

April 18, 2019

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:39 p.m. at the Ontario County Safety Training Facility, 2914 County Road 48 in the Town of Hopewell, with Chair Marren presiding.

The Pledge of Allegiance was led by Supervisor Gallahan.

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

A Public Hearing, first opened on March 28, 2019, then adjourned, was reconvened this evening at 6:40 PM with Chairman Marren presiding. The Public Hearing is being held to consider the requests for inclusion of Farmland in Ontario County Agricultural district One and Six as per the recommendations of the Ontario county Agricultural Enhancement Board.

As no one wished to speak, the Public Hearing was closed at 6:41 PM.

A Public Hearing regarding Local Law No.2 (Intro.) of 2019 entitled, "A Local Law Creating a Position of a Deputy Director for Real Property Tax Services" was called to order at 6:42 p.m. with Chairman Marren presiding.

As no one wished to speak, the Public Hearing was closed at 6:43 pm.

REPORTS OF COUNTY OFFICIALS:

Chairman Marren encouraged board members to:

1. Inform the Board Clerks, Standing Committee Chairs, and Chairman of the Board as soon as possible regarding absences from meetings.
2. Please periodically check you mailboxes at the Clerk's Office.
3. Board Clerk Kristin Mueller is recuperating. She appreciates all well-wishes.
4. Shared Services Panel Meeting is scheduled for April 25, 2019, from 12:00 noon to 4:00 p.m. at the Safety Training Facility.

PRIVILEGE OF THE FLOOR:

Chairman Marren began by reminding all of the ground rules. Persons not members of the board may, with the Chair's permission, be permitted to speak in regard to matters pending before the board. Speakers are limited to three minutes for comments. This board respects the time and preparation of comments. It is expected that members of the public will treat each speaker, county employee, and board member with respect and conduct themselves in a professional manner. The Chairman of the Board will immediately stop the comments of any speaker who makes personal attacks against anyone. Such behavior is not welcome at our meetings.

Supervisor Vedora requested privilege of the floor for Ms. Jackie Augustine, Geneva City, New York.

Ms. Augustine stated she is glad to see that the proposed resolution on this evening's agenda entitled 'Call to Action for a Strategic Planning Process for the New Department of Sustainability and Solid Waste Management' return to committee. She noted her concern that the goal of this plan would appear to sustain the desires of the Casella Corporation rather than to sustain our community and quality of life. The call to action should be from the perspective of the community without corporate interest.

Ms. Augustine also appreciates the privilege to speak before this board but suggests improving how that privilege is extended to members of the public.

Supervisor Bendzlowicz requested privilege of the floor for Mr. Jeff Henderson, Geneva City, New York.

Mr. Henderson expressed thanks for the privilege to speak this evening. He stated that 'It Stinks', an online complaint service, was created under partnership with BluePrint Geneva, Inc. This allows anyone who detects the distinctive aroma of trash to log the date and time of the incident and have their complaint transmitted to elected officials and the NYSDEC directly. He stated the odor issue is masking a larger problem. People are concerned that the board is not managing it effectively. He encouraged board members to respond and communicate.

Chairman Marren requested privilege of the floor for Mr. Joel Richter, Victor, New York.

Mr. Richter spoke in support of the proposed resolution on this evening's agenda entitled 'Approval of Sale of Property to the Town of Victor'. He stated he is the president of the Friends of the Railroad, a non-profit group in Victor. We are working closely with Finger Lakes Railroad and County Tourism Bureau to increase activities and a positive economic impact. The sale is a win/win for Victor as well as Victor Insulator.

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

Copies received of minutes of meetings held as follows:

- a. Health & Human Services Committee held on March 18, 2019
- b. Planning & Environmental Quality Committee held on March 18, 2019
- c. Public Works Committee held on March 18, 2019
- d. Public Safety Committee held on March 20, 2019

The Clerk acknowledged receipt of Resolution No. 63-2019 – 67-2019 received from Stephen Acquario, NYSAC.

The Clerk acknowledged receipt of Resolution No. 186-2019 received from Brian M. Kolb, State Assembly Minority Leader.

The Clerk presented Ontario County Local Law No. 2 (Intro.) of 2019.

The Clerk received Budget Modification Approval for NYS CDBG Project # 850ED923-18 received from Scott LaMountain, NYS Homes and Community Renewal.

The Clerk received Resolution No. 110 received from Schuyler County Legislature.

The Clerk received Resolution No. 163-2019 received from Cattaraugus County Legislature.

The Clerk received notification of a class/training session on "Response to Opioid Overdose" received from Our Lady of Peace People of Peace Steering Committee.

The Clerk received March 2019 Ontario County Soil & Water Conservation District News Letter received from SWCD.

The Clerk received Rochester Genesee Regional Transportation Authority (RGRTA) 2019-2022 Comprehensive Strategic Plan and 2019-2020 Financial Plan

received from Bill Carpenter, CEO, Rochester Genesee Regional Transportation Authority.

The Clerk received Ontario County Local Development Corporation's Communicating Internal Control Related Matters Identified in an Audit received from Ontario County Economic Development Office.

The Clerk received Ontario County Local Development Corporation's Financial Statements received from Ontario County Economic Development Office.

The Clerk received Ontario County Industrial Development Agency's Communicating Internal Control Related Matters Identified in an Audit received from Ontario County Economic Development Office.

The Clerk received Ontario County Industrial Development Agency's Basic Financial Statements received from Ontario County Economic Development Office.

The Clerk Ontario County Economic Development Corporation's Communicating Internal Control Related Matters Identified in an Audit received from Ontario County Economic Development Office.

The Clerk received Ontario County Economic Development Corporation's Financial Statements received from Ontario County Economic Development Office.

The Clerk received application regarding Town of Hopewell; Extension No. 6 to Hopewell Central Water District File No. 2018-68 received from State of New York, Office of the State Comptroller.

REPORTS OF STANDING COMMITTEES:

Public Safety Committee Chairman Green informed the Board of a communication written by the Federal Communications Commissioner Mike O'Rielly. FCC has been charged by the U.S. Congress with ensuring that 9-1-1 consumer fees paid to states are used for their intended purpose. Commissioner O'Rielly writes that the states of New York, New Jersey, and Rhode Island have diverted the most money in both total funding. In particular, New York was responsible for diversion of \$170.9 million equating to 90.35% of monies received. The commission found that the vast majority of funding in New York did not go to 9-1-1 related purposes and a mere \$10 million of the \$75 million in New York's various 'public safety grants' were 9-1-1 related.

These diversionary actions of New York State make it ineligible for new federal funding to modernize emergency call centers. The practice of diverting 9-1-1 fees gives our state proverbial black eyes, harms public safety, and makes New York ineligible for funding to modernize emergency call centers.

The commissioner concludes by stating this entire situation is fixable. If New York State is ready to exert the necessary leadership, the FCC is ready to work to eliminate the 9-1-1 fee diversion practices.

Supervisor Green concluded by saying our voices and concerns have been heard. This issue has been on the front burner throughout municipalities and associations such as Inter County and NYSAC. We look forward to this being resolved.

Supervisor Russell, FLCC Board Trustee, spoke favorably to the many excellent programs and events open to the public at the college. He attended an excellent program this week showcasing a speaker who is a holocaust survivor. He encouraged everyone to check out all upcoming events and attend when possible.

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

**RESOLUTION NO. 212-2019
AUTHORIZING AMENDMENT TO AGREEMENT WITH ONEGROUP
FOR ADDITIONAL CONSULTATION SERVICES WITH THE
COUNTY SELF-INSURED WORKERS COMPENSATION PLAN**

WHEREAS, Resolution No. 569-2018 authorized a contract with OneGroup Bailey & Haskell Insurance to provide analysis of participation assessments and allocation of the County's Self-Insured Workers Compensation Plan; and

WHEREAS, The County Administrator would like additional consultant services with respect to plan administration; and

WHEREAS, The contract needs to be amended to include these additional services and costs; and

WHEREAS, Funds are available within the 2019 Workers Compensation budget to cover the cost of these services; and

WHEREAS, The Governmental Operations and Insurance Committee and the Ways and Means Committee has reviewed and recommends this contract amendment with OneGroup Bailey & Haskell Insurance in order to provide these additional services; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby authorize this contract amendment with OneGroup Bailey & Haskell Insurance to offer additional services in accordance with the Amendment to the Agreement; and further

RESOLVED, That the costs of these additional services not to exceed \$5000 shall be paid for out of the Workers Compensation budget.

RESOLVED, That, after review and approval by the County Attorney's Office, the County Administrator be authorized to sign said Amendment to the Agreement.

**RESOLUTION NO. 213-2019
AUTHORIZATION TO CONTRACT WITH EASTERN SHORE
ASSOCIATES INSURANCE AS SELF INSURANCE PROGRAM
CONSULTANT/BROKER OF RECORD**

WHEREAS, Resolution No. 638-86, adopted on November 13, 1986, established a self-insurance program to manage the liability risks to which Ontario County is exposed (the "Ontario County Self-Insurance Plan"), which has been continuously maintained pursuant to Resolutions Nos. 53-93, 241-95, 398-97, and 603-99; and

WHEREAS, Ontario County's Self Insurance Program has historically secured services from a consultant with expertise in the insurance industry, and requires continued assistance upon the retirement of the County's current provider; and

WHEREAS, Eastern Shore Associates Insurance will provide similar competent advice and support in negotiating the complex insurance field; and

WHEREAS, The Governmental Operations & Insurance Committee supports the recommendation to contract with Eastern Shore Associates Insurance as Self Insurance Program Consultant/Broker of Record for Ontario County; now therefore be it

RESOLVED, That the Board of Supervisors hereby authorizes Ontario County to enter into a contract with Eastern Shore Associates Insurance as Self Insurance Program Consultant/Broker of Record for Ontario County, effective July 1, 2019; and it is further

RESOLVED, That the term of said contract shall be two years, and shall terminate on or before June 30, 2021; and further

RESOLVED, That there will be no County cost associated with this contract as the consultant will receive its commissions directly from the insurance companies; and further

RESOLVED, That the County Administrator shall be authorized to sign this agreement, if necessary, subject to the review and approval of the County Attorney's Office as to form; and it is further

RESOLVED, That copies of this resolution be sent by the Clerk of the Board to the County Attorney, the County Administrator, and Eastern Shore Associates Insurance, 101 Cayuga St., P.O. Box 480, Fulton, NY 13069.

The foregoing block of two resolutions was adopted.

Two resolutions listed on the agenda authorizing contracts with Crooked Timber, LLC, dba Comfort Keepers for Respite Services and EISEP Services were pulled from the agenda and returned to committee.

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

RESOLUTION NO. 214-2019
AUTHORITY TO ENTER INTO AGREEMENT WITH FINGER
LAKES THERAPY WORKS FOR SERVICE COORDINATION
SERVICES

WHEREAS, The Ontario County Public Health Department oversees the Early Intervention Program which addresses the needs of children from birth to age three who have developmental disabilities; and

WHEREAS, Each child in the program is to be provided with a Service Coordinator who performs an assessment of the child in order to develop an individualized, goal oriented plan per New York State regulations; and

WHEREAS, The Public Health Director has been notified by ARC that they will no longer provide this service; and

WHEREAS, Finger Lakes Therapy Works, the only other county provider of this service, is willing to provide an additional service coordinator if contracted with the county for \$40,000 annually (\$3333.33 per month); and

WHEREAS, The Public Health Director and the Health and Human Services Committee recognize the need to assure the continuance of this service; now, therefore, be it

RESOLVED, That upon the review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Finger Lakes

Therapy Works for a term of April 1, 2019 through December 31, 2020 to perform Service Coordination for \$40,000 annually(\$3333.33 per month); and further

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

**RESOLUTION NO. 215-2019
AUTHORIZATION FOR SERVICES
JUVENTAS PHYSICAL, OCCUPATIONAL AND SPEECH
THERAPIES, PLLC AND ONTARIO COUNTY CHILDREN WITH
SPECIAL NEEDS PROGRAM**

WHEREAS, The following provider is authorized for payment of services for the time period of April 15, 2019, through April 15, 2021:

<i>Contractor</i>	<i>Professional Services</i>	<i>Rate</i>
Juventas Physical, Occupational and Speech Therapies, PLLC 65 East Market Street, Suite 201 Corning, NY 14830	Children With Special Needs Program – Preschool Services	Per 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 Juventas Physical, Occupational and Speech, PLLC for a term of April 15, 2019, through April 15, 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 Juventas Physical, Occupational and Speech, PLLC.

