Road Equipment Inc.	6803 Manlius Center Rd. East Syracuse, NY 13057
Unicell Body Co., Buffalo, NY	15 Holt Street, Buffalo, NY 14206
Unicell Body Co., Henrietta, NY	1319 Brighton Henrietta Townline Rd., Rochester, NY 14623
Unicell Body Co., Schenectady, NY	170 Cordell Road, Schenectady, NY 12303
Vantage Equipment	5985 Court Street Road, Syracuse, NY 13206
Xylem Inc. Flygt	8039 Oak Orchard Rd., Batavia, NY 14020
Xylem Dewatering Solutions Inc. Godwin Pumps	8039 Oak Orchard Rd., Batavia, NY 14020

and further

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

**RESOLUTION NO. 518-2020
AMENDMENT AGREEMENT**

**GHD CONSULTING SERVICES, INC.
HONEOYE LAKE WASTEWATER TREATMENT PLANT IMPROVEMENTS**

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

WHEREAS, Resolution No. 560-2018 authorized an amendment agreement with GHD for final design and bidding services; and

WHEREAS, The New York State Department of Environmental Conservation required additional improvements to be added to the scope of the Project including a new equalization tank drain pump, a new aeration blower and new effluent sampling sink; and

WHEREAS, GHD has submitted a proposal for additional services in connection with preparing plans and final bid documents for said additional improvements; and

WHEREAS, The Commissioner of Public Works has reviewed said proposal and recommends its acceptance; and

WHEREAS, The parties desire to enter into an agreement to effectuate the purpose of this resolution; and

WHEREAS, There are sufficient funds within the Honeoye Lake County Consolidated Sewer District budget line G5811099 54260 Consultation & Professional to pay for said services; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an amendment agreement with GHD Consulting Services Inc., 5788 Widewaters Parkway, Syracuse, NY 13214 for services in connection with preparing plans and final bid documents for additional improvements required by the New York State Department of Environmental Conservation for a cost not to exceed \$14,040, for a total amended contract price of \$613,820.00; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said amendment agreement 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 GHD Consulting Services, Inc., the President and CEO of the New York State

Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997, the Commissioner of the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1010.

**RESOLUTION NO. 519-2020
FIXING DATE AND NOTICE FOR THE PUBLIC HEARING
ON LOCAL LAW NO. 5 (INTRO.) OF 2020**

WHEREAS, There has been presented and introduced at a meeting of this Board held on October 1, 2020, a proposed local law entitled “Ontario County Sewer Rents Local Law, As Amended”; now, therefore, be it

RESOLVED, That a public hearing shall be held on October 22, 2020, at 6:30 P.M. at 74 Ontario Street, Canandaigua, New York; and further

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

The foregoing block of thirteen resolutions was adopted.

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

**RESOLUTION NO. 520-2020
CREATION OF TWO CORRECTION OFFICER POSITIONS AND
ONE COUNTY POLICE OFFICER, PART-TIME POSITION**

WHEREAS, The Ontario County Office of Sheriff intends to enter into a contract with the Office of Court Administration (OCA) to provide security for the Geneva City Courthouse effective October 1, 2020; and

WHEREAS, Sheriff Kevin Henderson has filed the necessary paperwork with the Director of Human Resources to classify two positions of Correction Officer and one position of County Police Officer, Part-Time to be assigned to the Court Security Division; and

WHEREAS, Human Resources has classified two Correction Officer positions according to Personnel Officer Classification Certification No. 36-2020 and one County Police Officer, Part-Time position according to Personnel Officer Classification Certification No. 37-2020; and

WHEREAS, The Public Safety Committee and the Ways and Means Committee have reviewed and recommend the creation of these additional positions for Court Security; and

WHEREAS, The creation and retention of these positions are subject to funding being provided by OCA through a contract; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby create two positions of Correction Officer (01261/#114 & 115) and one position of County Police Officer, Part-Time (12272/34) for the Office of Sheriff to provide court security for the City of Geneva Court, effective upon adoption, but subject to OCA entering into a contract for this court security and continuing to fund said positions; and further

RESOLVED, That these three positions will be subject to the sunset clause and shall be abolished at such time as the OCA funding for City of Geneva Court is no longer available; and further

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

**RESOLUTION NO. 521-2020
CREATION OF POSITION – COOK (COUNTY) (DBL)
OFFICE OF SHERIFF**

WHEREAS, Sheriff Kevin Henderson has filed a New Position Duties Statement with the Director of Human Resources for a position he would like to create temporarily during the disability of a Cook; and

WHEREAS, Said position has been classified as Cook (County) (DBL) by Personnel Officer Classification Certification No. 35-2020; and

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

RESOLVED, That the position of temporary, full-time Cook (County) (DBL) (02809/#7) be and hereby is created, for a period not to exceed 90 days, effective upon adoption; and further

RESOLVED, That sufficient funding exists within the Sheriff's budget for this position.