**RESOLUTION NO. 216-2019
RATE INCREASE FOR GAIL DORAN, MS ED, INC.
PRESCHOOL RELATED SERVICES
ONTARIO COUNTY CHILDREN WITH SPECIAL NEEDS PROGRAM
AMENDMENT FOR RESOLUTION NO. 596-2017**

WHEREAS, Resolution No. 596-2017 established an authorized service provider contract with Gail Doran, MS ED, INC. for the provision of services for the Children with Special Needs Program (Preschool) for the time period January 1, 2018, through December 31, 2019; and

WHEREAS, It is necessary to increase the related service rates; and

WHEREAS, The increased rates will be effective as of July 1, 2018, and the existing contract will be amended; and

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

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

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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 amended agreement with the provider.

**RESOLUTION NO. 217-2019
AUTHORIZATION TO CONTRACT WITH
COMPANION CARE OF ROCHESTER (CCOR)
FOR EISEP SERVICES - OFFICE FOR THE AGING - 2019 – 2020**

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

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

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

WHEREAS, Reimbursement to all EISEP providers, including Companion Care of Rochester (CCOR), will not exceed a total cost of \$363,300; and

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

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

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2019, to March 31, 2020; and further

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

RESOLVED, That a certified copy of this resolution be sent to Companion Care of Rochester (CCOR).

**RESOLUTION NO. 218-2019
AUTHORIZATION TO CONTRACT WITH
GENESEE REGION HOME CARE OF ONTARIO COUNTY, INC.
DBA HOME CARE PLUS FOR EISEP PERSONAL CARE SERVICES
OFFICE FOR THE AGING - 2019-2020**

WHEREAS, The County desires to enter into an agreement with Genesee Region Home Care of Ontario County, Inc., DBA Home Care Plus, 3111 Winton Road South, Rochester, New York 14623, for Personal Care Level II (Homemaker/Personal Care) to provide services for EISEP (Expanded In Home Services for the Elderly Program); and

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

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

WHEREAS, Reimbursement to all EISEP providers, including Genesee Region Home Care of Ontario County, Inc., will not exceed a total cost of \$363,300; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Genesee Region Home Care of Ontario County, Inc. DBA Home Care Plus at a rate of \$24.71 for Personal Care Level II per hour and \$122.77 per visit for RN Supervision; and further

RESOLVED, That this Board of Supervisors does hereby authorize the contract for the period April 01, 2019, to March 31, 2020, with the aforementioned agency; and further

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

RESOLVED, That a certified copy of this resolution be sent to Genesee Region Home Care of Ontario County, Inc.

**RESOLUTION NO. 219-2019
AUTHORIZATION TO CONTRACT WITH
HOME MAKERS OF THE GENESEE DBA CAREGIVERS
FOR PERSONAL CARE SERVICES
OFFICE FOR THE AGING - 2019-2020**

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

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

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

WHEREAS, Reimbursement to all EISEP providers, including Homemakers of the Genesee DBA Caregivers will not exceed a total cost of \$363,300; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Homemakers of the Genesee DBA Caregivers at the rate of \$25.00 per hour for Personal Care Level I and II and \$0.48 per mile for travel authorized by the Office for the Aging; and further

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RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2019, to March 31, 2020, with the aforementioned agency; and further

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

RESOLVED, That a certified copy of this resolution be sent to Homemakers of the Genesee DBA Caregivers.

**RESOLUTION NO. 220-2019
AUTHORIZATION TO CONTRACT WITH
MEDICAL SOLUTIONS - OFFICE FOR THE AGING - 2019-2020**

WHEREAS, The County desires to enter into an agreement with Medical Solutions, Inc., having an office at 1729 Norton Street, Rochester, NY 14609, (hereinafter referred to as the "Contractor") to provide Fiscal Intermediary Services for its EISEP Consumer Directed Personal Assistance Program; and

WHEREAS, The New York State Office for the Aging (NYSOFA) has provided Area Agencies on Aging with the option to add consumer directed in-home services to their EISEP program, which is a service delivery model that allows consumers to hire and direct their own home care aides; and

WHEREAS, The Ontario County Office for the Aging has determined there is a need for this type of service delivery; and

WHEREAS, NYSOFA requires that the AAA develop a contract with a Fiscal Intermediary vendor for the provision of Consumer Directed Care; and

WHEREAS, Reimbursement to all EISEP providers, including Medical Solutions, Inc. will not exceed a total cost of \$363,300; and

WHEREAS, Medical Solutions, Inc. will be reimbursed at the rate of \$19.25 per hour for Personal Attendant services and \$19.25 per hour for Personal Attendant training; and

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

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

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period September 01, 2019, to March 31, 2020, with the aforementioned agency; and further

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

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

**RESOLUTION NO. 221-2019
AUTHORIZATION TO CONTRACT WITH
UTOPIA, HOME CARE, INC.
FOR EISEP SERVICES - OFFICE FOR THE AGING - 2019-2020**

WHEREAS, The County desires to enter into an agreement with UTOPIA, Home Care, Inc. having an office at 10 East Main Street, Suite 201, Victor, New York 14564, for Personal Care Level I (Housekeeper/Chore

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

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

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

WHEREAS, Reimbursement to all EISEP providers including UTOPIA Home Care, Inc. will not exceed a total cost of \$363,300; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and UTOPIA Home Care, Inc., at a cost of \$20.00 per hour for Level I (Housekeeper/Chore) and \$24.75 per hour for Level II (Homemaker/Personal Care) services when authorized by the Office for the Aging; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2019, to March 31, 2020, with the aforementioned agency, and further

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

RESOLVED, That a certified copy of this resolution be sent to UTOPIA Home Care, Inc.

**RESOLUTION NO. 222-2019
AUTHORIZATION TO CONTRACT WITH
UTOPIA HOME CARE, INC
FOR RESPITE SERVICES - OFFICE FOR THE AGING - 2019-2020**

WHEREAS, The County desires to enter into an agreement with UTOPIA, Home Care, Inc., having an office at 10 East Main Street, Suite 201, Victor, New York 14564 for Personal Care Level I (Housekeeper/Chore) and Personal Care Level II (Homemaker/Personal Care) services; and

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

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of respite clients and UTOPIA, Home Care, Inc., is one of those providers; and

WHEREAS, Reimbursement to all Respite Care providers, including UTOPIA, Home Care, Inc., will not exceed a total cost of \$66,000; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and UTOPIA, Home Care, Inc. at the rate of \$20.00 per hour for PCA Level I (Housekeeper/Chore) and \$24.75 per hour for PCA Level II

(Homemaker/Personal Care) for the period April 01, 2019, to March 31, 2020; and further

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

RESOLVED, That a certified copy of this resolution be sent to UTOPIA, Home Care, Inc.

**RESOLUTION NO. 223-2019
AUTHORIZATION TO CONTRACT WITH
ONTARIO ARC FOR EXERCISE AND NUTRITION CLASSES
OFFICE FOR THE AGING, 2019-2020**

WHEREAS, The Ontario County Office for the Aging wishes to collaborate with Ontario ARC, having an office at 3071 County Complex Drive, Canandaigua, New York 14424 to provide exercise and nutrition education classes; and

WHEREAS, There is evidence that exercise and good nutrition help promote health and prevent or delay chronic disease which may allow them to remain independent in their own homes as they age; and

WHEREAS, The nutrition and exercise classes will be held in conjunction with the Office for the Aging Senior Congregate meal program at the Salvation Army; and

WHEREAS, The Tai Chi for Arthritis class will be held in various locations including congregated meal sites or other locations convenient to older adults; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby approve a contract between the Ontario County Office for the Aging and Ontario ARC for the period April 01, 2019 to March 31, 2020, at a cost not to exceed Four Thousand Eight Hundred Dollars (\$4,800.00); and further

RESOLVED, That the Board of Supervisors does hereby direct and authorize the County Administrator to sign said agreement on behalf of the County; and further

RESOLVED, That a certified copy of this resolution be sent to Ontario ARC.

**RESOLUTION NO. 224-2019
AMENDMENT TO RESOLUTION NO. 71-2019
CONTRACT WITH ONTARIO ARC
FOR SENIOR NUTRITION PROGRAM MEAL DISTRIBUTION
SERVICES - OFFICE FOR THE AGING - 2019**

WHEREAS, The Office for the Aging entered into an agreement with Ontario ARC, located at 3071 County Complex Drive, Canandaigua, New York 14424, to provide assistance in the distribution of meals for the Senior Nutrition Program; and

WHEREAS, Pursuant to Resolution No. 71-2019, the Health and Human Services Committee approved the contract for the period of nine months from April 1, 2019, to December 31, 2019; and

WHEREAS, The contract period for this agreement was intended to be for the period covering January 1, 2019 – December 31, 2019; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Ontario ARC for the period January 1, 2019, to December 31, 2019; and further

RESOLVED, That a certified copy of this resolution be sent to Ontario ARC.

**RESOLUTION NO. 225-2019
AUTHORIZATION TO CONTRACT WITH
THE CENTER FOR DISABILITY RIGHTS, INC
FOR ADULT DAY SERVICES – EISEP
OFFICE FOR THE AGING - 2019-2020**

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

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

WHEREAS, Reimbursement to all EISEP providers including CDR will not exceed a total cost of \$363,300; and

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

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

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

RESOLVED, That the contract between the Center for Disability Rights, Inc. and Ontario County be accepted for the period April 1, 2019, through March 31, 2020; and further

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

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

The foregoing block of nine resolutions was adopted.

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

**RESOLUTION NO. 226-2019
APPOINTMENT - ONTARIO COUNTY YOUTH BOARD
EMMA CURRAN**

BE IT RESOLVED, That this Board of Supervisors does hereby approve the following appointments to the Ontario County Youth Board:

- Emma Curran, 38 Stephens Street, Clifton Springs, New York, 14432, with the term expiring on April 18, 2022, and further

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

Adopted.

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

**RESOLUTION NO. 227-2019
AUTHORIZATION FOR PROFESSIONAL CONSULTANT
CONTRACT
TERI DEY, PSYD - MENTAL HEALTH – 2019**

WHEREAS, There is a demand for Psychology Services in the Ontario County Mental Health Program that serves the needs of the Ontario County Residents; and

WHEREAS, The Mental Health Department desires to enter into a consultant contract with Teri Dey, PsyD for professional services related to the provision of Psychology Consultation Services; and

WHEREAS, Sufficient funds exist within the 2019 budget for this contract which will encompass the period of April 9, 2019, through December 31, 2019; 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, the Board of Supervisors hereby approves this agreement with Teri Dey, PsyD at an hourly rate of \$110 with the total cost of not to exceed \$10,000, as detailed in Schedule A of the contract; and further

RESOLVED, That the County Administrator is hereby authorized to execute the agreement on behalf of the Ontario County Board of Supervisors; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Teri Dey, PsyD, 6621 Bradhurst Street, Victor, NY 14564.

**RESOLUTION NO. 228-2019
AUTHORIZATION: AMENDMENT AGREEMENT
ARC NY, INC., ONTARIO COUNTY CHAPTER
MENTAL HEALTH –2018**

WHEREAS, Pursuant to Resolution No. 775-2017, this Board approved the renewal of an agreement (the "Agreement") with ARC NY, Inc., Ontario County Chapter (the "Consultant") for an amount not to exceed \$341,111 to provide professional services related to the provision of services described in the Schedule A; and

WHEREAS, Additional New York State aid, designated for 2018 in the amount of \$2,599 has been provided to the County, to be passed on to the Provider; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves this amendment to the Agreement awarding ARC NY, Inc., Ontario County Chapter an additional amount of \$2,599 making the total not to exceed amount of the Agreement \$343,710; and, further

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

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the ARC NY, Inc., Ontario County Chapter, 3071 County Complex Drive, Canandaigua, NY 14424.

RESOLUTION NO. 229-2019
AUTHORIZATION: AMENDMENT AGREEMENT
ARC NY, INC., ONTARIO COUNTY CHAPTER
MENTAL HEALTH –2019

WHEREAS, Pursuant to Resolution No. 11-2019, this Board approved the renewal of an agreement (the “Agreement”) with ARC NY, Inc., Ontario County Chapter (the “Consultant”) for an amount not to exceed \$\$343,710 to provide professional services related to the provision of services described in the Schedule A; and

WHEREAS, Additional New York State aid, designated for 2019 in the amount of \$393 has been provided to the County, to be passed on to the Provider; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors approves this amendment to the Agreement awarding ARC NY, Inc., Ontario County Chapter an additional amount of \$393 making the total not to exceed amount of the agreement \$344,103; and, further

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

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the ARC NY, Inc., Ontario County Chapter, 3071 County Complex Drive, Canandaigua, NY 14424.

The foregoing block of three resolutions was adopted.

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

**RESOLUTION NO. 230-2019
APPOINTMENT OF BILL NAMESTNIK
TO THE ONTARIO COUNTY PLANNING BOARD**

WHEREAS, On March 20, 2019, the Hopewell Town Board recommended the appointment of Bill Namestnik as the town's representative to the Ontario County Planning Board; and

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

RESOLVED, That as of April 18, 2019, the following individual is appointed as a member of the Ontario County Planning Board:

Name and Address	Representing	Term Expires
Bill Namestnik 4365 County Road 46 Canandaigua, NY 14424	Town of Hopewell	April 17, 2024

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Clerk, Hopewell Town Board, and Bill Namestnik.

Adopted.

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

**RESOLUTION NO. 231-2019
FINDING OF NO SIGNIFICANT IMPACT PURSUANT TO
THE STATE ENVIRONMENTAL QUALITY REVIEW ACT
FOR INCLUSION OF VIABLE AGRICULTURAL LAND IN
AGRICULTURAL DISTRICT NUMBER ONE AND SIX PURSUANT TO
THE 2018 ANNUAL AGRICULTURAL ENROLLMENT PERIOD**

WHEREAS, In accordance with Article 25 AA §303-b. of the New York State (NYS) Agriculture and Markets Law, this Board of Supervisors established by Resolution No. 294-2004 an annual thirty (30) day period within which a land owner may submit to the Board of Supervisors a request for inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, An Annual Agricultural District Inclusion Period was advertised as per legal notification requirements, and, held between November 1, 2018, and November 30, 2018; and

WHEREAS, The Ontario County Planning Department has drafted a Short Environmental Assessment Form (EAF) as prescribed by NYS Department of Agriculture and Markets; and

WHEREAS, A public hearing was duly advertised and held before this Board on April 18, 2019; and

WHEREAS, The Ontario County Board of Supervisors has reviewed said Environmental Assessment Form, 2018 Annual Agricultural District Enrollment Report, the comments received at said public hearing, the recommendations of the Ontario County Agricultural Enhancement Board, and the Planning and Environmental Quality Committee, and such other documents and information

this board found it necessary or appropriate to adequately review the proposed action; now, therefore, be it

RESOLVED, That this Board hereby determines that, based on the information and analysis reference above, the proposed action to include the following parcel as viable agricultural land, as define Article 25 AA §303-b. of the New York State (NYS) Agriculture and Markets Law, in Agricultural District One and Six will not result in any significant adverse environmental impact;

Town	Ag Dist	Map No.	Property Address*	Owner	Acres
Bristol	1	109.00-1 88.120	(3998) CR 2	Andrew Rogers	23
Farmington	1	29.00-2- 17.100	5625 SR 96	Sport of Kings Farm, Inc.	52
Hopewell	1	58.00-1- 25.131	(2063) SR 21	Newcomb, Cynthia S.	8
Phelps	6	60.00-3- 15.420	(2081) CR 43	Andrew Campbell	5
Phelps	6	60.00-3- 28.120	(2493) Waddell Rd.	Ute Amberg	17
Victor	1	40.00-1- 31.212	(1749) Brace Rd.	William J. & Nancy J. Tosch	71
Victor	1	40.00-1- 21.140	(1623) Brace Rd.	Fresh-Ayr Farms, LLC	67
Victor	1	28.00-1- 38.100	Plastermill Rd. (6300 Collett)	Murphy Co., Inc	20
Victor	1	40.00-1- 22.111	1623 Brace Rd.	Robert & Susan Reed	100
				Total	363
*If a parcel does not have a street number, then the number in parentheses is for an adjoining address for purposes of location.					

and further

RESOLVED, That the Chairman of this Board is hereby authorized and empowered to complete and sign Part 3. Determination of Significance of the Short Environmental Assessment Form stating that based on the information and analysis above and any supporting documentation that the proposed action will not result in any significant adverse environmental impact; and further

RESOLVED, That the Clerk of this Board send certified copies of this resolution and the Environmental Assessment Form to the Director of Planning, the Commissioner of the NYS Department of Environmental Conservation, the Region 8 Office of the NYS Department of Environmental Conservation, the NYS Department of Agriculture and Markets, and the Towns Bristol, Farmington, Hopewell, Phelps and Victor.

**RESOLUTION NO. 232-2019
APPROVAL OF THE INCLUSION OF VIABLE AGRICULTURAL
LAND IN AGRICULTURAL DISTRICT NUMBER ONE AND SIX
UNDER THE 2018 ANNUAL AGRICULTURAL DISTRICT
ENROLLMENT PERIOD**

WHEREAS, In accordance with Article 25 AA §303-b. of the New York State Agriculture and Markets Law, this Board of Supervisors established by Resolution No. 294-2004 an annual thirty (30) day period within which a land owner may submit to the Board of Supervisors a request for inclusion of viable

agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, The Annual Agricultural District Inclusion Period was advertised as per legal notification requirements, and, held between November 1, 2018, and November 30, 2018; and

WHEREAS, The following parcels have been proposed for inclusion by their owners as follows:

Town	Ag Dist	Map No.	Property Address*	Owner	Acres
Bristol	1	109.00-1 88.120	(3998) CR 2	Andrew Rogers	23
Farmington	1	29.00-2- 17.100	5625 SR 96	Sport of Kings Farm, Inc.	52
Hopewell	1	58.00-1- 25.131	(2063) SR 21	Newcomb, Cynthia S.	8
Phelps	6	60.00-3- 15.420	(2081) CR 43	Andrew Campbell	5
Phelps	6	60.00-3- 28.120	(2493) Waddell Rd.	Ute Amberg	17
Victor	1	40.00-1- 31.212	(1749) Brace Rd.	William J. & Nancy J. Tosch	71
Victor	1	40.00-1- 21.140	(1623) Brace Rd.	Fresh-Ayr Farms, LLC	67
Victor	1	28.00-1- 38.100	Plastermill Rd. (6300 Collett)	Murphy Co., Inc	20
Victor	1	40.00-1- 22.111	1623 Brace Rd.	Robert & Susan Reed	100
				Total	363
*If a parcel does not have a street number, then the number in parentheses is for an adjoining address for purposes of location.					

WHEREAS, The Planning and Environmental Quality Committee of this Board has reviewed all information included in the 2018 Annual Agricultural District Enrollment Report: Proposed Inclusion of Viable Land to NYS Agricultural District One and Six in Ontario County, NY, the Short Environmental Assessment Form, and the recommendation of the Agricultural Enhancement Board, and staff; regarding the inclusion of said parcels; and

WHEREAS, The Planning and Environmental Quality Committee recommends inclusion of said parcel as described in the map on file with the Clerk of this Board; and

WHEREAS, This Board held a Public Hearing on April 18, 2019, for the purpose of hearing comments on the agricultural viability of said parcels for inclusion into Agricultural District Numbers One and Six; and

WHEREAS, Pursuant to Resolution No. 231-2019, this Board had determined that this proposed inclusion will not have a significant adverse environmental impact and therefore an Environmental Impact Statement is not required; now, therefore, be it

RESOLVED, That based on consideration of the recommendation of the Ontario County Agricultural Enhancement Board and the Planning and Environmental Quality Committee, the input provided said public hearing and the finding of no significant environmental impacts, this Board finds that the following parcels meets the criteria set forth in Article 25 AA §303-b. of the

New York State Agriculture and Markets Law and approves the inclusion of said parcels to said agricultural district:

Town	Ag Dist	Map No.	Property Address*	Owner	Acres
Bristol	1	109.00-1 88.120	(3998) CR 2	Andrew Rogers	23
Farmington	1	29.00-2- 17.100	5625 SR 96	Sport of Kings Farm, Inc.	52
Hopewell	1	58.00-1- 25.131	(2063) SR 21	Newcomb, Cynthia S.	8
Phelps	6	60.00-3- 15.420	(2081) CR 43	Andrew Campbell	5
Phelps	6	60.00-3- 28.120	(2493) Waddell Rd.	Ute Amberg	17
Victor	1	40.00-1- 31.212	(1749) Brace Rd.	William J. & Nancy J. Tosch	71
Victor	1	40.00-1- 21.140	(1623) Brace Rd.	Fresh-Ayr Farms, LLC	67
Victor	1	28.00-1- 38.100	Plastermill Rd. (6300 Collett)	Murphy Co., Inc	20
Victor	1	40.00-1- 22.111	1623 Brace Rd.	Robert & Susan Reed	100
				Total	363
*If a parcel does not have a street number, then the number in parentheses is for an adjoining address for purposes of location.					

and further

RESOLVED, That the recertification date of said parcels shall be the same as the recertification date of its agricultural district; and further

RESOLVED, That the Director of Planning is hereby directed to forward all transcripts, documents and any other information with copies of this resolution to the Commissioner of the New York State Department of Agriculture and Markets for its review and certification pursuant to the New York State Agriculture and Markets Law, and, to the Towns Bristol, Farmington, Hopewell, Phelps and Victor; and further

RESOLVED, That the Clerk of this Board send certified copies of this resolution to all landowners who proposed land for inclusion in an agricultural district.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 233-2019
AUTHORIZATION TO CONTRACT FOR PROFESSIONAL
CONSULTANT SERVICES FLCC WATER QUALITY, FLOOD
RESILIENCY, AND HABITAT IMPROVEMENT PROJECT**

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

WHEREAS, The County Purchasing Department released RFP R19041 seeking proposals for Professional Consultant Services in regard to said project; and

WHEREAS, A consultant selection process was undertaken and a selection committee comprised of staff from the Department of Public Works, the Planning Department, FLCC Director of Buildings and Facilities, and the Canandaigua Lake Watershed Manager was convened to review proposals and conduct consultant interviews; and

WHEREAS, The Selection Committee recommend that GEI Consultants, Inc., P.C. be awarded the contract for the project at a cost not to exceed Eighty-Two Thousand Seven Hundred Ninety-Nine Dollars (\$82,799.00) as more fully described in the firm's proposal dated March, 5, 2019 and the firm's letter of clarification dated March 11, 2019 both of which are on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exist within the Planning Department's budget (A8020 0807 E 4530) for said services; and

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

RESOLVED, That upon the review and approval of the County Attorney as to form, the Ontario County Board of Supervisors does hereby accept the proposal and approve the contract with GEI Consultants, Inc., P.C., 1301 Trumansburg Road, STE N, Ithaca, NY 14850, for an amount not to exceed Eighty-Two Thousand Seven Hundred Ninety-Nine Dollars (\$82,799.00), to provide professional consulting services during the design and construction of the FLCC Water Quality, Flood Resiliency, and Habitat Enhancement Project; and further resolved

RESOLVED, That the term of said contract shall commence on March 28, 2019, and end on June 30, 2020; and further

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

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

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Mr. Daniel Kopcow, P.E. of GEI Consultants, Inc., P.C. at 1301 Trumansburg Road, STE N, Ithaca, NY 14850.