**RESOLUTION NO. 522-2020
APPROVAL OF EXTENSION OF COLLECTIVE BARGAINING AGREEMENT
THROUGH DECEMBER 31, 2021**

BETWEEN ONTARIO COUNTY AND CSEA, LOCAL 1000 AFSCME, AFL-CIO

WHEREAS, Negotiating teams representing Ontario County and the CSEA, LOCAL 1000 AFSCME, AFL-CIO (CSEA), in light of the financial impact of responding to COVID-19, have reached an agreement to extend the current 2018-2020 collective bargaining agreement on the same terms and conditions of employment for an additional year through and including December 31, 2021; and

WHEREAS, The original Tentative Agreement, dated July 27, 2020, stating these terms and conditions has been ratified by the CSEA membership and is on file with the Clerk of this Board; and

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

RESOLVED, That the Chairman of the Board of Supervisors and the County Administrator are hereby authorized and directed to execute a collective bargaining agreement, incorporating the terms and conditions of employment set forth in the Tentative Agreement on file with the Clerk of this Board and approved as to form by the County Attorney; and be it further

RESOLVED, That the Clerk shall provide a copy of this resolution to the CSEA Labor Relations Specialist, Paul Peters, by email at Paul.peters@cseainc.org, the County Administrator, the Director of Human Resources, and the County Attorney.

RESOLUTION NO. 523-2020**AUTHORIZATION FOR HOURS OF WORK, SALARY, AND BENEFITS OF ECONOMIC DEVELOPMENT DIRECTOR, MICHAEL J. MANIKOWSKI**

WHEREAS, Michael J. Manikowski has served Ontario County for 35 years and is eligible for retirement but would like to continue in the role of Economic Developer on a quarter-time basis to continue to provide direction, leadership, experience and network connections for the benefit of the County; and

WHEREAS, Mr. Manikowski understands that as a part-time employee the previous benefits that were afforded to him as a full-time employee would not be available to him, but has requested that the County continue to provide his current health and dental plan through 2021, so long as he remains employed on a part-time basis; and

WHEREAS, The Ontario County Board of Supervisors recognizes that there would be a positive financial impact to the 2021 budget if Mr. Manikowski is retained on a

quarter-time basis, even if the County continues to provide health and dental insurance; and

WHEREAS, It is understood that the additional salary adjustment of \$10,000 authorized by Res #756-2006 and the vehicle stipend authorized by Res #82-2018, which have been provided to Mr. Manikowski, would cease to continue; now, therefore, be it

RESOLVED, That at least one day after Michael J. Manikowski's retirement into the New York State Retirement System in 2020 he shall be reappointed as Ontario County's Economic Developer, on a quarter-time basis, so that he is limited in working only 490 hours in 2021 and his salary shall be adjusted accordingly to be paid at the appropriate hourly rate of \$71.39; and further be it

RESOLVED, That the Board of Supervisors agrees to continue to provide to Mr. Manikowski his current health and dental coverage and HRA contributions so long as he remains employed by the County in 2021; and be if futher

RESOLVED, That the additional compensation provided to Mr. Manikowki shall cease when he is appointed on a quarter-time basis, specifically, the vehicle stipend authorized by Res # 82-2018 and the salary adjustment authroized by Res # 756-2006; and further be it

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

RESOLVED, That a copy of this resolution be provided to the Director of Human Resources and the Economic Development Office for purposes of effectuating the intent of this resolution.