RESOLUTION NO. 234-2019
AUTHORIZATION TO ACCEPT ROUND 15
WATER QUALITY IMPROVEMENT GRANT FOR
HONEOYE LAKE AQUATIC VEGETATION MANAGEMENT PROJECT

WHEREAS, Honeoye Lake is listed on the New York State Department of Environmental Conservation (DEC) Priority Waterbodies List (revised 2018) as "impaired" due to excess nutrients, algal growth and plant growth and is further listed on the United States Environmental Protection Agency 303(d) list as not meeting federal water quality objectives for the nutrient phosphorus; and

WHEREAS, Ontario County in cooperation with the Towns of Richmond and Canadice operates a seasonal aquatic vegetation harvesting program in Honeoye Lake to enhance public access and remove nutrients which would otherwise be recycled into the lake from decaying plants; and

WHEREAS, augmentation of the Honeoye Lake aquatic vegetation harvesting program is included as a Priority 2 Project in the DEC Harmful Algal Bloom Action Plan for Honeoye Lake (2018); and

WHEREAS, Ontario County has been awarded a grant of \$41,250 by DEC from the Water Quality Improvement Program (WQIP) Round 15 for acquisition of a custom conveyor system for the work barge used in the shoreline management of nuisance aquatic vegetation in Honeoye Lake; and

WHEREAS, The Towns of Richmond and Canadice have agreed to jointly provide the required twenty-five percent grant match in cash contributions; and

WHEREAS, the contract period for said grant extends from May 1, 2018, to April 30, 2023; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with DEC for a term of May 1, 2018, to April 30, 2023, at no required County cost; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the WQIP Round 15 Agreement with the New York State Department of Environmental Conservation, and all other documents necessary to effectuate the purposes of this resolution; and further

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

TO:

		Revenue	Appropriation
A 8090 8092 R 3910	State Aid Other	+\$ 41,250	
A 8090 8092 R 2210	Other Governments	+\$ 13,750	
A 8090 8092 E 4180	Contractual		+\$ 55,000
TOTAL:		+\$ 55,000	+\$ 55,000

and further

RESOLVED, That certified copies of this resolution be sent to Christine Garrity, Environmental Program Specialist, Division of Water, NYSDEC, 625 Broadway, Albany, NY 12233-3506.

The foregoing block of two resolutions was adopted.

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

**RESOLUTION NO. 235-2019
CAPITAL PROJECT NO. 2 - 2018
APPROVAL OF CONTRACT WITH
HARTGEN ARCHEOLOGICAL ASSOCIATES, INC.
74 ONTARIO STREET 700 MHZ CAPITAL PROJECT**

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

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

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

WHEREAS, Said project requires licenses from the Federal Communications Commission (FCC); and

WHEREAS, Resolution No. 396-2018 hired Federal Engineering, Inc. to provide Project Management and FCC license application services in regard to this project; and

WHEREAS, Resolution No. 92-2019 made a negative determination of significance in regard to this project; and

WHEREAS, During the preparation of the requisite FCC license application and the environmental review done in regard to this project the location proposed for the roof top antennas to be constructed at 74 Ontario Street are within 500 feet of a the City of Canandaigua's Gorham Street Historic District; and

WHEREAS, Pursuant to Section 106 of the National Historical Preservation Act, the FCC requires a certified archeologist/historic resource specialist to conduct a study and submit FCC Form 621 in accordance with the FCC's Nationwide Programmatic Agreement for the Collocation of Wireless Antennas if required and submit said form to the New York State Historic Preservation Office; and

WHEREAS, Hartgen Archeological Associates, Inc., has proposed to provide the services necessary to meet said FCC requirements as more fully described in their proposal dated April 4, 2019, on file with the Clerk of this Board; and

WHEREAS, Sufficient funds exists within the Capital Project Consultation and Professional Line HDB 3174 E 4511 Licenses; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the proposal and approves a contract with Hartgen Archeological Associates, Inc., at a cost not to exceed One Thousand Four Hundred Dollars (\$1,400.00); and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a Contract with Federal Engineering, Inc., in the amount of One Thousand Four Hundred Dollars (\$1,400.00); and further

RESOLVED, That the term of said contract begin on April 19, 2019, and terminate on June 30, 2019; 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 Six Hundred Eighty Two Thousand Three Hundred Thirty Eight Dollars (\$682,338.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Mr. Justin DiVirgilio, President, Hartgen Archeological Associates, Inc., 1744 Washington Ave. Ext., Rensselaer, NY 12144, and the Department of Finance.

**RESOLUTION NO. 236-2019
ACCEPTANCE OF CONTRACT
JUSTINE HIGLEY, LMSW**

ONTARIO COUNTY PUBLIC DEFENDER'S OFFICE

WHEREAS, The Office of Indigent Legal Services has made non-competitive funding available for the Distribution 5 Grant to counties in New York State; and

WHEREAS, Part of the grant awarded to Ontario County includes funding to retain a defense based treatment advocate who will be responsible for providing social work support to clients and conducting mental health and substance abuse evaluations to Ontario County Public Defender clients, supporting these clients after a referral has been made and while they are in treatment, and updating the Courts as to the client's progress; and

WHEREAS, Justine Higley, LMSW, 19 Seneca Drive, Canandaigua, NY 14424, has proposed to provide such services for an amount not to exceed \$40/hour plus mileage; and

WHEREAS, The Public Safety Committee has approved a contract period commencing April 1, 2019, and terminating December 31, 2019; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves an agreement with Justine Higley at a cost not to exceed \$40/hour plus mileage; and further

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

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

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Justine Higley, LMSW, 19 Seneca Drive, Canandaigua, NY 14424.

**RESOLUTION NO. 237-2019
AUTHORIZATION TO ENTER INTO A CONTRACT
WITH TRIDENT RECOVERY & INVESTIGATIONS, LLC
CONFLICT DEFENDER'S OFFICE**

WHEREAS, This Board of Supervisors, by Resolution Nos. 50-2018 and 580-2018, accepted grant funds from the New York State Office of Indigent Legal Services for quality improvements and caseload relief in the provision of indigent legal services in Ontario County; and

WHEREAS, The approved contracts for these grants provide that the grant funds may be used for the hiring of experts to provide expert analysis and related services to the attorneys in the Office of the Conflict Defender and on the Assigned Counsel Panel; and

WHEREAS, Trident Recovery & Investigations, LLC has agreed to provide expert cell phone forensic analysis and related services at the rate of \$125.00 per hour not to exceed \$25,000 for the period April 1, 2019, to December 31, 2021, on the terms and conditions contained in the contract, a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Public Safety Committee has reviewed and approves this contract; 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 Trident Recovery & Investigations, LLC for a term beginning April 1, 2019, to

December 31, 2021, at a cost not to exceed \$25,000 to be paid with said grant funds; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the agreement with Trident Recovery & Investigations, LLC and all other documents necessary to effectuate the purposes of this resolution; and further

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

**RESOLUTION NO. 238-2019
AUTHORIZATION: 2019 ATI ADVISORY BOARD APPOINTMENTS**

BE IT RESOLVED, The Ontario County Board of Supervisors hereby approves the appointments of the following individuals to the ATI Advisory Board for the term January 1, 2019, through December 31, 2019, as listed below:

Todd Campbell, W. Bloomfield Town Supervisor, Chair
(Appointed as such by the Chairman of the Board of Supervisors)
Robert Green, Bristol Town Supervisor, Vice-Chair
Honorable Frederick Reed, County Court Judge
Honorable Timothy J. Buckley, Geneva City Court Judge
Justice Morris Lew, Farmington Town Court
Mary Krause, County Administrator
James Ritts, District Attorney
Robert Zimmerman, Esq. (Defense Counsel)
Leanne Lapp, Public Defender
Kevin Henderson, Ontario County Sheriff
Ginny Gumaer-Muller, Probation Supervisor (ATI)
Christian Smith, Chief Corrections Officer
Sarah Utter, Victims Assistance Coordinator
Jeffrey Rougeux, Probation Director
Diane Johnston, Director, Community Mental Health Services
Martin Teller, Executive Director, FLACRA
Ellen Wayne, Executive Director, Catholic Charities
Betsey Lee, Drug Court Coordinator
Anita Pierce, Community Representative
Yvonne Vazquez, Youth Court Program Director

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

**RESOLUTION NO. 239-2019
PROBATION DEPARTMENT
ALTERNATIVES TO INCARCERATION
2019/20 SERVICE PLAN AND APPLICATION FOR FUNDING**

WHEREAS, This Board of Supervisors, by the adoption of Resolution No. 554-90 endorsed the implementation and development of an Alternatives to Incarceration Service Plan and the establishment of an Alternatives to Incarceration Advisory Board; and

WHEREAS, The Alternatives to Incarceration Advisory Board has reviewed and recommends such a service plan designed to provide services for eligible offenders; and

WHEREAS, It is necessary to apply to the Division of Probation and Correctional Alternatives, on an annual basis, for state monies that assist in

offsetting the costs associated with the Community Service Program as identified in said plan; and

WHEREAS, The Public Safety Committee of the Ontario County Board of Supervisors has reviewed and recommends acceptance of said plan; therefore be it

RESOLVED, That this Board does hereby adopt the 2019/20 Alternatives to Incarceration Service Plan, a copy of which is on file in the Office of the Clerk of this Board; and further

RESOLVED, That this Board does hereby authorize submitting the annual application for \$15,461 in state funding; and further

RESOLVED, That the County Administrator is authorized and directed to sign said application and necessary documents which may be required; and further

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

Supervisor Campbell, Chairman of the Campbell Commission, thanked the Board for its support of the ATI Service Plan.

**RESOLUTION NO. 240-2019
RECOGNIZING NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS WEEK**

WHEREAS, Emergencies can occur at any time that require police, fire or emergency medical services; and

WHEREAS, When an emergency occurs the prompt response of police officers, firefighters and EMS personnel is critical to the protection of life and preservation of property; and

WHEREAS, The safety of our emergency services first responders is dependent upon the quality and accuracy of information obtained from citizens who telephone the Ontario County Sheriff's Office 9-1-1 emergency communications center; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Telecommunicators are the single vital link for our first responders by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, Public Safety Telecommunicators of the Ontario County Office of Sheriff have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, Each Telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors, at the request of the Sheriff, declares the week of April 14 – 20, 2019 to be National Public Safety Telecommunications Week in Ontario County in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

**RESOLUTION NO. 241-2019
AUTHORIZATION AGREEMENT**

**LORI L. H. HIGGINS ART THERAPY PROGRAM
ONTARIO COUNTY JAIL**

WHEREAS, The Commissary Services at Ontario County Jail provides funds to be utilized for the benefit of the Ontario County inmates; and

WHEREAS, The Ontario County Jail desires to continue to provide an Art Therapy Program for the benefit of Ontario County inmates; and

WHEREAS, Lori L. H. Higgins, 7 James Street, Fairport, NY 14450, has proposed to provide such services at a cost not to exceed \$10,000 for the period of January 1, 2019, through December 31, 2019; and

WHEREAS, The Commissary Account has sufficient funds to cover the cost of these services in 2019; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Lori L. H. Higgins for a term of January 1, 2019, through December 31, 2019, at a cost not to exceed \$10,000; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the agreement with Lori L. H. Higgins and all other documents necessary to effectuate the purposes of this resolution.

Supervisor Bendzlowicz expressed his opposition to Resolution No. 237 entitled 'Authorization to Enter into a Contract with Trident Recovery and Investigations, LLC-Conflict Defender's Office'. He opposed the additional increase to rates for services to provide expert cell phone forensic analysis. He opposed the increase because we already contract with Trident and they should work that into the current contract. He will vote 'NO' on this matter.

The foregoing block of seven resolutions was adopted.

Supervisor Bendzlowicz wished to go on record as voting 'NO' on Resolution No. 237-2019.

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

**RESOLUTION NO. 242-2019
APPROVAL OF SUPPLEMENTAL AGREEMENT WITH THE FRIENDS
OF CMAC CONCERNING THE FLCC/CMAC EMERGENCY
EVACUATION AND FENCING PROJECT**

WHEREAS, Resolution No. 289-2005 granted a lease to certain property in the Town of Hopewell, New York, having tax map number 99.00-1-4.100 to the Ontario County Industrial Development Agency (OCIDA), said property being part of the main campus of Finger Lakes Community College; and

WHEREAS, OCIDA executed a Sublease Agreement to the FRIENDS OF THE CONSTELLATION BRANDS – MARVIN SANDS PERFORMING ARTS CENTER, INC. ("FRIENDS") for said property; and

WHEREAS, Said leased area includes the Constellation Brands-Marvin Sands Performing Arts Center (CMAC); and

WHEREAS, The State of New York now requires operators of large public venues to prepare an emergency evacuation plan for such facility

including the provision of exiting capacity suitable for evacuation of the facility within 2 minutes; and

WHEREAS, Modifications of the fence on the uphill/east side of CMAC next to parking lot D at Finger Lakes Community College (FLCC) and provision of adequate exit and emergency exit signage are required to comply with current New York State law, hereinafter referred to as the 'Improvements'; and

WHEREAS, The 2019 New York State Budget includes authorization for 50% of the cost of making said Improvements of up to \$350,000.00 total or \$175,000.00 in state share; and

WHEREAS, The FRIENDS have proposed to bear the full cost of the local share of construction now expected to be no more than Fifty Seven Thousand Dollars (\$57,000.00) and the full cost of the design of said Improvements, will modify the emergency evacuation plan for the facility in recognition of the new exiting capacity to be provided at the facility, and will be responsible for any damage done to the Improvements resulting from activities related to its management and operation of CMAC; and

WHEREAS, The Public Works Committee and Ways and Means Committee recommends approval of the draft agreement between the FRIENDS, FLCC, and the County in regard to the design, management, construction, and funding of said Improvements, a copy of which is on file with the Clerk of this Board; and

RESOLVED, Subject to approval of the County Attorney as to form, this Board of Supervisors does hereby approve the Agreement with the FRIENDS and FLCC in regard to the design, construction, maintenance, and operation of the Improvements on file with the Clerk of this Board; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute said agreement, subject to the approval of the County Attorney as to form; and further

RESOLVED, That a copy of this resolution be sent to the FLCC Board of Trustees and to the FRIENDS.

**RESOLUTION NO. 243-2019
ESTABLISH CAPITAL PROJECT NO. 1-2019
AS THE FLCC/CMAC EVACUATION AND FENCING PROJECT**

WHEREAS, Resolution No. 695-2018 adopted the Ontario County 2019-2024 Capital Improvement Plan; and

WHEREAS, Said plan included Three Hundred Fifty Thousand Dollars (\$350,000.00) for the Emergency Evacuation & Fencing - CMAC project (FLCC 04-19) at Finger Lakes Community College (FLCC) to be funded 50% by the State of New York through the State University of New York (SUNY) and 50% funded by the Friends of CMAC; and

WHEREAS, Finger Lakes Community College (FLCC) has applied to the State of New York to provide funding matching the funding level specified in said Capital Improvement Plan by Ontario County for said project, and said state funding has been authorized in the recently adopted New York State budget; and

WHEREAS, This Board approved a contract with FLCC and the Friends of CMAC wherein the Friends of CMAC agreed to provide 50% of the funding for the construction of this project; and

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

RESOLVED, That the Ontario County Board of Supervisors hereby establishes Capital Project No. 1-2019 as the FLCC/CMAC Emergency Evacuation and Fencing Project and assign it budget number HDH 2503; and further

RESOLVED, That the budget for Capital Project No. 1-2019 be, and hereby is, established as follows:

<u>Line</u>	<u>Description</u>	<u>Budget</u>
<u>Appropriations</u>		
HDH 2503 E 4491	<i>General Construction</i>	\$113,000.00
HDH 2503 E 4865	Administration	\$ 1,000.00
<u>Revenues</u>		
HDH 2503 R 3287	State Aid	\$57,000.00
HDH 2503 R 2499	Gift & Donations	\$ 57,000.00

and further

RESOLVED, That the County Director of Planning shall be administratively responsible for this capital project; and further

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

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

RESOLVED, That the following Change Order approval process is hereby approved for Capital Project No. 1-2019:

1. The Director of Planning is hereby authorized and empowered to approve and sign individual Change Orders up to Five Thousand Dollars (\$5,000.00) in value provided that the total amount of all Change Orders so authorized does not exceed the funds allocated and available in line HDH 2503 E 4491, or 10% of the original bid awards, whichever is less, and

2. Change Orders of more than Five Thousand Dollars (\$5,000.00) in value shall also require approval and signature of the Chairman of the County's Public Works Committee, and

3. A complete report of all Change Orders approved for construction contracts awarded shall be presented by the Director of Planning at the next regularly scheduled meeting of the Public Works Committee after such each Change Order is approved, and such report shall include an accounting of the remaining funds available in line HDH 2503 E 4491, General Construction; and

4. The Director of Planning shall promptly file fully executed originals of each Change Order with the Contractor, the County Finance Department, and the Clerk of the Board of Supervisors who shall place each Change Order in the contract file associated with the resolution awarding the involved construction contract; and

5. The Department of Finance is hereby authorized to make all necessary budgetary and accounting entries in regard to Capital Project 1-2019 as necessary as each Change Order is approved; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Hundred Fourteen Thousand Dollars (\$114,000.00); and further

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

RESOLUTION NO. 244-2019
CAPITAL PROJECT NO. 1-2019
AWARD OF BID B19009
FLCC/CMAC EVACUATION AND FENCING PROJECT

WHEREAS, Resolution No. 243-2019 Created Capital Project No. 1-2019 at the FLCC/CMAC Evacuation and Fencing Project in accordance with the duly adopted 2019-2024 Ontario County Capital Improvement; and

WHEREAS, Pursuant to the agreement between the Friends of CMAC, Finger Lakes Community College, and County approved by Resolution No. 242-2019, the Purchasing Department released, duly advertised, and opened bids for the construction of the FLCC/CMAC Emergency Evacuation and Fencing Project as bid #B19009; and

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

WHEREAS, The Director of Planning, FLCC Director of Buildings & Facilities, and the Architect provided by the Friends of CMAC recommend acceptance of the bids for the FLCC/CMAC Emergency Evacuation and Fencing Project from New York State Fence, Inc., 858 Manitow Road, Hilton, NY 14468, for General Construction Contract Base Bid plus Alternate #1 as described in project specifications as the overall low responsive/responsible bids submitted for BID #B19009; and

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

RESOLVED, That the bids from New York State Fence, 858 Manitow Road, Hilton, NY 14468, in the amount of Ninety Five Thousand Three Hundred Dollars (\$95,800.00) for General Construction Contract Base Bid plus Twelve Thousand Five Hundred Dollars for Alternate #1 as described in project specifications, pursuant to Ontario County BID #B19009 are hereby accepted as the low responsive/responsible bids for a total combined bid of One Hundred Eight Thousand Three Hundred Dollars (\$108,300); and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with said firm for said amount subject to approval of the form of contract by the County Attorney; and further

RESOLVED, That the cost of said contract shall be paid from line HDH 2503 E 4491 – General Construction – from Capital Project No. 1-2019; and further

RESOLVED, That the term of said contract shall commence on April 19, 2019, and terminate on August 30, 2019; and further

RESOLVED, That the Department of Finance is directed to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Hundred Fourteen Thousand Dollars (\$114,000.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department, the Senior Vice President for Administration and Finance of Finger Lakes Community College, New York State Fence, attn.: Mr. Tom J. Thomas, Pres., 858 Manitou Road, Hilton, NY 14468.

**RESOLUTION NO. 245-2019
CAPITAL PROJECT NO. 3-2013
74 ONTARIO STREET RENOVATION – PHASE II
AUTHORIZATION TO ENTER INTO CONTRACT WITH AND PAY
ASSOCIATED FEES TO ROCHESTER GAS AND ELECTRIC
DEPARTMENT OF PUBLIC WORKS**

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

WHEREAS, The project will replace the current overhead electric service with an underground utility crossing of Ontario Street and relocate the existing electric transformer that services 74 Ontario Street to the south side of Ontario Street; and

WHEREAS, Ontario County will need to enter into a contract with Rochester Gas & Electric (hereinafter referred to as RG&E) for these improvements to the electric service to 74 Ontario Street and be responsible for RG&E costs detailed in RG&E's proposal dated April 3, 2019; and

WHEREAS, RG&E estimates their costs for the electric service improvements to 74 Ontario Street to be \$3,938.44 per their proposal dated April 3, 2019 which must be paid in advance so that RG&E can schedule the work; and

WHEREAS, The total estimated cost of said improvements is \$4,332.44 which includes a 10% contingency of \$394; and

WHEREAS, Sufficient funding exists in the Construction Line of Capital Project No. 3-2013 (HBR 1646 E 4491) to complete said improvements to the electric service to 74 Ontario Street; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with RG&E for improvements to the electric service to 74 Ontario Street; and further

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

RESOLVED, That the Board of Supervisors hereby approves payment to RG&E not to exceed \$3,938.44 for fees associated with said electric service improvements; and further

RESOLVED, That the Commissioner of Public Works is authorized to approve the use of the contingency; and further

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

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

RESOLUTION NO. 246-2019
CAPITAL PROJECT NO. 3-2013
74 ONTARIO STREET RENOVATION – PHASE II
AUTHORIZATION TO ENTER INTO CONTRACT WITH AND PAY
ASSOCIATED FEES TO FRONTIER COMMUNICATIONS
DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, The project will replace the current overhead communications fiber and cable lines with an underground utility crossing of Ontario Street that services 74 Ontario Street; and

WHEREAS, Ontario County will need to enter into a contract with Frontier Communications (hereinafter referred to as FRONTIER) for these improvements to the communications service to 74 Ontario Street and be responsible for FRONTIER costs detailed in FRONTIER's proposal dated June 12, 2018; and

WHEREAS, FRONTIER estimates their costs for the communication service improvements to 74 Ontario Street to be \$11,290 per their proposal dated June 12, 2018, which must be paid in advance so that FRONTIER can schedule the work; and

WHEREAS, The total estimated cost of said improvements is \$12,419 which includes a 10% contingency of \$1,129; and

WHEREAS, Sufficient funding exists in the Construction Line of Capital Project No. 3-2013 (HBR 1646 E 4491) to complete said improvements to the communications service to 74 Ontario Street; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with FRONTIER for improvements to the communications service to 74 Ontario Street; and further

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

RESOLVED, That the Board of Supervisors hereby approves payment to FRONTIER not to exceed \$11,290 for fees associated with said communications service improvements; and further

RESOLVED, That the Commissioner of Public Works is authorized to approve the use of the contingency; and further

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

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

RESOLUTION NO. 247-2019
CAPITAL PROJECT NO. 3-2013
74 ONTARIO STREET RENOVATION – PHASE II
AUTHORIZATION TO ENTER INTO CONTRACT WITH AND PAY
ASSOCIATED FEES TO SPECTRUM ENTERPRISE
DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, The project will replace the current overhead internet and cable television service with an underground utility crossing of Ontario Street that services 74 Ontario Street; and

WHEREAS, Ontario County will need to enter into a contract with Spectrum Enterprise (hereinafter referred to as SPECTRUM) for these improvements to the internet and cable television service to 74 Ontario Street and be responsible for SPECTRUM costs detailed in SPECTRUM's proposal dated April 1, 2019; and