**RESOLUTION NO. 524-2020
RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATIVE
LEADERS TO RESTORE REDUCTIONS TO COUNTIES SALES TAX**

WHEREAS, The County of Ontario has always been fiscally conscious; and

WHEREAS, The COVID 19 Pandemic has put a fiscal burden on Ontario County as well as the state of New York and the other 61 Counties; and

WHEREAS, All Sales Tax revenue is an important and a vital revenue for all counties to assists counties to be able to keep property taxes at a minimum; and

WHEREAS, Portions of Internet Sales tax payments due to Ontario County was diverted by the State of New York in 2019 ,2020 and plans diversion in 2021 of more

Internet Sales Tax to be use by the State of New York for AIM funding that the State of New York is responsible for; and

WHEREAS, Portions of Sales tax payments due to Ontario County was diverted by the State of New York in 2020, and plans of more diversion of Ontario County sales tax in 2021 to be used by The State of New York to aid in funding to Distressed Hospitals; and

WHEREAS, Ontario County has no say in this diversion of sales tax; and

WHEREAS, The loss of these revenues caused fiscal stress and budget uncertainty for Ontario County while increasing pressure on property taxes; and

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

RESOLVED, The Ontario County Board of Supervisors calls upon the Governor and State Legislature to put a stop to the diversion of Ontario Counties Sales tax both regular and Internet sales tax, and return all diverted Sales Tax money back to Ontario County; and further

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

The foregoing block of five resolutions was adopted.

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

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

RESOLUTION NO. 525-2020
AUTHORIZATION TO ACCEPT DONATION FROM
GENERATIONS BANK FOR THE D.A.R.E. PROGRAM

WHEREAS, Ontario County Office of Sheriff has been notified of a contribution from Generations Bank in support of the D.A.R.E. Program sponsored by the Ontario County Office of Sheriff; and

WHEREAS, It is advantageous for Ontario County to accept these funds to support the students through Ontario County Office of Sheriff D.A.R.E. Program; and

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

RESOLVED, That the County of Ontario be, and hereby is, authorized to accept the donation from Generations Bank in the amount of \$1,000.00; and further

RESOLVED, That the following budget revenue and appropriation is hereby approved:

TO:		Revenue	Appropriation
AA2989 42705	Gifts and Donations	+\$1,000	
AA2989 54690	Educational Expenses		+\$1,000

and further

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

RESOLVED, That a copy of this resolution shall be sent by the Clerk of the Board to Generations Bank, 20 East Bayard Street, Seneca Falls, NY 13148.

Adopted.

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

**RESOLUTION NO. 526-2020
 APPROVING AGREEMENT NOT TO TRANSFER
 TAX DELINQUENT PROPERTY IN LITIGATION
 UNTIL LITIGATION IS RESOLVED**

WHEREAS, The County, as the result of enforcement of 2018 taxes, will acquire parcels

which will need to be auctioned (the “Auction Parcels”); and

WHEREAS, Any Owners and interested parties of the Auction Parcels failed to redeem them by January 17, 2020; and

WHEREAS, The County obtained a Default Judgment on the Auction Parcels on March 6, 2020; and

WHEREAS, Pursuant to Resolution (“Res.”) Number (“No.”) 416-2020, this Board of Supervisors authorized an online auction (the “Auction”) of the Auction Parcels to begin on September 30, 2020, and scheduled to close on October 14, 2020; and

WHEREAS, On September 29, 2020, Owners of an Auction Parcel located at 19 S. Dayton Avenue, Clifton Springs, New York 14432 (the "Property"), filed bankruptcy; and

WHEREAS, Instead of seeking a temporary restraining order from the court to stop the sale of the Property at the Auction, counsel for the Property owners have proposed an agreement allowing the County to sell the Property at the Auction, but not allowing for transfer of title to the high bidder until and unless litigation is resolved in favor of the County;

WHEREAS, The County Treasurer and Ways and Means Committee recommends agreeing to not transferring the Property until and unless litigation is resolved in favor of the County; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board hereby approves an agreement in which provides in substance that the County may sell the Property at the Auction, but it will not transfer title to the high bidder until and unless litigation is resolved in favor of the County; and further

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

Adopted.

Supervisor Baker noted that this resolution will save the County money. He explained the purpose of the resolution and how it will work. Treasurer Gary Baxter agreed with Supervisor Baker.

At 7:15 pm, Supervisor Robert Green, seconded by Supervisor Norman Teed, motioned to move into Executive Session, to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 7:41 pm, Supervisor Robert Green, seconded by Supervisor Kristine Singer, motioned to move out of Executive Session.

On motion of Supervisor Jeffery Gallahan, seconded by Supervisor Kristine Singer, the meeting was adjourned at 7:42 pm.