WHEREAS, SPECTRUM estimates their costs for the internet and cable television service to 74 Ontario Street to be \$8,779 per their proposal dated April 1, 2019, which must be paid in advance so that SPECTRUM can schedule the work; and

WHEREAS, The total estimated cost of said improvements is \$9,657 which includes a 10% contingency of \$878; and

WHEREAS, Sufficient funding exists in the Construction Line of Capital Project No.3-2013 (HBR 1646 E 4491) to complete said improvements to the internet and cable television service to 74 Ontario Street; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with SPECTRUM for improvements to the internet and cable television service to 74 Ontario Street; and further

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

RESOLVED, That the Board of Supervisors hereby approves payment to SPECTRUM not to exceed \$8,779 for fees associated with said internet and cable television; and further

RESOLVED, That the Commissioner of Public Works is authorized to approve the use of the contingency; and further

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

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

**RESOLUTION NO. 248-2019
CAPITAL PROJECT NO. 07-2013
JAIL MODIFICATIONS
AUTHORIZING CONTRACT WITH SWBR ARCHITECTS
FOR PROFESSIONAL CONSULTANT AND DESIGN SERVICES FOR
THE ONTARIO COUNTY JAIL ROOF REPAIR**

WHEREAS, Resolution No. 644-2013 created Capital Project No. 07-2013, Jail Modifications; and

WHEREAS, The County desires to obtain professional consultant services in connection with a forensic investigation, repair recommendations and design, bidding and construction of repairs stemming from recent failures of portions of the membrane roof on the Ontario County Jail located at 3045 County Complex Drive, Canandaigua, New York (hereinafter the “Project”); and

WHEREAS, SWBR Architects (hereinafter “SWBR”), 387 East Main Street, Rochester, NY 14604, has submitted a proposal for said professional consultant services for the Project for a cost not to exceed \$15,000; and

WHEREAS, There are funds available in Capital Project No. 07-2013 to cover said contract; and

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

RESOLVED, That the budget for Capital Project No. 07-2013 be amended as follows:

Line	Description	Current Budget	Change	Revised Budget
<i>Appropriations:</i>				
HBV 3168 E 4491	General Construction	\$282,760.00		\$282,760.00
HBV 3168 E 4493	Electrical	\$122,120.00	-\$1,385.77	\$120,734.23
HBV 3168 E 4494	Plumbing	\$36,120.00	-\$2,520.00	\$33,600.00
HBV 3168 E 4495	Engineering	\$68,825.00	+\$6,752.50	\$75,577.50
HBV 3168 E 4521	HVAC	\$11,033.66		\$11,033.66
HBV 3168 E 4865	Administrative Expenses	\$1,000.00		\$1,000.00
HBV 3168 E 4731	Contingency	\$163,141.34	-\$2,846.73	\$160,294.61
<i>Revenue:</i>				
HBV 3168 R 5036	Interfund Transfer – A Fund	\$425,000.00		\$425,000.00
HBR 3168 R 5048	Interfund Transfer – A Fund Reserve	\$260,000.00		\$260,000.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with SWBR to provide said Project services for a cost not to exceed \$15,000.00; and further

RESOLVED, That the term of said contract shall commence on April 19, 2019 and shall expire October 31, 2019; and further

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

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

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

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

RESOLUTION NO. 249-2019
CAPITAL PROJECT NO. 1-2017
AUTHORIZING CONTRACT FOR PROFESSIONAL AND
CONSULTING SERVICES WITH MRB GROUP FOR PREPARATION
OF DRAINAGE EASEMENTS
2017 CAPITAL MAINTENANCE PROJECT

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

WHEREAS, Resolution No. 256-2018 transferred Three Hundred and Twenty Thousand Six Hundred Ninety Seven Dollars (\$320,697.00) to Capital Project No. 6-2017, FLCC Athletic Fields Upgrade Project, leaving an unencumbered balance in line HCQ 2498 E 4260 Consultation and Professional of \$15,000.00; and

WHEREAS, The Town of Canandaigua Planning Board recently approved a site plan for the construction of a commercial building (Star Cider) located at 3365 State Route 364 near FLCC property; and

WHEREAS, A part of the approval process requires several drainage easement maps and easement descriptions to assist with the drainage mitigation requirements associated with the Star Cider project and to assist with the regional drainage improvements project being completed by Ontario County and Finger Lakes Community College (FLCC) on neighboring parcels; and

WHEREAS, The MRB Group, located at The Culver Road Armory, 145 Culver Road, Suite 160, Rochester, NY 14620, has submitted a proposal to assist Ontario County and FLCC with creating said drainage easements to access the proposed regional drainage improvements project area in the amount of one thousand two hundred dollars (\$1,200.00) ; and

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

RESOLVED, Upon review and approval by the County Attorney, as to form of contract, the Ontario County Board of Supervisors hereby accepts the proposal and approves a contract with MRB Group, to assist with creating said drainage easements to access the proposed regional drainage improvements project area in the amount of, but not to exceed one thousand two hundred dollars (\$1,200.00); and further

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

RESOLVED, That the term of said contract shall commence on March 15, 2019, and terminate on April 30, 2019; and further

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

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

RESOLVED, That the Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget for Capital Project No. 1-2017 of Eight Hundred Sixty Six Thousand Three Hundred Three Dollars (\$866,303.00); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department, the Senior Vice President of Administration and Finance of Finger Lakes Community College, and MRB Group, located at The Culver Road Armory, 145 Culver Road, Suite 160, Rochester, NY 14620.

**RESOLUTION NO. 250-2019
CREATE CAPITAL PROJECT NO. 02-2019
CHILLER REPLACEMENTS, AWARD OF CONTRACT
TO C&S COMPANIES FOR PROFESSIONAL SERVICES,
AND APPROPRIATE RESERVES, DEPARTMENT OF PUBLIC WORKS**

WHEREAS, The County has previously identified the need to replace the chiller systems at the Municipal Building (20 Ontario Street), Court House (27 North Main Street), and 3019 County Complex Drive; and

WHEREAS, The 2018 Capital Improvement Plan included funding for the chiller replacement at 20 Ontario and the Courthouse as well as funding for the replacement of the rubber roof membrane at 20 Ontario; and

WHEREAS, Resolution No. 852-2018 transferred said funding, \$570,050, to the Construction, Reconstruction, Acquisition, Repair and Maintenance Reserve (“CPR Reserve”); and

WHEREAS, Resolution Nos. 545-2017 and 821-2017 authorized contracts with C&S Companies, 499 Eileen Collins Boulevard, Syracuse, NY 13212, for professional services related to conceptual design, final design, and bidding phase services for the chiller replacement project for a cost not to exceed \$66,513; and

WHEREAS, Said contract expired March 21, 2018 and final design documents need to be completed; and

WHEREAS, The design and bidding fees remaining on the contract were \$20,420 (including a contingency of \$5,105); and

WHEREAS, 95% bid documents are complete and C&S Companies has provided a proposal for final design services, construction administration services, and post-construction phase services for a cost not to exceed \$63,459; and

WHEREAS, The total cost is estimated to be \$69,805 which includes a 10% contingency of \$6,346; and

WHEREAS, The 2019 Capital Improvement Plan includes \$719,950 of funding for the Chiller Replacements (\$200,000 from Equipment Reserve, \$100,000 from CPR Reserve, \$19,950 from Unified Court, and \$400,000 of tax levy); 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 authorizes the following funding transfer:

A 1620 9999 E 4031	Buildings & Grounds CIP - Renovations	-\$420,420
A 0511 B 0878	Appropriated Reserve – CRARM Reserve	+\$670,050
A 0511 B 7202	Appropriated Reserve – Equipment Reserve	+\$200,000
A 9950 E 9920	Transfer to Capital Projects	+\$670,050
A 9950 9999 E 9950	Transfer to Capital Projects	+\$620,420

and further

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

Appropriations		
HDI 1650 E 4495	Architectural/Engineering	\$71,783.20
HDI 1650 E 4865	Administrative Expenses	\$1,000.00
HDI 1650 E 4731	Contingency	\$1,217,686.80
Revenues:		
HDI 1650 R 5036	Interfund Transfer – General Fund	\$420,420.00
HDI 1650 R 5048	Interfund Transfer – Reserve	\$870,050.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with C&S Companies at a cost not to exceed \$63,459; and further

RESOLVED, That the contract shall commence on April 19, 2019 and will expire on November 29, 2019; and further

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

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

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

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department and C&S Companies, 499 Eileen Collins Boulevard, Syracuse, NY 13212.

**RESOLUTION NO. 251-2019
CAPITAL PROJECT NO. 02-2019
CHILLER REPLACEMENTS: AWARD OF CONTRACT FOR 20
ONTARIO STREET ROOF REPLACEMENT, DESIGN AND
CONSTRUCTION ADMINISTRATION SERVICES TO
SWBR ARCHITECTS, ENGINEERS AND LANDSCAPE
ARCHITECTURE, DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 250-2019 created Capital Project No. 02-2019, Chiller Replacements; and

WHEREAS, The County has previously identified the need to replace the roof systems at 20 Ontario Street and has combined this with the Chiller Replacement project; and

WHEREAS, Resolution No. 618-2017 authorized a contract with SWBR Architects, Engineers and Landscape Architecture (“SWBR”), 387 East Main Street, Rochester, NY 14604, for professional services related to performing final design and bidding phase services for the roof replacement project for a cost not to exceed \$12,770; and

WHEREAS, The contract with SWBR to perform this work expired in September 2018 and final design documents need to be completed; and

WHEREAS, The design and bidding fees remaining on the contract were \$5,021.80 (including \$1,230 of contingency); and

WHEREAS, Professional engineering final design services, construction administration services, and post-construction phase services are needed for the roofing replacement at 20 Ontario Street; and

WHEREAS, 95% bid documents are complete and SWBR has provided a proposal for final design services, construction administration services, and post-construction phase services for a cost not to exceed \$6,000;

WHEREAS, The total cost is estimated to be \$7,000 which includes a contingency of \$1,000; 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 authorizes the following funding transfer:

A 1620 9999 E 4031	Buildings & Grounds CIP – Renovations	-\$5,021.80
A 9950 9999 E 9950	Transfer to Capital Projects	+\$5,021.80

and further

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

Line	Description	Current Budget	Change	Revised Budget
<i>Appropriations:</i>				
HDI 1650 E 4495	Architectural/Engineering	\$71,783.20	+\$5,021.80	\$76,805.00
HDI 1605 E 4865	Administrative Expenses	\$1,000.00		\$1,000.00
HDI 1605 E 4731	Contingency	\$1,217,686.80		\$1,217,686.80
Revenue:				
HDI 1650 R 5036	Interfund Transfer –General Fund	\$420,420.00	+\$5,021.80	\$425,441.80
HDI 1650 R 5048	Interfund Transfer – Reserve	\$870,050.00		\$870,050.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with SWBR for a cost not to exceed \$6,000; and further

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

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

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

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

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department and SWBR, 387 East Main Street, Rochester, NY 14604.

**RESOLUTION NO. 252-2019
APPROVAL OF SALE OF PROPERTY TO
THE TOWN OF VICTOR**

WHEREAS, Resolution No. 139-1981 authorized the purchase of the Shortsville to Victor Rail Line (the “County Rail Line”); and

WHEREAS, The County Rail Line is approximately thirteen (13) miles in length and comprised of portions of two separate rail lines, one formerly operated by the Lehigh Valley Railroad and the other by Penn Central Railroad; and

WHEREAS, The rail line formerly operated by Penn Central Railroad is approximately 0.54 miles in length on a parcel of approximately 3.3 acres (“Former Penn Central Parcel”) being tax map # 28.09-1-41.110; and

WHEREAS, The Town of Victor desires the Former Penn Central Parcel to install and maintain public utilities and connect the public pedestrian trails that exist on each end of the Former Penn Central Parcel; and

WHEREAS, The County does not have a need for the Former Penn Central Parcel and desires to convey it to the Town while preserving the right of rail operations to continue; and

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

RESOLVED, That upon review and approval of the County Attorney as to form, the sale of the Former Penn Central Parcel is hereby approved for the sum of One Dollar (\$1.00); and further

RESOLVED, That the deed transferring the Former Penn Central Parcel to the Town of Victor shall reserve the right for the rail operator to operate rail service on the Former Penn Central Parcel and to use, maintain and repair the same until the tracks are, in whole or in part, properly removed/abandoned; and further

RESOLVED, That the County Administrator is authorized to execute the Purchase and Sale Agreement and deed on file with the Clerk of this Board and any other documents necessary to effectuate the purpose of this resolution.

**RESOLUTION NO. 253-2019
RENEWAL OF MATERIALS AND SERVICES BIDS
DEPARTMENT OF PUBLIC WORKS - BUREAU OF HIGHWAYS**

WHEREAS, Resolution 304-2017 awarded 2017 bids for the purchase of various materials and services for the Department of Public Works; and

WHEREAS, Resolution No. 322-2018 awarded 2018 bids for the purchase of various materials and services for the Department of Public Works; and

WHEREAS, The bid specifications for the purchase of various materials and services for the Department of Public Works allow for up to two additional twelve-month bid renewals; and

WHEREAS, The following vendors have agreed to renew their bids at the same prices, or where indicated with a CPI adjustment as allowed per the specifications, for a twelve month period beginning May 15, 2019, through May 14, 2020; and

B17027	
CARE AND REMOVAL OF TREES	Empire Enterprises JKB, Inc.
	1575 Welcher Road
	Newark, New York 14513
	Terry Tree Service, LLC
	755 Jefferson Road #200
	Rochester, New York 14623
B17029	
COLD MILLING, PLANING & TEXTURIZING BITUMINOUS CONCRETE PAVEMENT	Donegal Construction Corporation PO Box 450 New Stanton, Pennsylvania 15672

	Suit-Kote Corporation
	2 Rockwood Street
	Rochester, New York 14610
	Villager Construction, Inc.
	425 Old Macedon Center Road
	Fairport, New York 14450
	With 1.9% CPI Increase
B17031	
PAINTING OF VARIOUS PAVEMENT MARKINGS	Accent Stripe, Inc.
	3275 North Benzing Road
	Orchard Park, New York 14127
	Julieann Shove, Inc.
	DBA Champion Asphalt Maintenance
	5724 Eddy Ridge Road
	Williamson, New York 14589
	Seneca Pavement Marking
	3526 Watkins Road
	Horseheads, New York 14845
B17038	
MANHOLE REHABILITATION SERVICES	Camden Group, Inc.
	9008 State Route 13
	Camden, New York 13316
	National Water Main Cleaning Company
	25 Marshall Street
	Canton, Massachusetts 02021
	Skandex Pipe Services, Inc.
	753 Rowley Road, Suite 1
	Victor, New York 14564
	W. P. Mahoney Enterprises, Inc.
	90 Middle Street
	Geneva, New York 14456
B17039	
PRECAST CONCRETE DRAINAGE UNITS	Kistner Concrete Products, Inc.
	8713 Read Road
	PO Box 218
	East Pembroke, New York 14056
	With 1.9% CPI Increase
B18024	

EQUIPMENT RENTAL	Admar Supply
	1950 Brighton Henrietta Town Line Road
	Rochester, New York 14623
	C. P. Ward, Inc.
	100 West River Road, PO Box 900
	Scottsville, New York 14546
	Donegal Construction Corporation
	PO Box 450
	New Stanton, PA 15672
	Klug Crane, Inc.
	2552 Freshour Road
	Canandaigua, New York 14424
	Midland Asphalt Materials, Inc.
	640 Young Street
	Tonawanda, New York 14150
	Minority Paving, LLC
	3 Sunrise Park
	Pittsford, New York 14534
	Northern Paving, LLC
	6131 East Taft Road
	North Syracuse, New York 13212
	Roadtek, LLC
	4846 Route 104
	Williamson, New York 14589
	With 1.9% CPI Increase
	Villager Construction, Inc.
	425 Old Macedon Center Road
	Fairport, New York 14450
	With 1.9% CPI Increase
B18026	
PURCHASE OF LIQUID CALCIUM CHLORIDE & MAGNESIUM CHLORIDE	Millennium Roads, LLC
	12118 East Yates Center Road
	Lyndonville, New York 14098
B18027	
GENERAL & EMERGENCY ROAD & SEWER REPAIRS	C. P. Ward, Inc.
	100 West River Road, PO Box 900
	Scottsville, New York 14546

	Villager Construction, Inc.
	425 Old Macedon Center Road
	Fairport, New York 14450
	W. P. Mahoney Enterprises, Inc.
	90 Middle Street
	Geneva, New York 14456
B18030	
REMOVAL & REPAIR OF STRUCTURAL CONCRETE	C. P. Ward, Inc.
	100 West River Road, PO Box 900
	Scottsville, New York 14546
B18031	
PURCHASE/PLACEMENT OF ASPHALT PAVEMENT MATERIALS	Dolomite Products, Co. Inc.
	DBA Rochester Asphalt Materials
	1150 Penfield Road
	Rochester, New York 14625
	With 1.9% CPI Increase
	Hanson Aggregates New York, LLC
	6895 Ellicott Street
	Pavilion, New York 14525
	With 1.9% CPI Increase
	Innovative Municipal Products (US), Inc.
	454 River Road
	Glenmont, New York 12077
	Northern Asphalt, LLC
	6131 East Taft Road
	North Syracuse, New York 13212
	Seneca Stone Corporation
	2747 Canoga Road
	Seneca Falls, New York 13148
B18040	
AGGREGATES AND COVER SOILS	Dolomite Products Co., Inc.
	1150 Penfield Road
	Rochester, New York 14625
	With 1.9% CPI Increase
	Hanson Aggregates New York LLC
	6895 Ellicott Street
	Pavilion, New York 14525
	With 1.9% CPI Increase

	Seneca Stone Corporation
	2747 Canoga Road
	Seneca Falls, New York 13148
B18041	
PAVEMENT MAINTENANCE AND REHABILITATION	D. Clark Distributors, LLC
	425 Old Macedon Center Road
	Fairport, New York 14450
	With 1.9% CPI Increase
	Highway Rehab Corporation
	2258 Route 22
	Brewster, New York 10509
	Midland Asphalt Materials, Inc.
	640 Young Street
	Tonawanda, New York 14150
	Minority Paving, LLC
	3 Sunrise Park
	Pittsford, New York 14534
	Suit-Kote Corporation
	159 Flint Hill Road
	Leroy, New York 14482

now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors authorizes bid renewals with the above listed vendors for a twelve-month period beginning May 15, 2019, through May 14, 2020; and further

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

**RESOLUTION NO. 254-2019
AUTHORIZATION TO ENTER INTO ON-DEMAND CONTRACTS
WITH ENGINEERING FIRMS FOR PROJECT ASSISTANCE FOR
ONTARIO COUNTY DEPARTMENT OF PUBLIC WORKS**

WHEREAS, On-demand contracts for engineering services are needed for minor project studies or designs to address conditions in the wastewater treatment and collection systems, environmental and hazard studies, traffic and transportation, general civil and structural engineering, development utility system plan review, survey, right-of-way and building services; and

WHEREAS, The following firms have been selected to provide on-demand engineering and design services; and

WHEREAS, The contract allows other Ontario County municipalities to utilize said services at the discretion of the vendor; now, therefore be it

RESOLVED, That upon review and approval by the County Attorney as to form , the Board of Supervisors approves on-demand contracts to be established with the following firms starting April 20, 2019, through April 19, 2020, with an option to renew for one year:

General Civil Engineering Heavy Structural Analysis & Review	Erdman Anthony	145 Culver Rd. Suite 200 Rochester, NY 14620
	Stantec Consulting Services Inc.	61 Commercial St, Suite 100 Rochester, NY 14614
	McFarland Johnson	2525 St Rt 332 Box 6, Suite 101 Canandaigua, NY 14424
	SWBR	387 East Main Street Rochester, NY 14604
	LU Engineers	339 East Avenue, Suite 200 Rochester, NY 14604
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
Wastewater treatment, Sewer system evaluation, plan and design	Stantec Consulting Services Inc.	61 Commercial St, Suite 100 Rochester, NY 14614
	C&S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
Traffic Analysis and design	SRF Associates	3495 Winton Place Bldg E Suite 110 Rochester, NY 14623
	C&S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	McFarland Johnson	2525 St Rt 332 Box 6, Suite 101 Canandaigua, NY 14424
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
Right-of-Way Services	Erdman Anthony	145 Culver Rd. Suite 200 Rochester, NY 14620

	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Ravi Engineering	2110 South Clinton Ave Suite #1 Rochester, NY 14618
Development Review	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
	C&S Companies	150 State Street, Suite 120 Rochester, NY 14614
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	LU Engineers	339 East Avenue, Suite 200 Rochester, NY 14604
Environmental Services Hazard Study	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Stantec Consulting Services, Inc.	61 Commercial Street, Suite 100, Rochester, NY 14614
	Barton & Loguidice	11 Centre Park, Suite 203 Rochester, NY 14614
	LU Engineers	339 East Avenue, Suite 200 Rochester, NY 14604
Survey & Site Work	Erdman Anthony	145 Culver Rd. Suite 200 Rochester, NY 14620
	Ravi	2110 South Clinton Ave Suite #1 Rochester, NY 14618
	Fisher Associates	180 Charlotte Street Rochester, NY 14607
	Stantec	61 Commercial St, Suite 100 Rochester, NY 14614

Building Services	McFarland Johnson	2525 St Rt 332 Box 6, Suite 101 Canandaigua, NY 14424
	Stantec	61 Commercial St, Suite 100 Rochester, NY 14614
	C&S	150 State Street, Suite 120 Rochester, NY 14614
	SWBR	387 East Main Street Rochester, NY 14604
Meteorology Consulting: Inclement Weather forecast and Training	Flour City Weather	5976 Chelsea Place Farmington, NY 14425

and further

RESOLVED, The Commissioner of Public Works, upon notice to the Public Works Committee, is hereby authorized to establish the scope of work and fees with selected firms from this list and order the services be provided up to a fee limit of \$8,000 for a particular project; and further

RESOLVED, Under an emergency situation or for time critical events, the Commissioner of Public Works may order such services to begin and to immediately notify the County Administrator and Chairman of the Public Works Committee that a situation has arisen where contract for these services must begin immediately; and further

RESOLVED, 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 hereof, subject to the review and approval of the County Attorney as to form; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Engineering Firms approved herein.

**RESOLUTION NO. 255-2019
ACCEPTANCE OF BID FOR PAINT AND PAINTING SUPPLIES
DEPARTMENT OF PUBLIC WORKS BUILDINGS AND GROUNDS**

WHEREAS, The Department of Public Works has the need for paint, primer and sealer products throughout the year for various projects it undertakes in the remodeling and preservation of county buildings; and

WHEREAS, The Purchasing Department solicited bids (B19036) for the various projects;

WHEREAS, Rochester Paint Center was the lowest responsive, responsible bidder meeting the specifications in Bid #2 Alternate; and

WHEREAS, On review and recommendation of the Department of Public Works and the Purchasing Department, it is in the County's best interest to award the bid to Rochester Paint Center, 1800 Lyell Avenue, Rochester, New York 14606; now therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby awards Bid #2 Alternate for paint and painting supplies to Rochester Paint Center per bid tabulation sheet on file with the Clerk of the Board for a period effective May 30, 2019, through May 29, 2020; and further

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

RESOLUTION NO. 256-2019
ACCEPTANCE OF CONTRACT
PETROLEUM QUALITY TESTING PROGRAM
DEPARTMENT OF PUBLIC WORKS – WEIGHTS AND MEASURES

WHEREAS, The New York State Department of Agriculture and Markets operates a Petroleum Quality Testing Program; and

WHEREAS, Ontario County Weights and Measures participates in the Petroleum Quality Testing Program; and

WHEREAS, Ontario County Weights and Measures may receive reimbursement for expenses incurred through said program; and

WHEREAS, New York State Department of Agriculture and Markets has provided contract agreements for the period of April 1, 2019, through March 31, 2024; and

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

RESOLVED, That upon review and approval by the County Attorney as to form, the Ontario County Board of Supervisors hereby approves a contract with the New York State Department of Agriculture and Markets for participation in and reimbursement through the Petroleum Quality Testing Program for the term of five years at a cost not to exceed \$29,650.00; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Petroleum Quality Testing Program Agreement with New York State Department of Agriculture and Markets and all documents necessary or appropriate 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 the New York State Department of Agriculture and Markets.

The foregoing block of fifteen resolutions was adopted.

Supervisor Baker offered the following block of seven resolutions seconded by Supervisor Wickham:

RESOLUTION NO. 257-2019
AUTHORIZATION TO PARTICIPATE IN COOPERATIVE BIDS
COORDINATED BY WAYNE FINGER LAKES BOCES

WHEREAS, Wayne-Finger Lakes BOCES located at 131 Drumlin Court, Newark, New York 14513, has submitted a proposed “General Resolution” for Ontario County participation in cooperative bids; and

WHEREAS, The Ontario County Purchasing Department deems it to be in the best interest of the taxpayers of Ontario County to participate in the cooperative bids coordinated by Wayne Finger Lakes BOCES; now, therefore, be it

April 18, 2019

RESOLVED, That the Purchasing Director be, and hereby is, authorized and directed to sign the "General Resolution".

**RESOLUTION NO. 258-2019
TRANSFER OF FUNDS – 2019 COUNTY BUDGET**

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

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

RESOLVED, That the following transfers be made:

<u>2019 Budget</u>	FROM	TO	NET DIFFERENCE
Sheriff – Project Lifesaver			
Appropriated Fund Balance	A 0599 B 0000		- 6,422.80
Miscellaneous Expense		A 3114 E 4730	+ 6,422.80

and further

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

**RESOLUTION NO. 259-2019
RECLASSIFYING AN OFFICE SPECIALIST I POSITION
TO A SENIOR CLERK POSITION
DISTRICT ATTORNEY'S OFFICE**

WHEREAS, Mr. James B. Ritts, District Attorney, has requested that a position of Office Specialist I be reclassified; and

WHEREAS, The Director of Human Resources has reclassified the position of Office Specialist I (Grade A03) to Senior Clerk (Grade A07) by POCC #84-2018; and

WHEREAS, The County Administrator and the Ways and Means Committee recommend the reclassification of an Office Specialist I to Senior Clerk in the District Attorney's Office; and

WHEREAS, Sufficient funding exists within the District Attorney's Budget to fund this position change; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the reclassification a position of Office Specialist I (01533/#39) to Senior Clerk (01002/#19), effective upon adoption.

**RESOLUTION NO. 260-2019
CREATION OF AN ACCOUNTANT I POSITON
ABOLISHMENT OF A FISCAL MANAGER POSITION
DEPARTMENT OF FINANCE**

WHEREAS, Ms. Mary Gates, Director of Finance, has filed a New Position Duties Statement for a position she would like to create; and

WHEREAS, Said position has been classified as Accountant I by Personnel Officer Classification Certification No. 32-2019; and

WHEREAS, Ms. Gates would like to create an Accountant I position and abolish a vacant Fiscal Manager position; and

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

WHEREAS, The County Administrator and the Ways and Means Committee recommend the creation of an Accountant I (Grade A15) position and the abolishment of a vacant Fiscal Manager (Grade A17) position; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the creation of an Accountant I (01537/#3) position, effective upon adoption; and further

RESOLVED, That a vacant position of Fiscal Manager (01845/#4) be abolished; and further

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

RESOLUTION NO. 261-2019
CREATION OF TWO BUS DRIVER, SUBSTITUTE POSITIONS
ABOLISHMENT OF TWO FOOD SITE AIDE, PART-TIME POSITIONS
OFFICE FOR THE AGING

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

WHEREAS, Said positions have been classified as Bus Driver, Substitute by Personnel Officer Classification Certification No. 31-2019; and

WHEREAS, Ms. Coveny would like to create two Bus Driver, Substitute positions and abolish two vacant Food Site Aide, Part-Time positions; and

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

WHEREAS, The County Administrator and the Ways and Means Committee recommend the creation of two Bus Driver, Substitute positions and the abolishment of two vacant Food Site Aide, Part-Time positions; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the creation of two Bus Driver, Substitute (52231/#6&7) positions, effective upon adoption; and further

RESOLVED, That two vacant positions of Food Site Aide, Part-Time (12424/#7&12) be abolished; and further

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

RESOLUTION NO. 262-2019
CREATION OF A SUPERVISOR, BUREAU OF WASTEWATER
MANAGEMENT POSITION AND CREATION OF A CIVIL ENGINEER
(ONTARIO COUNTY) POSITION, ABOLISHMENT OF A JUNIOR

**ENGINEER POSITION AND ABOLISHMENT OF A PROJECT
MANAGER POSITION - DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Mr. William C. Wright, Commissioner of Public Works, has filed two New Position Duties Statements for two positions he would like to create in order to reorganize the department for succession planning purposes; and

WHEREAS, Said positions have been classified as Supervisor, Bureau of Wastewater Management by Personnel Officer Classification Certification No. 30-2019 and Civil Engineer (Ontario County) by Personnel Officer Classification Certification No. 34-2019; and

WHEREAS, Mr. Wright would like to create a Supervisor, Bureau of Wastewater Management position and a Civil Engineer (Ontario County) position and abolish a vacant Junior Engineer position and a vacant Project Manager position; and

WHEREAS, Sufficient funding exists within the Department of Public Works' Budget for these position changes; and

WHEREAS, The County Administrator and the Ways and Means Committee recommend the creation of a Supervisor, Bureau of Wastewater Management position (Band 8) and the creation of a Civil Engineer (Ontario County) position (Grade A19) and the abolishment of a vacant Junior Engineer position (Grade A15) and a vacant Project Manager position (Grade A16); now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the creation of a Supervisor, Bureau of Wastewater Management position (01816/#1) and a Civil Engineer (Ontario County) position (01598/#2), effective upon adoption; and further

RESOLVED, That the vacant positions of Junior Engineer (01141/#3) and Project Manager (01795/#2) be abolished; and further

RESOLVED, That Supervisor, Bureau of Wastewater Management shall be allocated to Band 8 on the Management Compensation Plan Salary Schedule; and further

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

**RESOLUTION NO. 263-2019
SALARY ADJUSTMENT – MATTHEW MIX
ONTARIO COUNTY OFFICE OF PUBLIC DEFENDER**

WHEREAS, Ms. Leanne Lapp, Public Defender, has recommended the salary adjustment of Mr. Matthew Mix, Assistant Public Defender, from “associate-level attorney” \$72,250 (Band 10, Step 3) to “partner-level attorney” \$97,282 (Band 5, Step 1); and

WHEREAS, The Ways and Means Committee has reviewed and approved the salary adjustment for Mr. Mix, effective upon adoption; and

WHEREAS, Sufficient funding exists within the Office of Public Defender's budget for this salary adjustment; now, therefore, be it

RESOLVED, That the salary for Mr. Matthew Mix, Assistant Public Defender, be set at Band 5, Step 1 (\$97,282) effective upon adoption.

The foregoing block of seven resolutions was adopted.

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

**RESOLUTION NO. 264-2019
2020 – 2021 SALARY SCHEDULE: BOARD OF SUPERVISORS**

WHEREAS, Rule 26 of the “Rules and Order of Business” of the Board of Supervisors provides that any motion or resolution relating to compensation of elected county officers shall be presented at a regular session of the Board of Supervisors at least eight months prior to the beginning of the term of such officers; and

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

RESOLVED, That the Board of Supervisors’ positions shall be paid the following salaries in 2020 and 2021:

Position	2020 Salary	2021 Salary
Supervisor	\$14,645.16	\$14,938.06
Chairman of the Board	\$11,672.88	\$11,906.34
Vice-Chairman of the Board	\$1,166.88	\$1,190.22
Chairman, Ways and Means Committee	\$1,166.88	\$1,190.22

and further

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

**RESOLUTION NO. 265-2019
2020 SALARY FOR COUNTY HISTORIAN**

WHEREAS, There is currently one part-time salaried employee of Ontario County who is not represented by an employee organization under the Taylor Law, and whose salary has not been or will not be fixed under an employment contract between the County and an employee organization; and

WHEREAS, The Ways and Means Committee recommends that the County Historian receive an increase from \$17,384 to \$17,732 in 2020; now, therefore, be it

RESOLVED, That the Board of Supervisors establishes the 2020 salary for the County Historian at \$17,732, to be effective January 1, 2020; and further

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

**RESOLUTION NO. 266-2019
2020 – 2023 SALARY SCHEDULE: CORONERS**

WHEREAS, Rule 26 of the “Rules and Order of Business” of the Board of Supervisors provides that any motion or resolution relating to compensation of elected county officers shall be presented at a regular session of the Board of Supervisors at least eight months prior to the beginning of the term of such officers; and

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

RESOLVED, That the salary schedule for Coroners shall be as follows:

<u>Year</u>	<u>Amount</u>
2020	\$12,700
2021	\$12,700
2022	\$12,700
2023	\$12,700

and further

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

**RESOLUTION NO. 267-2019
2020 – 2023 SALARY SCHEDULE FOR COUNTY CLERK**

WHEREAS, Rule 26 of the “Rules and Order of Business” of the Board of Supervisors provides that any motion or resolution relating to compensation of elected county officers shall be presented at a regular session of the Board of Supervisors at least eight months prior to the beginning of the term of such officers; and

WHEREAS, The Ways and Means Committee has reviewed and recommends the following salary schedule for the County Clerk for the years 2020 through 2023; now, therefore, be it

RESOLVED, That the 2020 – 2023 salary for the County Clerk shall be set as follows:

<u>Year</u>	<u>Amount</u>
2020	\$83,005.64
2021	\$84,665.75
2022	\$86,359.07
2023	\$88,086.25

and further

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

Supervisor Baker remarked that the rate increase in pay in the supervisors’ salary resolutions lower than that of other positions in the county.

The foregoing block of four resolutions was adopted.

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

**RESOLUTION NO. 268-2019
ESTABLISHMENT OF COMPENSATED ABSENCES
DESIGNATED FUND BALANCES**

WHEREAS, Compensated Absences are the liabilities accrued as employees earn the right to benefits, in this case vacation leave benefits, that are attributable to service rendered but not necessarily immediately available for use; and

WHEREAS, Ontario County has historically recognized Compensated Absences in the Non-Current Liabilities Fund; and

WHEREAS, Evaluation of this practice and discussion with our auditors has led to a recommendation that each fund have a designated fund balance to account for those liabilities; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby establish Designated Fund Balances for each current and future fund which may incur Compensated Absences; and further

RESOLVED, That balances currently accounted for in the Non-Current Liabilities Fund associated with Compensated Absences be reclassified to the appropriate Designated Fund Balances for each fund; and

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 certified copies of this resolution be sent to the Department of Finance.

**RESOLUTION NO. 269-2019
ADOPTING LOCAL LAW NO. 2 (INTRO.) 2019
AFTER PUBLIC HEARING**

WHEREAS, A public hearing having been held on April 18, 2019, prior to the full meeting of this Board, for public input on a proposed local law entitled "Creating A Position of Deputy Director, Real Property Tax Services"; and

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

RESOLVED, That Local Law No. 2 (Intro.) of 2019, allowing the creation of a position of Deputy Director of Real Property Tax Services, is hereby adopted.

The foregoing block of two resolutions was adopted.

On motion of Supervisor Gallahan, seconded by Supervisor Teed, the meeting was adjourned at 7:15 p.m.